

3. Civil legal assistance

Appendix notes

1. Figures for grants and refusals of applications do not necessarily equal numbers of applications received, since decisions on applications received towards the end of one year may not be reached until the following year. In addition applications can be abandoned before enough information has been provided for SLAB to take a decision. In such cases applications will neither be granted nor refused.
2. Unless otherwise stated, the 2013-2014 figures for accounts paid include VAT and were prepared on a cash basis.
3. In tables showing accounts paid, unless otherwise stated, outlays include all payments other than fees paid to solicitors and advocates - for example, expert witnesses.
4. Tables have been amended, where appropriate, to show a separate subject matter for Fatal accident inquiries. Previously these cases were included in the Other subject matter.
5. Civil legal aid grants for 2012-13 by court type have been restated to incorporate the effect of grant restrictions on court type.

3.1 Intimations of civil advice and assistance

Subject matter	2013-2014	2012-2013
Family		
Aliment/Child Support Agency	398	540
Children (Scotland) Act	912	2,267
Contact/parentage	13,770	14,853
Divorce	4,731	5,473
Property/monetary	258	321
Protective order	3,269	3,719
Residence	2,743	2,823
Separation	3,412	3,836
Family/matrimonial - other	2,433	2,503
Total civil advice and assistance - family	31,926	36,335
Non-family		
Adults with incapacity	1,909	1,767
Antisocial Behaviour Orders (ASBO)	250	267
Appeals	170	165
Breach of contract	357	411
Complaints against professional bodies	487	495
Conveyancing	48	66
Criminal Injuries Compensation Authority	725	857
Discrimination	44	55
Employment	1,554	1,857
Fatal accident inquiries	30	21
Hire purchase/debt	3,259	4,100
Housing	3,901	3,490
Human rights	84	72
Immigration and asylum	7,507	7,274
Judicial review	1,333	1,127
Medical negligence	839	870
Mental health	169	215
Power of attorney	1,252	1,126
Recovery of heritable property	2,918	2,903
Reparation	3,074	3,837
State benefit	6,296	8,534
Wills/executry	1,628	1,876
Other	2,583	2,753
Total civil advice and assistance - non-family	40,417	44,138
Total civil advice and assistance	72,343	80,473

3.2 Intimations of civil ABWOR

Subject matter	2013-2014	2012-2013
Bankruptcy/petition by debtor	7	7
Employment tribunals	1	2
Immigration and asylum	2,259	1,924
Mental health	2,820	2,768
Sequestration	1	1
Other	13	19
Total	5,101	4,721

3.3 Increases in limit of authorised expenditure of civil advice and assistance and ABWOR

Type	Applications for increase		Increases granted		Increases refused	
	2013-2014	2012-2013	2013-2014	2012-2013	2013-2014	2012-2013
Templated advice and assistance	42,293	46,008	41,972	45,667	340	263
Non-templated advice and assistance	24,665	24,849	20,893	21,725	3,112	2,206
Templated ABWOR	2,616	2,823	2,488	2,670	140	116
Non-templated ABWOR	6,917	6,669	6,682	6,432	238	155
Total	76,491	80,349	72,035	76,494	3,830	2,740

Note

1. These figures include decisions at first instance and decisions after reconsideration.
2. Figures for 2012-2013 have been restated due to a re-classification of cases to children's advice and assistance.

3.4 Disposal of applications under regulation 16(3) (hardship provisions) of the Advice and Assistance (Scotland) Regulations 1996

Type	Applications		Total payments £000
	Received	Granted	
Client claimed	255	52	42
Solicitor claimed	290	237	191
2013-2014	545	289	233
2012-2013	646	385	274

3.5 Civil legal aid applications	Sheriff court		Court of Session		Other courts		Total	
	2013-2014	2012-2013	2013-2014	2012-2013	2013-2014	2012-2013	2013-2014	2012-2013
Family subject matters								
Contact/parentage	5,001	5,196	30	16	0	0	5,031	5,212
Divorce/separation	2,880	3,256	4	7	0	0	2,884	3,263
Property/monetary	542	553	3	6	0	0	545	559
Protective order	701	842	10	13	0	0	711	855
Residence	1,953	2,035	7	3	0	0	1,960	2,038
Family/matrimonial - other	1,022	970	46	40	0	1	1,068	1,011
Total - family	12,099	12,852	100	85	0	1	12,199	12,938
Non-family subject matters								
Adults with incapacity	3,137	2,798	0	0	0	0	3,137	2,798
Appeals	156	155	126	86	28	23	310	264
Breach of contract	66	76	1	8	0	0	67	84
Debt	306	388	13	14	0	0	319	402
Discrimination	3	4	0	0	0	0	3	4
Fatal accident inquiries	18	10	0	0	0	0	18	10
Housing/recovery of heritable property	1,838	1,861	22	15	0	0	1,860	1,876
Immigration and asylum	0	3	327	324	0	0	327	327
Judicial review	0	8	213	206	1	0	214	214
Medical negligence	99	84	101	85	0	0	200	169
Reparation	509	607	82	89	0	3	591	699
Other	793	838	129	90	3	7	925	935
Total - non-family	6,925	6,832	1,014	917	32	33	7,971	7,782
Total civil legal aid applications	19,024	19,684	1,114	1,002	32	34	20,170	20,720

3.6 Civil legal aid grants	Sheriff court		Court of Session		Other courts		Total	
	2013-2014	2012-2013	2013-2014	2012-2013	2013-2014	2012-2013	2013-2014	2012-2013
Family subject matters								
Contact/parentage	3,337	3,581	8	9	0	0	3,345	3,590
Divorce/separation	2,237	2,294	3	1	0	0	2,240	2,295
Property/monetary	320	339	1	4	0	0	321	343
Protective order	404	523	3	7	0	0	407	530
Residence	1,357	1,412	3	0	0	0	1,360	1,412
Family/matrimonial - other	663	613	34	30	0	0	697	643
Total civil legal aid grants - family	8,318	8,762	52	51	0	0	8,370	8,813
Non-family subject matters								
Adults with incapacity	3,024	2,663	0	0	0	0	3,024	2,663
Appeals	39	54	82	57	10	15	131	126
Breach of contract	28	29	3	1	0	0	31	30
Debt	94	118	5	7	0	0	99	125
Discrimination	3	0	0	0	0	0	3	0
Fatal accident inquiries	12	8	0	0	0	0	12	8
Housing/recovery of heritable property	805	758	2	0	0	0	807	758
Immigration and asylum	1	1	197	172	0	0	198	173
Judicial review	0	1	75	67	0	0	75	68
Medical negligence	43	18	51	40	0	0	94	58
Reparation	194	188	41	42	0	1	235	231
Other	264	327	63	47	3	0	330	374
Total civil legal aid grants - non-family	4,507	4,165	519	433	13	16	5,039	4,614
Total civil legal aid grants	12,825	12,927	571	484	13	16	13,409	13,427

3.7 Contributions payable at the grant of civil legal aid application

Subject matter	Grants with no contribution		Grants with contribution		Contribution payable	
	2013-2014	2012-2013	2013-2014	2012-2013	Mean value 2013-2014	Median value 2013-2014
Family						
Contact/parentage	2,380	2,614	965	976	£ 2,406	£ 1,849
Divorce/separation	1,297	1,380	943	915	£ 2,249	£ 1,787
Property/monetary	176	190	145	153	£ 2,455	£ 1,776
Protective order	307	425	100	105	£ 2,372	£ 1,705
Residence	1,063	1,083	297	329	£ 2,408	£ 1,800
Family/matrimonial - other	496	468	201	175	£ 2,572	£ 1,755
Total civil legal aid grants - family	5,719	6,160	2,651	2,653	£ 2,364	£ 1,803
Non-family						
Adults with incapacity	3,021	2,662	3	1	£ 852	£ 775
Appeals	115	112	16	14	£ 2,270	£ 1,710
Breach of contract	17	21	14	9	£ 2,108	£ 1,558
Debt	56	74	43	51	£ 2,635	£ 1,688
Discrimination	3	0	0	0	£ -	£ -
Fatal accident inquiries	10	6	2	2	£ 1,026	£ 1,026
Housing/recovery of heritable property	679	629	128	129	£ 2,333	£ 1,846
Immigration and asylum	175	165	23	8	£ 1,378	£ 1,056
Judicial review	66	62	9	6	£ 1,866	£ 1,774
Medical negligence	66	32	28	26	£ 2,927	£ 2,055
Reparation	155	145	80	86	£ 2,644	£ 1,610
Other	242	279	88	95	£ 2,895	£ 1,904
Total civil legal aid grants - non-family	4,605	4,187	434	427	£ 2,486	£ 1,725
Total civil legal aid grants	10,324	10,347	3,085	3,080	£ 2,381	£ 1,795

Note

1. This table shows contributions payable at the grant of the civil legal aid application. The effect of post-certificate means assessments is not shown.

3.8 Analysis of contributions payable by assisted person

Subject matter	£0	£1 - £500	£501 - £1,000	£1,001 - £1,500	£1,501 - £2,000	£2,001 - £3,000	£3,001 - £4,000	£4,001 - £5,000	OVER £5,000	Total
Family										
Contact/parentage	2,380	110	123	146	146	208	103	39	90	3,345
Divorce/separation	1,297	106	125	151	156	201	93	43	68	2,240
Property/monetary	176	23	22	16	25	21	18	5	15	321
Protective order	307	10	16	18	14	16	12	6	8	407
Residence	1,063	38	42	39	47	55	29	19	28	1,360
Family/matrimonial - other	496	24	23	33	33	42	20	8	18	697
Total civil legal aid grants - family	5,719	311	351	403	421	543	275	120	227	8,370
Non-family										
Adults with incapacity	3,021	0	2	1	0	0	0	0	0	3,024
Appeals	115	3	0	4	2	3	2	1	1	131
Breach of contract	17	2	3	2	2	2	0	2	1	31
Debt	56	4	9	7	4	8	2	4	5	99
Discrimination	3	0	0	0	0	0	0	0	0	3
Fatal accident inquiries	10	0	1	1	0	0	0	0	0	12
Housing/recovery of heritable property	679	15	12	20	22	26	17	8	8	807
Immigration and asylum	175	4	5	7	3	2	1	0	1	198
Judicial review	66	1	2	1	1	3	1	0	0	75
Medical negligence	66	3	3	4	4	4	2	2	6	94
Reparation	155	7	21	11	8	10	4	9	10	235
Other	242	2	18	19	8	15	8	3	15	330
Total civil legal aid grants - non-family	4,605	41	76	77	54	73	37	29	47	5,039
2013-2014 (Volumes)	10,324	352	427	480	475	616	312	149	274	13,409
2013-2014 (Percentages)	77.0%	2.6%	3.2%	3.6%	3.5%	4.6%	2.3%	1.1%	2.0%	100.0%
2012-2013 (Volumes)	10,347	342	478	491	439	572	292	183	283	13,427
2012-2013 (Percentages)	77.1%	2.5%	3.6%	3.7%	3.3%	4.3%	2.2%	1.4%	2.1%	100.0%
Of those contributions, the breakdown between capital and income was as follows:										
Capital contributions	13,350	6	6	4	4	12	11	10	6	13,409
Income contributions	10,331	354	434	483	475	629	307	143	253	13,409

Notes

1. Included in the table are 52 cases, where both a capital and an income contribution are payable.
2. The breakdown of capital and income contributions bands may be lower than the combined volume band because the combined value may place any of the 52 cases in a higher band.

3.9 Intimations of steps taken under regulation 18(1)(a) and certificates granted under regulation 18(1)(b) of the Civil Legal Aid (Scotland) Regulations 2002 (legal aid in matters of special urgency)

Type	2013-2014	2012-2013
Intimations under regulation 18(1)(a)	8,300	8,564
Certifications under regulation 18(1)(b)	3,212	3,165
Total	11,512	11,729

3.10 Analysis of full applications where legal aid was refused or abandoned at first instance

Subject matter	Refused on merits		Refused on means		Refused on both		Abandoned		Total	
	2013-2014	2012-2013	2013-2014	2012-2013	2013-2014	2012-2013	2013-2014	2012-2013	2013-2014	2012-2013
Family										
Contact/parentage	2,055	1,589	11	14	8	10	325	289	2,399	1,902
Divorce/separation	528	536	30	48	9	14	295	246	862	844
Property/monetary	232	252	13	5	8	3	26	37	279	297
Protective order	226	242	3	1	1	1	51	52	281	296
Residence	612	449	7	9	0	5	185	136	804	599
Family/matrimonial - other	412	378	5	4	4	7	64	69	485	458
Total refused or abandoned - family	4,065	3,446	69	81	30	40	946	829	5,110	4,396
Non-family										
Adults with incapacity	121	85	2	0	0	0	28	13	151	98
Appeals	175	151	0	0	0	0	26	18	201	169
Breach of contract	43	47	2	3	0	0	1	4	46	54
Debt	209	235	4	3	1	4	13	19	227	261
Discrimination	2	2	0	0	0	0	0	0	2	2
Fatal accident inquiries	3	2	0	0	0	0	1	1	4	3
Housing/recovery of heritable property	309	310	2	1	1	2	200	179	512	492
Immigration and asylum	121	165	0	0	0	0	57	32	178	197
Judicial review	129	134	0	0	0	2	15	20	144	156
Medical negligence	117	112	0	2	0	2	12	2	129	118
Reparation	424	476	3	1	6	3	27	21	460	501
Other	521	516	8	4	4	8	39	67	572	595
Total refused or abandoned - non-family	2,174	2,235	21	14	12	21	419	376	2,626	2,646
Total refused or abandoned at first instance	6,239	5,681	90	95	42	61	1,365	1,205	7,736	7,042

Note

1. In this table and in table 3.12, refused on merits includes applications refused on the basis of no probable cause, or unreasonableness, or where the proceedings are statutorily excluded from civil legal aid.

3.11 Disposal of applications for review of decision to refuse legal aid

Subject matter	2013-2014			2012-2013		
	Received	Allowed	Refused	Received	Allowed	Refused
Family						
Contact/parentage	1,633	1,173	401	1,267	1,039	237
Divorce/separation	462	353	105	497	381	116
Property/monetary	173	140	30	188	136	50
Protective order	139	90	61	166	103	62
Residence	484	349	116	385	295	86
Family/matrimonial - other	317	237	92	287	211	64
Total disposal of applications for review - family	3,208	2,342	805	2,790	2,165	615
Non-family						
Adults with incapacity	72	61	13	44	31	8
Appeals	113	67	47	110	57	42
Breach of contract	33	16	15	40	19	23
Debt	128	55	88	156	67	87
Discrimination	1	1	0	0	0	0
Fatal accident inquiries	2	2	0	3	2	0
Housing/recovery of heritable property	186	135	54	174	111	56
Immigration and asylum	74	63	15	80	60	15
Judicial review	83	32	43	83	41	46
Medical negligence	83	46	29	91	36	48
Reparation	308	153	192	362	150	198
Other	307	147	165	320	141	191
Total disposals of applications for review - non-family	1,390	778	661	1,463	715	714
Total disposals of applications for review of decision	4,598	3,120	1,466	4,253	2,880	1,329

3.12 Applications for civil legal aid and decisions by pursuer/defender

	2013-2014			2012-2013			Total	
	Pursuer	Defender	Other	Pursuer	Defender	Other	2013-2014	2012-2013
Applications	11,197	5,707	3,266	11,710	5,851	3,159	20,170	20,720
Total grants	8,067	3,161	2,181	8,016	3,204	2,207	13,409	13,427
Refused on merits	3,428	1,778	1,033	3,163	1,635	883	6,239	5,681
Refused on means	55	30	5	60	33	2	90	95
Refused on both merits and means	31	8	3	34	20	7	42	61
Abandoned	725	431	209	608	411	186	1,365	1,205

3.13 Analysis of full applications where legal aid was suspended

	2013-2014	2012-2013
Total suspensions	5,098	4,424
Number of cases	4,667	4,159
Average suspensions per suspended case	1.09	1.06

Note

1. Suspensions can occur more than once per case.

3.14 Analysis of full applications where legal aid was terminated

	2013-2014	2012-2013
Regulation 30(b)	2,144	1,515
Regulation 31(a)	1,094	1,082
Other regulation	78	66
Total terminations	3,316	2,663

Note

1. This table is based on data derived from a free text field.

3.15 Applications for sanction in civil legal aid cases

Type	2013-2014			2012-2013		
	Received	Granted	Refused	Received	Granted	Refused
Counsel (advocates and solicitor advocates)	1,202	686	496	1,487	763	718
Expert witness/unusual expenditure	5,344	3,563	1,682	4,575	3,131	1,405
Templated sanctions	777	714	0	749	695	0
Total applications for sanction	7,323	4,963	2,178	6,811	4,589	2,123

3.16 Applications for extension of grant of civil legal aid

Subject matter	2013-2014			2012-2013		
	Received	Granted	Refused	Received	Granted	Refused
Family						
Contact/parentage	625	309	147	518	234	110
Divorce/separation	555	308	113	573	305	114
Property/monetary	94	36	20	68	26	16
Protective order	129	58	25	125	41	18
Residence	506	249	106	463	223	77
Family/matrimonial - other	202	69	26	147	49	20
Total - family	2,111	1,029	437	1,894	878	355
Non-family						
Adults with incapacity	126	82	24	41	17	13
Appeals	24	10	4	14	3	4
Breach of contract	5	1	2	3	4	1
Debt	21	6	4	10	4	3
Discrimination	4	4	0	1	0	0
Fatal accident inquiries	1	0	0	1	1	0
Housing/recovery of heritable property	64	25	10	38	7	2
Immigration and asylum	25	13	7	6	1	1
Judicial review	39	18	6	5	2	0
Medical negligence	21	10	4	29	13	10
Reparation	42	19	7	36	13	12
Other	88	34	19	68	27	13
Total - non-family	460	222	87	252	92	59
Total applications for extension of grant	2,571	1,251	524	2,146	970	414

3.17 Applications for change of solicitor in civil legal aid cases

	Received	Granted	Refused
2013-2014	1,646	1,439	74
2012-2013	1,480	1,340	67

3.18(a) Accounts paid and average case costs - civil advice and assistance

Subject matter	Diagnostic accounts		Detailed accounts					All civil advice and assistance and ABWOR					
	Number of cases	Total paid £000	Number of cases	Solicitor £000	Counsel outlays £000	Total outlays £000	Total paid £000	Total number of cases 2013-2014	Total paid 2013-2014 £000	Total paid 2012-2013 £000	Average case cost 2013-2014 £	Average case cost 2012-2013 £	
Civil advice and assistance - family													
Aliment/Child Support Agency	0	0	415	77	4	0	4	81	415	81	110	195	207
Childrens (Scotland) Act	0	0	1,460	225	6	4	10	236	1,460	236	274	161	158
Contact/parentage	0	0	12,645	2,987	71	8	79	3,066	12,645	3,066	2,705	242	231
Divorce	1	0	4,264	911	39	1	40	951	4,265	951	1,044	223	227
Property/monetary	0	0	233	48	2	1	2	50	233	50	39	215	164
Protective order	2	0	3,159	506	9	4	13	519	3,161	519	521	164	159
Residence	0	0	2,486	671	10	0	10	681	2,486	681	618	274	273
Separation	0	0	2,579	864	32	4	36	900	2,579	900	1,016	349	359
Family/matrimonial - other	0	0	1,961	467	54	3	57	524	1,961	524	550	267	283
Total - family	3	0	29,202	6,755	227	25	253	7,008	29,205	7,008	6,877	240	236
Civil advice and assistance - non-family													
Adults with incapacity	0	0	1,565	310	28	0	28	338	1,565	338	301	216	223
Antisocial Behaviour Orders (ASBO)	0	0	220	37	1	0	1	38	220	38	33	173	142
Appeals	0	0	121	34	1	12	13	46	121	46	43	382	395
Breach of contract	0	0	303	41	4	1	5	46	303	46	77	153	219
Complaints about professional bodies	253	9	199	19	2	1	3	22	452	31	22	69	62
Conveyancing	0	0	35	6	1	0	1	7	35	7	10	201	244
Criminal Injuries Compensation Authority	0	0	464	52	1	0	1	53	464	53	71	115	125
Discrimination	0	0	39	5	1	1	1	6	39	6	13	166	253
Employment	0	0	1,034	273	10	5	14	288	1,034	288	216	278	221
Fatal accident inquiries	0	0	14	4	0	0	0	4	14	4	7	281	349
Hire purchase/debt	270	10	2,729	346	7	7	14	360	2,999	369	423	123	117
Housing	204	7	2,341	288	21	2	22	310	2,545	317	324	125	137
Human rights	54	1	35	3	0	1	1	5	89	5	9	58	58
Immigration and asylum	0	0	6,856	2,269	675	87	762	3,030	6,856	3,030	3,005	442	493
Judicial review	0	0	1,110	267	52	89	141	408	1,110	408	331	368	240
Medical negligence	0	0	562	243	258	2	260	503	562	503	599	894	1,052
Mental health	0	0	211	76	26	2	28	104	211	104	178	494	589
Power of attorney	0	0	1,075	147	69	0	69	217	1,075	217	216	201	196
Recovery of heritable property	0	0	2,221	457	15	5	20	476	2,221	476	458	214	202
Reparation	1	0	2,429	418	139	21	160	579	2,430	579	861	238	288
State benefit	1,604	56	5,811	1,088	506	0	505	1,593	7,415	1,649	1,529	222	214
Wills/executry	0	0	1,422	128	6	2	7	136	1,422	136	169	95	99
Other	843	27	1,234	203	25	21	46	249	2,077	277	250	133	123
Total - non-family	3,229	109	32,030	6,715	1,846	258	2,104	8,819	35,259	8,928	9,145	253	256
Total civil advice and assistance	3,232	109	61,232	13,470	2,074	283	2,357	15,827	64,464	15,936	16,022	247	247

3.18(b) Accounts paid and average case costs - civil ABWOR

Subject matter	Diagnostic accounts		Detailed accounts					All civil advice and assistance and ABWOR					
	Number of cases	Total paid £000	Number of cases	Solicitor £000	Solicitor outlays £000	Counsel outlays £000	Total outlays £000	Total paid £000	Total number of cases 2013-2014	Total paid 2013-2014 £000	Total paid 2012-2013 £000	Average case cost 2013-2014 £	Average case cost 2012-2013 £
Civil ABWOR													
Bankruptcy/petition by debtor	0	0	11	1	0	0	0	1	11	1	1	56	84
Employment tribunals	0	0	150	237	15	22	36	273	150	273	324	1,822	1,529
Immigration and asylum	0	0	2,207	1,518	317	118	434	1,953	2,207	1,953	1,782	885	924
Mental health	0	0	2,943	1,951	861	16	876	2,827	2,943	2,827	2,767	961	1,041
Sequestration	0	0	1	0	0	0	0	0	1	0	0	101	-
Other	0	0	14	6	8	1	10	15	14	15	3	1,103	185
Total civil ABWOR	0	0	5,326	3,713	1,200	156	1,356	5,069	5,326	5,069	4,877	952	1,011
Total civil advice and assistance and ABWOR 2013-2014	3,232	109	66,558	17,182	3,274	439	3,713	20,896	69,790	21,005	-	301	-
Total civil advice and assistance and ABWOR 2012-2013	3,636	119	66,098	16,924	3,528	328	3,856	20,780	69,734	-	20,899	-	300

Note

1. In this table, payments to advocates and solicitor advocates are included under Counsel outlays, as regulation 17(1) of the Advice and Assistance (Scotland) Regulations 1996 only provides for payments of fees and outlays to the solicitor.

2. Diagnostic refers to advice given where the subject matter of the advice is not included in the list of approved advice and assistance categories. It can be used to offer brief general advice on the matter, and perhaps refer the client to another agency.

3.19 Accounts paid and average case costs - civil legal aid

Subject matter	Number of cases	Current Year Cost ¹					Actual Case Cost ²						
		Solicitor £000	Advocate £000	Solicitor advocate £000	Outlays £000	Total paid 2013-2014 £000	Total paid 2012-2013 £000	Average case cost 2013-2014 £	Average case cost 2012-2013 £	Average case cost 2013-2014 £	Average case cost 2012-2013 £	Median case cost 2013-2014 £	Median case cost 2012-2013 £
Sheriff court - family													
Contact/parentage	3,418	7,465	88	0	3,531	11,084	10,675	3,243	3,574	2,884	2,926	1,746	1,671
Divorce/separation	2,358	2,735	63	0	518	3,317	3,662	1,407	1,541	1,336	1,453	650	663
Property/monetary	320	528	17	0	193	738	908	2,307	2,416	2,015	2,318	1,221	1,329
Protective order	596	712	26	0	291	1,029	968	1,726	1,636	1,600	1,471	986	860
Residence	1,367	2,577	74	0	1,378	4,030	4,375	2,948	3,365	2,577	2,929	1,361	1,003
Family/matrimonial - other	625	988	76	0	547	1,612	1,755	2,579	2,994	2,198	3,033	932	1,536
Total sheriff court - family	8,684	15,005	345	0	6,459	21,809	22,343	2,511	2,719	2,246	2,384	1,109	1,060
Sheriff court - non-family													
Adults with incapacity	2,507	1,763	30	0	836	2,629	2,305	1,049	1,103	1,052	1,030	932	970
Appeals	98	42	30	0	4	76	121	779	1,184	571	1,226	220	326
Breach of contract	36	78	7	0	24	109	164	3,039	3,640	2,660	3,452	1,907	1,890
Debt	167	181	35	0	76	291	285	1,743	1,244	1,391	1,220	403	358
Discrimination	0	0	0	0	0	0	4	-	4,282	-	4,282	-	4,282
Fatal accident inquiries	9	68	48	0	30	146	540	16,203	41,505	13,927	-	9,411	-
Housing/recovery of heritable property	1,111	438	16	0	33	487	534	438	589	424	583	254	262
Medical negligence	48	146	56	0	83	286	242	5,954	6,208	6,670	4,157	1,098	1,213
Reparation	328	988	186	0	278	1,451	2,618	4,425	3,150	4,274	3,385	1,900	1,900
Other	486	438	33	0	77	548	630	1,128	1,084	1,081	2,152	472	494
Total sheriff court - non-family	4,790	4,144	439	0	1,442	6,024	7,442	1,258	1,538	1,225	1,550	605	821
Total sheriff court	13,474	19,149	784	0	7,901	27,834	29,785	2,066	2,281	1,882	2,075	882	953
Court of Session - family													
Contact/parentage	15	72	88	0	30	190	289	12,686	19,295	7,873	17,046	9,207	16,821
Divorce/separation	11	124	53	0	45	222	319	20,159	28,987	25,430	33,472	16,522	2,573
Property/monetary	10	68	16	0	2	87	50	8,709	16,742	11,904	7,755	5,907	4,560
Protective order	12	22	14	0	10	47	30	3,880	4,964	4,126	3,042	1,016	2,057
Residence	5	15	17	0	6	38	68	7,607	68,322	8,555	35,317	3,054	35,317
Family/matrimonial - other	45	154	193	0	46	392	341	8,716	8,531	9,478	5,711	5,965	5,187
Total Court of Session - family	98	456	382	0	138	976	1,098	9,959	14,445	10,568	12,226	6,336	4,734

Table 3.19 continued overleaf

3.19 continued

Subject matter	Number of cases	Current Year Cost ¹					Actual Case Cost ²						
		Solicitor £000	Advocate £000	Solicitor advocate £000	Outlays £000	Total paid 2013-2014 £000	Total paid 2012-2013 £000	Average case cost 2013-2014 £	Average case cost 2012-2013 £	Average case cost 2013-2014 £	Average case cost 2012-2013 £	Median case cost 2013-2014 £	Median case cost 2012-2013 £
Court of Session - non-family													
Appeals	94	161	371	0	17	549	438	5,838	7,182	5,613	5,751	2,757	2,068
Breach of contract	3	4	3	0	7	15	115	4,986	38,467	9,195	82,896	5,655	50,889
Debt	9	22	15	0	1	38	39	4,194	6,506	3,520	4,850	730	1,781
Discrimination	0	0	0	0	0	0	0	-	-	-	-	-	-
Housing/recovery of heritable property	3	1	2	0	1	3	3	1,125	1,044	830	357	765	330
Immigration and asylum	189	169	190	0	10	369	497	1,954	2,344	1,899	1,983	1,272	1,265
Judicial review	85	172	293	0	27	492	670	5,788	4,058	4,662	6,130	1,860	2,500
Medical negligence	43	773	983	0	684	2,440	2,172	56,750	35,034	42,774	30,968	15,462	11,888
Reparation	88	1,464	1,663	0	805	3,932	2,741	44,682	31,871	51,072	30,862	17,459	7,576
Other	77	272	200	0	40	512	747	6,650	10,521	6,645	15,813	3,204	2,733
Total Court of Session - non-family	591	3,039	3,720	1	1,590	8,350	7,422	14,129	11,094	13,858	11,597	2,150	2,211
Total Court of Session	689	3,495	4,102	1	1,729	9,326	8,520	13,536	11,436	13,390	11,661	2,334	2,356
Total other courts	11	81	214	0	59	354	577	32,174	28,855	33,933	15,482	30,225	1,254
All courts - family													
Contact/parentage	3,433	7,537	176	0	3,561	11,274	10,964	3,284	3,652	2,906	2,995	1,753	1,673
Divorce/separation	2,369	2,860	116	0	563	3,539	3,981	1,494	1,668	1,448	1,600	655	663
Property/monetary	330	596	34	0	196	825	959	2,501	2,529	2,316	2,355	1,258	1,329
Protective order	608	734	40	0	301	1,075	998	1,769	1,669	1,650	1,487	986	864
Residence	1,372	2,592	91	0	1,384	4,068	4,443	2,965	3,415	2,599	3,058	1,372	1,536
Family/matrimonial - other	670	1,142	269	0	593	2,004	2,106	2,991	3,359	2,687	3,158	1,012	1,082
Total all courts - family	8,782	15,461	727	0	6,597	22,785	23,451	2,595	2,827	2,339	2,478	1,125	1,073
All courts - non-family													
Adults with incapacity	2,507	1,763	30	0	836	2,629	2,305	1,049	1,103	1,052	1,030	932	970
Appeals	203	285	614	0	80	979	1,073	4,823	5,959	4,714	4,644	665	837
Breach of contract	39	83	10	0	31	124	279	3,189	5,817	3,163	8,418	2,082	1,988
Debt	176	203	50	0	76	329	324	1,869	1,379	1,500	1,312	448	364
Discrimination	0	0	0	0	0	0	4	-	4,282	-	4,282	-	4,282
Fatal accident inquiries	9	68	48	0	30	146	540	16,203	41,505	13,927	-	9,411	-
Housing/recovery of heritable property	1,114	439	18	0	33	490	537	440	590	426	582	255	262
Immigration and asylum	189	169	190	0	10	369	497	1,954	2,344	1,899	1,983	1,272	1,265
Judicial review	85	172	293	0	27	492	670	5,788	4,058	4,662	6,130	1,860	2,500
Medical negligence	91	919	1,040	0	767	2,726	2,414	29,956	23,904	23,730	20,615	7,236	5,600
Reparation	416	2,452	1,848	0	1,083	5,384	5,405	12,941	5,895	14,174	5,962	2,523	1,900
Other	563	711	233	0	117	1,060	1,383	1,883	2,117	1,842	3,597	610	572
Total all courts - non-family	5,392	7,264	4,373	1	3,091	14,729	15,431	2,732	2,792	2,676	2,826	712	926
Total all courts 2013-2014	14,174	22,725	5,099	1	9,689	37,514	-	2,647	-	2,467	-	924	-
Total all courts 2012-2013	13,820	22,788	6,229	7	9,857	-	38,882	-	2,813	-	2,617	-	1,000

Note

1. 'Current Year Cost' is the total cost of all payments made in the financial year.

2. 'Actual Case Cost' is the total cost of all payments to 31.7.13, including historical payments, made on cases with a main case payment in the financial year.

3. Reparation cases include those paid in terms of the extra-statutory concession and of regulation 3 (as amended) of the Civil Legal Aid (Scotland) (Fees) Regulations 1989, where the legal representatives have elected to opt for the party and party expenses recovered from the opponent.

3.20 Amounts recovered by the Legal Aid Fund

Type	2013-2014 £000	2012-2013 £000
Contributions from assisted persons	2,420	2,218
Expenses from opponents	8,236	8,541
Amounts awarded to assisted persons transferred to Legal Aid Fund	1,300	1,225
Total recoveries	11,956	11,984

Note

1. These are amounts actually received by SLAB, not amounts due to it.
2. A breakdown of total amounts recovered is shown in the analysis of payments in table 7.1.

3.21 Accounts paid under special urgency

	Solicitor £000	Advocate £000	Solicitor advocate £000	Outlays £000	Number of cases	Total paid £000	Average case cost £
2013-2014	647	106	0	149	2,106	902	428
2012-2013	931	126	0	193	2,058	1,250	607

Note

1. In certain circumstances these accounts are paid when urgent work has been carried out but where legal aid has subsequently not been granted.
2. The amounts shown in this table are also included in the figures in table 3.19.