

Convener
Equalities, Human Rights and
Civil Justice Committee
Scottish Parliament
Edinburgh
EH99 1SP

By Email: ehrcj.committee@parliament.scot

4 June 2025

Dear Convener

Inquiry into Civil Legal Aid

We watched, with great interest, the oral evidence sessions on the Committee's Civil Legal Aid Inquiry.

It was made clear to us that there are many shortcomings in the system, and those requiring legal aid – for many different reasons – are struggling to have their needs met.

Indeed, the Committee heard a great quantity of evidence – whether statistical or anecdotal – emphasising the system's shortcomings with regard to legal aid provision.

As representative bodies for Scotland's civil legal aid providers, we empathise with all the evidence we heard.

We agree that these shortcomings need to be tackled, and there were many suggestions tabled as to how they can be.

However, we believe that any changes made to system need to be led with greater support for legal aid solicitors. Specifically, an across-the-board increase in legal aid fees. This was a clear message from all bodies representing legal aid solicitors in written and oral evidence.

Not providing this support will only add greater pressure to an already strained system.

We are keen to emphasise that this requirement for an uplift in fees is not about drawing comparisons with private practice, this is about access to justice – a fundamental human right.

Furthermore, and this was alluded to in the first oral evidence session, those providing legal aid for Scotland are not appreciated for the role they perform in enabling access to justice.

There is an opportunity here for the Committee to recognise the professionalism of those who cater for people in Scotland who need, but cannot afford, legal representation; and signal the trust and support legal aid solicitors require so they may continue the integral role that they play in ensuring Scotland's legal system works.

Whilst there was discussion of a Legal Aid Bill in the next parliamentary session, we cannot stress enough that action is also required in the immediacy. We are too close to a systemic collapse for inaction.

We look forward to reading the Committee's conclusions in due course, and if we can assist your deliberations further, we are very willing to do so.

Yours sincerely,

Pat Thom

President
Law Society of Scotland

Aaliya Seyal

Secretary
Scottish Association of Law Centres