



Legal Aid Reform in Scotland: Consultation

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- Individual
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Full name or organisation's name

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Who Cares? Scotland

Response to Legal Aid Reform: Consultation

September 2019



Who Cares? Scotland [WC?S] is an independent advocacy and influencing organisation working with people who have experience of the care system. We provide direct advocacy to Care Experienced children and young people, as well as opportunities for local and national participation. WC?S aims to provide Care Experienced people in Scotland with knowledge of their rights. We strive to empower them to positively participate in the formal structures and processes they are often subject to solely because of their Care Experience. At WC?S we ensure the voice of the Care Experienced population of Scotland informs everything we do as an organisation.

Introduction

We welcome reform of the legal aid system in Scotland as a historic opportunity to create more equal access to justice for the Care Experienced community, both for children and young people living in care and for the Care Experienced adults who face a lifetime of consequences as a result of their care journey. We strongly agree with the Scottish Government's statement of intention in commencing this reform as '*ensuring access to justice in guaranteeing rights under the European Convention on Human Rights*'. From our experience of providing independent advocacy for Care Experienced children and young people over the past 40 years, we have extensive knowledge about the rights which continually fail to be met for this population.¹

This year, we have analysed 10 years of advocacy issues from our workforce, which includes over 20,000 individual advocacy concerns from Care Experienced children and young people. From this data, we have been able to evidence the continual failure of the care system to uphold and meet the rights of children, whose lives have been intervened in by the state.² Highlighting the realities for Care Experienced people through this kind of advocacy evidence, is part of our campaign for a Lifetime of Equality, Respect and Love for all Care Experienced people.³ To achieve this vision, the rights of Care Experienced people must be upheld both by provision of independent advocacy but also by a legal aid system which provides funding and legal services for Care Experienced people who need it. The reform of legal aid as a public body designed around the needs of the people accessing legal services, could provide a powerful way for the Care Experienced community to realise their rights at all stages of their care journey and lives beyond care.

Why does access to legal aid matter for Care Experienced people?

Care Experienced children and young people will face legal and professional processes throughout their lives, due to being looked after by the state and relying on statutory support services governed by legislation. Care Experienced children and young people should be fully supported to understand what decisions are being made about them when

¹ [For more information on our campaigning work for the rights of Care Experienced people, please visit our website.](#)

² [Who Cares? Scotland \(2019\) Rights and Respect Report.](#)

³ [Who Cares? Scotland \(2019\) We Don't Have To Wait Report.](#)

they are in care and why certain decisions have been made, whilst being supported to voice their views and beliefs. Article 12 of the UNCRC reinforces the right to participate and we know that a key part of realising this is through ensuring every child and young person in care has a universal right to access independent advocacy. However, we also recognise that in certain cases, legal advice and representation may be necessary alongside advocacy support. As stated by Clan Childlaw: *'legal aid undoubtedly plays a vital role in ensuring legal representation for children and young people and so in reducing inequalities, upholding social justice and improving lives...'*⁴

Although Care Experienced people will not always require legal representation when expressing their views, the availability and opportunity for them to access legal support when taking part in formal processes which affect their lives, is key for their rights to be upheld and their entitlements to support being realised. An example of how intertwined the life of a Care Experienced person is with legal process is the role of the Children's Hearing System, which functions as the primary legal forum for many of the life-changing decisions in Care Experienced people's lives. As raised in Clan Childlaw's response, when children and young people try to gain legal representation for a hearing, the legal aid process currently involves lawyers trying to demonstrate there is a legal issue, before aid will be granted.⁵ This assumes that Children's Hearings are not equivalent legal decision-making bodies and that their decisions have less legal status than decisions about adults made in the court system. Yet, we know that young people can receive criminal convictions via the Children's Hearing System and can have their liberty restricted by being secured in a secure care placement. These are legal decisions which have lifelong impact and the option to access child-centred and appropriate legal support, should always be made available and affordable for those that want it.

We also know that lack of finances, barriers to accessing high quality, supportive legal services and knowledge about how the legal system works, are all lifelong issues for Care Experienced people of all ages. These are systemic barriers which prevent the legislated rights for Care Experienced people from being realised and prevents challenge to the public bodies and authorities which may have failed to fulfil their duties. For example, one of the members of our representative body, the Collective⁶, has tried to gain legal representation to challenge the withholding of their records by Police Scotland about their time in care but cannot find a lawyer who will take the case, let alone then apply for legal aid. Access to lawyers who understand Care Experienced people's lives and the issues which may be important to them by understanding their experiences in care can be extremely difficult, as that example demonstrates. The process must not be reliant on lawyers as the first step for an individual to access legal aid, as this creates responsibility on the individual to find the right kind of lawyer, potentially without knowledge of legal system or having the right connections.

Scottish Legal Aid Board as Corporate Parents

As a named Corporate Parent, reforming the legal aid system also offers an important opportunity for the Scottish Legal Aid Board (SLAB) to fully realise their duties to the Care

⁴ [Clan Childlaw \(2017\) INDEPENDENT STRATEGIC REVIEW OF LEGAL AID, CALL FOR EVIDENCE.](#)

⁵ *Ibid.*

⁶ [The Collective are Who Cares? Scotland's representative body of Care Experienced people.](#)

Experienced population in Scotland, as legislated for in the Children and Young People (Scotland) 2014 Act.⁷ This means they have specific duties towards the Care Experienced population in Scotland, including pro-actively promoting their interests and improving its services specifically for the needs of this group.⁸

Currently the legal aid reforms suggested, do not take into consideration these legal duties. For Corporate Parenting to be truly embedded within legal aid reform, there must be recognition of Care Experienced people in the design of a new legal aid system. Therefore, we have created asks for SLAB, to be considered on behalf of Care Experienced people in Scotland:

1. Care Experience treated as a protected characteristic by SLAB and Care Experienced people recognised as a group in need of targeted legal aid services.⁹
2. Targeted solicitor support created, including lawyers available to represent Care Experienced people that understand the lived experience of care, are trauma informed and who can access Corporate Parenting training.
3. SLAB workforce fully trained as Corporate Parents and tailored approach created for Care Experienced people accessing legal aid.¹⁰
4. A tick box in place as part of the application process to allow individuals to self-identify as Care Experienced, to access tailored support.¹¹
5. All Care Experienced people automatically eligible for legal aid.
6. Removal of the Care Experienced bursary from being counted as income when means-testing financial eligibility.
7. Free contact number for legal advice with lay advisors who are trained in Corporate Parenting and understand care experience.¹²
8. Quality assurance of lawyers who assist Care Experienced people through utilising legal aid services, to safeguard against bad practice.
9. The Children's Hearing system to be perceived by the legal aid system as equivalent to adult courts, to ensure Care Experienced children and young people have equal access to legal representation when required.
10. Expand legal aid eligibility to cover legal advice and support for social work meetings for Care Experienced parents going through pre-birth assessments.
11. Employment and training opportunities for Care Experienced people at SLAB.

⁷ Corporate Parents are defined in law, to promote the interests of care experienced people [by Part 9 of the Children and Young People \(Scotland\) Act 2014](#).

⁸ *Ibid.*

⁹ [The Scottish Funding Council are a Corporate Parent who treat Care Experience as a protected characteristic as stated in their national ambition for Care Experienced students.](#)

¹⁰ [In 2018, a published report on SLAB's Corporate Parenting plan states:](#) 'To date only nine employees have completed the training. However, as part of the 2018-21 Corporate Parenting plan we will include this training as part of the induction process for new staff to improve general awareness raising and promote the training package and target the training at frontline service delivery staff such as those in the Civil Legal Assistance Office.'

¹¹ [In the 2018 report on SLAB's Corporate Parenting progress, it has been identified that 'the lack of care status information about those accessing legal aid' is a key challenge to address.](#)

¹² [Who Cares? Scotland's Training and Education team provide training for all Corporate Parents in Scotland.](#)

Questionnaire

Part 1 – Foundations for Change

i) legal aid has the user voice at its centre

- The Review recommends the voice and interest of the user be at the centre of the legal aid system. Do you agree?

- Yes
 No
 Unsure

Please give reasons for your answer.

A new system for delivering legal aid must be driven by the needs of the most vulnerable and disadvantaged members of society in Scotland, if it is to achieve the goal of creating true access to justice for all individuals. A system designed by those who use it will be able to properly understand the realities of those who require legal aid in order to uphold their rights and will ultimately create a more just society as a result.

The Care Experienced population in Scotland are a community who require legal aid services for a variety of different reasons and have life experiences which must be understood by a system which is set-up to support them to access these types of services. As explained, Care Experienced people can lack finances and knowledge needed to access legal support and are sometimes unable to access high-quality and supportive legal services. If the legal aid system is designed with them in mind it will be more effective in reaching this population and ensuring the services offered achieve the best outcomes.

- How desirable are each of the following ways of embedding the user voice and experience into the design and delivery of a legal aid service, on a scale of 1 – 5 (1 being very undesirable and 5 being very desirable).

1. Direct engagement through enhanced approaches to quality assurance
2. Indirect engagement through consumer panels
3. Collaborative engagement by connectivity across the publicly funded legal assistance landscape.

Please give reasons for your answer.

As a Corporate Parent, the Scottish Legal Aid Board and the system designed to aid the delivery of legal aid services, must directly engage with Care Experienced people to understand how best to support them.

This practice of engagement and participation with Care Experienced people when designing services is in line with the Corporate Parenting duties of SLAB, as legislated for in Part 9 of the Children and Young People (Scotland) Act 2014. In particular, section 58 (1)(b): 'Assess the needs of those children and young people for services and support it provides.'

Many other Corporate Parents have actively engaged with Care Experienced people in order to better understand their needs and design public services. For example, [NHS 24 engaged with the Young Radicals group](#), made up of around 20 Care Experienced young people. As a result, they were able to create resources for their frontline callers, to better train their workforce on some of the common issues which come up for Care Experienced people and what to be mindful of when speaking to someone with care experience about their health.

The methods used to engage with those that access legal aid services, must be accessible to all ages and be inclusive of different levels of knowledge about the legal system in Scotland. We encourage SLAB to engage further with Who Cares? Scotland in order to speak directly with Care Experienced people about their experiences of legal aid.

- Are there specific areas of law, e.g. domestic violence or disability issues, that the current judicare funding arrangements are serving less well?

- Yes
 No
 Unsure

Please specify which areas and give reasons for your answer

As an organisation, we do not have the expertise or data to understand which areas of law are currently being funded sufficiently by legal aid services for Care Experienced people.

However, it is important that research is undertaken to understand the types of cases which Care Experienced people of all ages need support with on a frequent basis. This would then identify the areas of law which are most important for the Care Experienced population in Scotland, both for children and young people in care and care leavers of all ages.

One area we have identified as not currently eligible for legal aid is social work meetings for pre-birth assessments. These can be held for Care Experienced parents that are expecting a child and are being assessed for suitability as parents. Through our advocacy experience, we have seen cases where young parents are unable to access legal advice until their child is born. This is because pre-birth social work meetings do not qualify as a legal process, so legal aid would not be available to pay a lawyer to accompany the person to the social work meeting.

Our advocacy workers can seek informal advice from Clan Childlaw, who provide pro bono legal services for children and young people – however, there may be many more young people in this situation who are unable to access any form of legal advice on this area.

- Are there specific areas of law that might benefit from a more targeted approach to funding solicitor services?

- Yes
 No
 Unsure

Please specify which areas and give reasons for your answer

Legislation which affects the population of children currently in care, or who are classed as 'care leavers', such as the Children and Young People (Scotland) Act and the Children (Scotland) 1995 Act, should have ring-fenced legal funding and solicitor services which adequately understand the context of care and the interests of the clients they would be serving. For example, the Esme Fairburn foundation has recently funded a legal service for care leavers by Clan Childlaw. The creation of this legal service demonstrates that

Care Experienced young people have already been identified as needing additional legal support when leaving care and accessing statutory support services.

We would also support a targeted approach for funding child-centred lawyers to be able to advise and represent children and young people going through the Children's Hearings System, when this support is needed. In most cases, it would be unlikely that legal representation would be required, however the option should still be available. The introduction of any legal representation for a child or young person in a hearing, should work in tandem with independent advocacy services, to support children and young people to be at the heart of decision-making and any legal challenge that would be taking place. We have worked closely with Clan Childlaw in the past to support young people to create legal challenge, for example to ensure they can stay in their care placement until they reach 21 years of age.

- Are there certain groups that when accessing legal aid might benefit from a more targeted approach to funding solicitor services?

- Yes
 No
 Unsure

Please specify which groups and give reasons for your answer

As we have made clear, the Care Experienced population should be considered as a group that would benefit from a targeted approach to funding solicitor services.

In our asks for SLAB outlined on behalf of our Care Experienced members, in order to better fulfil their Corporate Parenting duties, we would urge for 'Care Experience' to be considered a protected characteristic when considering legal aid applications. The practice of treating Care Experience as a protected characteristic by a public body has already been implemented by the Scottish Funding Council, [in their national ambition for Care Experienced people](#).

As a Corporate Parent, SLAB should develop a tailored approach to how Care Experienced people access legal aid funding and also how they can secure advice and representation from solicitors with the training needed to understand their life circumstances. We would also like to encourage solicitor services to undertake Corporate Parenting training.

- Do you support building additional flexibility into the delivery of legal aid?

- Yes
 No
 Unsure

Please give reasons for your answer

Flexibility must be built into the delivery of legal aid, because Care Experienced people's life circumstances can be fluid and ever-changing. Allowing for case-by-case reviews of legal aid applications will ensure that Care Experienced people can provide the necessary context for their case, rather than using a universal approach for all applicants.

For example, [as Clan Childlaw made clear in their evidence to the Review of Legal Aid in 2017](#), the current system discriminates against young people and adults unable to provide documentation at times of crisis or due to their circumstances, within the timeframes and parameters set out. Flexibility in the delivery of legal aid would allow for understanding around the differing abilities of individuals to provide such information in order to qualify for assistance.

We also have raised with SLAB a case during which our advocacy worker was supporting a young person to access legal representation and their legal aid entitlement was affected by the fact they receive the Care Experienced bursary (CEB). Due to the associated costs, the young person did not decide to take the legal action they had wanted to carry out. This shows how an inflexible system can fail to take into account the individual circumstances and need of those it should be helping.

The CEB is currently classed as income by SLAB, yet this does not match up with the intention of the bursary to be an additional layer of financial support for Care Experienced people. We have continually raised issues with the unintended consequences of the bursary being counted as income in other processes, such as in the delivery of aftercare and continuing care support by local authorities. As a result of this, [the Scottish Government issued a letter to all Chief Executives of local authorities](#), reinstating the intention of the bursary, which states: *'When the CEB was introduced, it was not intended that it would act as a replacement for any other financial support received by this group.'*

iii) Legal aid as a public service

- As currently structured and delivered, do you consider legal aid a public service?

Yes

No

Unsure

Please give reasons for your choice

Currently, the legal aid system appears to be designed for the legal profession to access on behalf of clients and is not an accessible, or well

understood public service to individuals wanting to seek legal advice and representation in Scotland.

We know from supporting Care Experienced people through independent advocacy and from our members, that they can find it difficult to access legal aid on their own and instead are reliant on legal professionals to make these applications on their behalf. For example, one member from the Collective, spoke about a case during which they wanted to challenge the withholding of records about their time in care by Police Scotland. They were unable to find a lawyer willing to take on the case, and therefore has been prevented from creating legal challenge. They want the opportunity to apply directly for legal aid support and be given support to find a solicitor that would support their case.

The fact legal aid must be applied for and explained by legal professionals, rather than by the individual receiving advice or being represented, can create barriers to accessing the legal services individuals need.

- Are there changes that you consider would make legal aid function more as a public service?

- Yes
 No
 Unsure

Please give reasons for your answer

To function as a public service, the legal aid system must be accessible to all Care Experienced people in Scotland and potential clients wanting to access legal advice and representation. Therefore, individuals should be able to speak to and apply directly to SLAB in order to understand the process needed to gain legal advice and representation, rather than relying on find an appropriate solicitor as the first step.

This involves SLAB creating much higher quality information and advice services through their website and in information leaflets. A national communications strategy and one which targets Care Experienced people of all ages, will ensure that groups who need the service the most are aware of their ability to apply for legal aid.

Part 2 – The Change Agenda

i) Scope and oversight

- Are there actions that could be taken by the Scottish Government to help maintain or strengthen the current scope of legal aid?

- Yes
 No
 Unsure

Please give reasons for your choice

ii)

It is of vital importance that legal aid remains a priority of the Scottish Government, and that cuts to public finances do not cause the shrinking of the legal aid budget. We have seen in England, the continual reduction in legal aid, leading to less cases being granted financial assistance.

It is important that the Scottish Government safeguards against any such reduction in Scotland.

Additionally, Scottish Government must do more to ensure that SLAB upholds Corporate Parenting duties and creates pro-active action to develop a tailored approach for the Care Experienced population. We would be keen to see reports by SLAB on their C

Corporate Parenting progress being further scrutinised by Scottish Parliament when the next reporting cycle commences.

Improving access and targeted interventions

- A more structured relationship between SLAB and legal aid providers could be facilitated by way of a formalised agreement. Do you support a Memorandum of Understanding between solicitor firms and the Scottish Legal Aid Board being a prerequisite for doing legal aided work?

Yes

No

Unsure

Please give reasons for your choice

It is important that solicitor firms undertaking legal aided work understand the ethos of the service and purpose of the funding, to ensure that all individuals in Scotland have their rights upheld.

- What should be contained in a Memorandum of Understanding to strengthen consistency of service and user centred design?

Stories and case studies from individuals who access legal aid could be included to raise awareness of the life circumstances of groups, such as Care Experienced people, and ensure services funded by legal aid were clear on the purpose of providing legal services to Care Experienced people.

This is an approach carried out by our training and education team with Corporate Parents to ensure they understand the context of care experience and the potential issues they may be facing when accessing their services.

This would ensure that solicitors engaging with Care Experienced people work in a supportive way, whether they are a child or adult. Especially for solicitors working with Care Experienced children and young people, there

must be an understanding they will work in a child-centred way, to protect against solicitors practicing in a way which silences their voice.

There should also be regard in the Memorandum of Understanding of the vital role and work of independent advocacy services in supporting Care Experienced people to understand their rights. Advocacy workers are not legal professionals and instead are there to ensure the voice of Care Experienced people are heard in decision-making processes which affect them. [As Clan Childlaw made clear in their evidence to the Review of Legal Aid in 2017](#), the work of lawyers engaging with Care Experienced clients can be improved by working alongside independent advocacy workers that have built a relationship with a child or young person.

- What are your views on solicitors providing publicly funded legal assistance being located within third sector organisations that have service users with civil legal issues e.g domestic violence, minority groups or disabled groups?

We do not have any issues with solicitors being located within third sector organisations. The third sector has an important role to play in connecting the legal profession with the lived experienced of minority groups, such as the Care Experienced population.

- SLAB could directly employ lay advisers for tasks such as assisting with information and advice provision to aid early resolution, signposting people to information or services, or referring them to services that will meet their needs. Would you support SLAB being allowed to directly employ lay advisers for such purposes

Yes

No

Unsure

Please give reasons for your answer

Yes, it is vital that we do not always insist legal services are required as sometimes advice can be enough to resolve issues which Care Experienced people are dealing with. This can be particularly effective with independent advocacy support helping the individual to understand the information given.

There is a need for there to be much better provision of support and advice about whether a situation requires legal assistance or not. This is important in ensuring Care Experienced people do not go through the process of trying to engage a solicitor if their legal aid would not be granted or if their case would be unlikely to find a lawyer able to take on the case.

As we have outlined in our asks for SLAB, a free advice phoneline for Care Experienced people to utilise is essential to ensure access to legal aid and to understand how best to progress an issue they may be dealing with.

This service would also be extremely useful for independent advocacy workers supporting Care Experienced people, as the legal system is extremely complex, and it can be difficult to know when to inform children and young people about their ability to engage solicitor services.

- Do you think there would be benefits to having a telephone triage service that provided basic advice and referral assistance?

- Yes
 No
 Unsure

Please give reasons for your answer

As outline above, any additional support would be vital in ensuring Care Experienced people understand and can access legal aid.

- If such a telephone triage service were implemented, what criteria should be used to identify the most appropriate organisation to deliver this service?

The service delivering a telephone triage service must have knowledge of Corporate Parenting and understand the context of care experience. This could be achieved through specialist advisors being trained for the purpose of supporting Care Experienced people calling the service, or by mainstreaming Corporate Parenting training to all front-line advisors.

The organisation delivering this service must take on the ethos and responsibility of Corporate Parenting and this would be key in identifying the most appropriate organisation.

- The Review supported a “channel-shift” in signposting, referrals, advice and information from face-to face and telephone to on-line, while ensuring that face-to-face remains for vulnerable groups or those who struggle to access digital technology. Do you agree that such a channel shift should be promoted?

- Yes
 No
 Unsure

Please give reasons for your answer

As an organisation, we do not support the move of public services to mainly digital platforms or telephone support, due to the barriers this can create for Care Experienced people without access to the internet or to technology more generally.

Although face-to-face has been guaranteed to remain for vulnerable groups, we would urge Care Experienced people to be counted within that category so that they will always receive support in-person if required, rather than relying solely on digital or telephone services.

- Planned intervention could mean exclusive funding using grants for specific advice or geographical areas. Should grants and/or contracts facilitate exclusive funding arrangements to target a specific identified need?

- Yes
 No
 Unsure

Please give reasons for your answer

Yes, it is important that specific advice is funded for the Care Experienced population – both for children and young people in care and care leavers but also Care Experienced adults at any age.

Care Experienced people should be identified as a group SLAB creates planned intervention for as part of fulfilling their Corporate Parenting responsibilities and in recognition of the inequality of life outcomes [which currently exist for Care Experienced people in Scotland](#).

With targeted contracts, this would also allow for specific lawyers with appropriate training, ethos and understanding to be identified as the best legal professionals to support Care Experienced people. We would want to ensure there are lawyers available that can access Corporate Parenting training, potentially through SLAB.

iii) Simplicity and Fairness

- Do you agree that the judicare system should be simplified?

- Yes
 No
 Unsure

Please give reasons for your answer

It is extremely difficult for individuals accessing legally aided services to understand the nature of legal aid and the meaning of 'judicare'. The information provided requires an understanding of the legal system and is not accessible to children, young people and the wider public.

- Should SLAB have more flexibility in operating the system?
 - Yes
 - No
 - Unsure

Please give reasons for your answer

Flexibility in the delivery of any public service is essential to consider the individual context and life circumstances of those accessing the service.

The arbitrary nature of financial eligibility criteria and merits tests can disadvantage Care Experienced people who need legal aid – as their Care Experienced status is not considered. For example, as mentioned, a young person was not eligible for full legal aid due to receiving the Care Experienced bursary.

Flexibility is key to creating a fairer system, as a one-size-fits-all approach cannot take into account the many unintended consequences which may arise.

- Do you support a single eligibility assessment at the earliest point in the application process?
 - Yes
 - No
 - Unsure

Please give reasons for your answer

It is important to reduce the burden of responsibility put on individuals accessing legal aid. Requiring someone to give personal information repeatedly, potentially including difficult context about their life circumstances and the need to find official documentation, creates barriers to accessing support.

Also early assessment of eligibility will prevent any initial costs being taken on by applicants, as this can prevent individuals from pursuing a case unnecessarily if there are alternative solutions to resolving the issue.

iv) Enhanced Statutory Powers and Best Value

- SLAB could have statutory powers to operate more strategically. Do you support there being statutory processes that allow SLAB to facilitate legal aid delivery in a more flexible and permissive way?

- Yes
- No
- Unsure

Please give reasons for your answer

We do not understand the full consequences of SLAB acquiring statutory powers. However, any approach which allows the legal aid system to be flexible to individual need and circumstances is positive.

- What checks or controls would you consider necessary if SLAB had statutory powers to operate more strategically?

SLAB would still need to be held accountable to the Corporate Parenting duties legislated for in the Children and Young People (Scotland) Act 2014. Checks and controls would need to be in place which require reporting on the views of those accessing the service, to measure the effectiveness of SLAB's delivery of legal aid support, as a public service. SLAB should be fully accountable to those which use the service to fund their access to legal services.

- Do you support that SLAB should register and quality assure all those providing services paid by the Legal Aid Fund?

- Yes
- No
- Unsure

Please give reasons for your answer

We strongly agree that solicitors accessing legal aid funds should be quality assured and be registered under a set of standards, which includes the aim of legal aid as ensuring the rights of disadvantaged groups are upheld. It is extremely important that services paid through the Legal Aid Fund, include solicitors who specialise in supporting Care Experienced people of all ages – including a register of solicitors that are trained in child-centred techniques, such as Clan Childlaw.

- Do you agree with the Review recommendation that all quality assurance reviews and reports on both lawyers and third sector advice services be published?

- Yes
 No
 Unsure

Please give reasons for your answer

It is important that quality assurance processes are available for public scrutiny, as this creates a higher level of accountability for services using legal aid funding on behalf of clients.