



## News release

Friday 18 December 2015

### SCOTTISH LEGAL AID BOARD PUBLISHES ANNUAL REPORT 2014-2015

Services funded through the Scottish Legal Aid Board (SLAB) provided help to tens of thousands of often vulnerable people across Scotland during 2014-15.

Legal aid funding allowed people to access the services of private practice solicitors, SLAB's employed solicitors, law centres, and over 100 grant funded projects.

The total cost to the taxpayer of legal assistance in Scotland fell by 8% in 2014-15 compared to the previous year, to £138.6 million.

This £11.9m decrease is partly due to changes in the flow of criminal cases through the justice system in 2014-15.

However, 2014-15 also saw falling applications and grants of summary criminal and civil legal assistance, offset partly by a slight increase in solemn criminal legal aid and continued growth in children's legal assistance.

**Colin Lancaster, Chief Executive of the Scottish Legal Aid Board, said:**

“Over the last year, legal aid has again helped people across the country, many of them on low incomes and with caring responsibilities, defend themselves against criminal charges or deal with their problems on debt, housing, mental health or family breakdown.

“Publicly funded legal assistance helps people to resolve the problems they encounter in day to day life by pursuing or defending their rights and as such it makes a vital contribution to tackling inequalities in Scotland.

“The fall in expenditure in 2014-15 is not a signal that the financial challenges are over or that the legal aid system doesn't need further reform and streamlining.

“The impact of the UK Spending Review means that significant further changes are needed to meet the Scottish Government's budget allocation for legal aid. While the legal aid fund is demand led, and no-one who is eligible will be refused legal aid, expenditure savings will need to be found.

“Access to justice can only be maintained in the face of these financial challenges by working collaboratively with those interested in protecting the vulnerable through a legal aid system that is broad in scope and encourages a strategic approach to meeting needs. I look forward to doing so over the coming months.”

**Iain A Robertson CBE, Chairman of the Scottish Legal Aid Board, said:**

“Although we have seen the general demand for legal assistance fall again in 2014-15, the funds available to manage public finances are also falling. The need to reduce expenditure on legal aid has not gone away, and will increase.

“We will work collaboratively with others in the justice sector to deliver improvements that will enable further reductions in legal aid expenditure, including by streamlining the legal aid system where possible.

“It is imperative that discussions on reforms are approached strategically and in the context of the justice system as a whole, to protect the best interests of those in need of support from the legal aid system. Otherwise Scotland risks its proud record on maintaining access to justice.”

#### **Key points of the 2014-15 annual report:**

- Total expenditure on the Legal Aid Fund in 2014-15 fell by 8% to £138.6 million compared to the previous year. The 2013-14 figure was £150.5 million.
- SLAB assessed 212,000 applications for legal aid and paid 241,000 accounts of solicitors and counsel.
- SLAB managed three grant funding programmes, which enabled support for 108 projects around Scotland. The projects helped nearly 27,000 new clients. SLAB grant funding also contributed to a new Scottish Women’s Rights Centre which helps women experiencing gender based violence.
- SLAB processed all application and account types within its headline performance indicators.
- SLAB reduced the average number of working days it takes to process civil legal aid applications by six working days. It also reduced the average number of working days to making a payment on an account by six working days.
- Expenditure on criminal legal assistance fell by 10% compared to the previous year, from £94.0 million to £85.0 million.
- Net expenditure on civil legal assistance was £43.9 million, a fall of 8% compared to the previous year from £47.7m. There has been a fall in the take-up of advice and representation in civil matters.
- Children’s legal assistance (legal aid and ABWOR) cost £5.2 million, an increase of 7% compared to the previous year, from £4.9 million.
- Gross expenditure on grant funded projects was £6.3 million which increased from £5.5 million as a result of the Scottish Government and Money Advice Service providing extra funding for an extended programme.
- Payments to solicitors totalled £107.7 million, advocates £11.9 million and solicitor advocates £3.0 million.
- Payments on outlays (e.g. expert witnesses and court reports) fell by 8% compared to the previous year, from £19.5 million to £17.9 million.
- Grants of all types of criminal legal assistance have fallen compared to the previous year, apart from a small rise of 1.2% in grants of solemn criminal legal aid. This reflects a longer term trend of declining summary court business.
- Grants of civil legal assistance have fallen by 9.5% compared to the previous year. Demand has fallen due to the easing of pressures stemming from the economic situation. The largest volume year-on-year falls were in cases with subject matters of contact,

separation and divorce. All these areas have been steadily declining for the past few years.

- Legal aid grants in relation to intervention orders and guardianship orders under Part 6 of the Adults with Incapacity (Scotland) Act 2000 now represent the largest category of legal aid certificates issued at 28% of all grants. Grants of this nature rose 19% in 2014-15 compared to the previous year.
- Grants of children's legal assistance continue to be affected by the changes that came into force on 24 June 2013 that extended the scope and availability of legal assistance for children's hearings. It is still too early to establish a proper comparison in volumes between years.

The annual report and additional documents are available on our [website](#).

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Journalists please contact:

David Montgomery  
Media and Communications Manager

Tel (direct) 0131 240 1887  
Email [montgomeryda@slab.org.uk](mailto:montgomeryda@slab.org.uk)

### Notes for editors

1. The **Legal Aid Fund** covers the costs of legal aid cases, most notably fees and outlays of solicitors and counsel providing legal assistance. Although a budget is set, there is no cap and the Scottish Government will provide the funding for the cases granted. The grant funding programme is also paid for from the Fund but is cash limited.

2. **Administrative Budget** - unlike the Legal Aid Fund, the Administrative Budget is capped. It covers the running costs of the Scottish Legal Aid Board; including staff costs (e.g. SLAB staff processing legal aid applications, accounts and treasury work, duty schemes, policy and development work and investigation and compliance work, etc.), accommodation, computer hardware, postage, telephones and travel etc.

3. SLAB saves the taxpayer money each year through the work done to administer the legal aid system. We estimate this to be around £45 million. This is because we:

- only grant legal aid applications which meet the statutory tests;
- check that applicants qualify financially for legal aid;
- only approve applications for the use of counsel, experts and unusual work where it is appropriate, necessary and justified;
- scrutinise accounts submitted by solicitors and counsel, including making checks with third parties, for example, prisons and the courts, and only pay for work that is done with due regard to economy;
- recover funds through our audit and compliance work with solicitors' firms and ensuring they comply with the Code of Practice for criminal legal assistance;
- minimise the risk of fraud and abuse of legal aid by applicants or legal aid providers.