



Law Society  
of Scotland

# Written Evidence

House of Lords Select Committee on the Rural  
Economy

September 2018



## Introduction

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The Law Society of Scotland is the professional body for over 11,000 Scottish solicitors. With our overarching objective of leading legal excellence, we strive to excel and to be a world-class professional body, understanding and serving the needs of our members and the public. We set and uphold standards to ensure the provision of excellent legal services and ensure the public can have confidence in Scotland's solicitor profession.

We have a statutory duty to work in the public interest, a duty which we are strongly committed to achieving through our work to promote a strong, varied and effective solicitor profession working in the interests of the public and protecting and promoting the rule of law. We seek to influence the creation of a fairer and more just society through our active engagement with the United Kingdom and Scottish Governments, Parliaments, wider stakeholders and our membership.

Our Rural Affairs sub-committee welcomes the opportunity to consider and respond to the House of Lords Select Committee on the Rural Economy call for evidence<sup>1</sup>. We do not seek to respond to the specific questions posed but have the following comments to put forward for consideration.

## General comments

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### General issues

We recognise the importance of the rural economy being sustainable and inclusive. Inclusion in the context of the rural economy is of particular importance. We consider it imperative that the needs of rural communities are taken into account by policy makers, but that these needs are balanced with other interests as policy is developed. In considering the needs of, and impacts upon, rural areas, it is important that there is true consideration of the issues faced and not simply a 'tick-box' exercise.

### Infrastructure and services

In relation to access to opportunities and services, we recognise that there are often differences in availability between urban and rural areas. We must continue to ensure that relevant opportunities and services are available to all and take steps to improve connectivity to support that outcome. In some circumstances, individuals in rural areas face significantly higher costs for goods and services than in urban areas. This can be as a result of factors, such as physical geography, over which individuals have little or no control. Lessons may be learned from other countries with similar geographical profiles, for example Iceland and the Scandinavian countries.

<sup>1</sup> <https://www.parliament.uk/documents/lords-committees/rural-economy/Rural-economy-Call-for-Evidence.pdf>

We have previously responded to the House of Commons Scottish Affairs Committee's inquiry on *Digital connectivity in Scotland*<sup>2</sup>. We note that rural communities are more likely to suffer from poor connectivity in terms of broadband and mobile services than urban communities.

There is an increasing need for businesses, whether providing goods or services, to operate in an online environment. This applies to recruitment and management of personnel, sourcing of supplies and materials, tax and administrative compliance, and communications with advisers (such as accountants or solicitors), as much as to customer-facing aspects of the business such as online sales and service delivery. Poor access to efficient connectivity services, including broadband and mobile telephones, constrains the ability of businesses in rural communities to compete effectively with those in more urban environments.

We consider that there is particular importance in ensuring access to justice for those in rural areas. At a basic level, many company complaints procedures are handled through digital channels which can facilitate cheap and effective resolutions for potential disputes. Courts and tribunal services are increasingly moving to online systems, for example employment tribunal applications are now almost exclusively online and it is envisaged that criminal procedural courts will move to digital systems in coming years. We have previously noted that research has identified a risk that individuals in rural areas who are eligible for legal aid may not be able to find solicitors to provide advice.<sup>3</sup> These matters demonstrate the potential impact of poor connectivity upon access to justice.

The ongoing development of new technologies presents an opportunity to consider how the challenges faced in ensuring effective and efficient connectivity and access in rural areas may be tackled to ensure that good quality services are available to all.

In relation to essential services, such as education, healthcare and banking, it is imperative that an appropriate level of service is available and accessible in all rural areas. We are aware of a developing problem in relation to the availability of banking facilities in remote and rural areas.

Lack of access to such facilities may have an impact on wider social issues around inclusion. Occasional short duration visits by mobile banking vans are not accessible to all. Family and working commitments, poor weather, and limited transport may restrict an individual's ability to access such a service. Those with physical or mental disabilities may face particular difficulties in accessing banking services on such a limited basis. Internet banking can also bring difficulties, including limited and/or unreliable internet connection, lack of security, and accessibility and usability problems for those with disabilities.

<sup>2</sup> <https://www.lawscot.org.uk/media/359579/rur-comp-digital-connectivity-in-scotland-inquiry-final.pdf>

<sup>3</sup> <https://www.lawscot.org.uk/media/1179917/final-law-society-of-scotland-response-to-independent-strategic-legal-aid-review-call-for-evidence-aug-2017-corrected-.pdf>

## **Business, employment, skills and demography**

It appears that there is little promotion of, and information about, jobs in the rural sector in the public domain. Publication of information about available job opportunities is often undertaken by third-sector organisations, such as the Royal Highland Educational Trust (RHET) and Countryside Learning Scotland (CLS).

## **Rural housing and planning**

A considerable amount of housing in rural areas is provided by the private rented sector. It is suggested that housing stock is under pressure. Affordable rural housing is essential to the rural economy. Planning arrangements can impact upon the production of rural housing.

## **Government policy, devolution and local government**

Support for the rural economy should not be considered by policy and law makers as an isolated issue – not only does the rural economy impact on food, farming and the environment, but also upon our wider economy and trade. As highlighted above, it is crucial that the rural economy is given full and proper consideration when policy and law is developed.

We welcome collaboration between UK Government and the devolved administrations. Policy divergence across jurisdictional borders has the potential to have negative effects, particularly in relation to trade matters and environmental impact, but also on a practical level if different regulatory regimes apply cross-border.

### **For further information, please contact:**

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