



Information on legal aid in Scotland

What is legal aid?

Legal aid helps pay for the work done by your solicitor.

You can sometimes get this if you can't afford to pay your own legal costs.

When can you get legal aid?

You can get Scottish legal aid for four types of help:

- **Advice and Assistance:** Pays for advice from a solicitor.

You might need help about many things - your rights if your relationship ends, if you have been harmed by someone, or if you're accused of a crime.

- **Civil Cases:** Pays for a solicitor to prepare a case and speak for you in court.

Civil cases can be about many things, like:

- divorce or separation
- housing
- debt
- immigration
- nationality or asylum.

- **Children's Hearings:** Pays for a solicitor to prepare and speak for you at a children's hearing. This is a legal meeting set up because people are worried about a child.

- **Criminal Cases:** Pays for the costs of a solicitor if you have been charged with a criminal offence. It can include:
 - legal advice
 - representation in court.

Who can get legal aid?

Anyone can apply for Scottish legal aid if the case is covered by the law in Scotland. You will usually need to show that you can't afford to pay your legal costs yourself.

Children can apply for legal aid if they are old enough to understand why they need a solicitor, and to ask the solicitor to work for them.

You do not need to be a British citizen to get legal aid. Scottish legal aid is not restricted by nationality or residence status. Legal aid can only be provided to an individual, not to businesses.

Do I need to pay for legal aid?

You might not need to pay anything at all.

This will depend on your financial position and the type of legal help you need:

- in most criminal cases, you don't need to pay anything towards the cost unless you receive Advice and Assistance
- in civil cases, you may have to pay some money towards the legal costs of your case or pay costs back later
- in children's hearings cases, the child does not have to pay anything. If you are a relevant person in the hearing (a parent or a carer), then you may have to pay some money towards the legal costs of your case.

When you first speak to a solicitor, they might help you by giving you Advice and Assistance. They might ask you to make a small payment to the cost of your advice. The amounts are set down in law.

You should ask about the cost when you arrange your first appointment.

If you need a BSL or other language interpreter, the cost can be covered by legal aid. You will need to talk to your solicitor or SLAB for more details.

What is the process to get legal aid?

You can only get legal aid through a solicitor.

You will first need to find a solicitor that does legal aid work. They will talk you through your options, let you know if you're likely to get legal aid, and help you with the application process.

You will usually need to show that you can't afford to pay for legal help yourself and that your problem is serious.

You can find a legal aid solicitor near you by using our solicitor finder tool:

<https://www.slab.org.uk/new-to-legal-aid/find-a-solicitor/>

Who is my main contact to get legal aid?

Your solicitor will be your main point of contact. They will help you with the application process.

For more information:

- Scottish Government guide to legal advice and legal aid:
<https://www.mygov.scot/browse/crime-justice-law/legal-advice>
- **Financial eligibility:** Contact our Financial Assessment Unit if you have questions about financial eligibility for legal assistance:
Email financial@slab.org.uk
Phone 0131 560 2164 (Monday to Friday, 8.30am to 5pm)
Website <https://www.slab.org.uk/new-to-legal-aid/>
- Leaflets, videos and British Sign Language (BSL) information:
See the 'New to legal aid' section on our website
<https://www.slab.org.uk/new-to-legal-aid/>