

## Accessing Social Justice in Stirling



Stirling CAB is a major source of external advice for local citizens accessing justice. In 2014/15 the bureau advised 5,827 clients on 13,893 issues, covering a wide range of subjects.

- Stirling CAB has been concerned with the ability of citizens to access social justice locally and undertook an investigation into the following civil law matters;
- Decreases in legal aid funding provided by the Scottish Legal Aid Board (SLAB)
- The introduction in 2013 by the UK Government of fees for Employment Tribunals
- The current local situation with regard to legal representation when proceeding through the Court system,
- Identifying areas of civil law for which there was little or no representation available within the Court system

Whilst investigating the above criteria, the authors gathered information both nationally and locally from the following sources;

- Citizens Advice Scotland (CAS)
- The Scottish Legal Aid Board (SLAB)
- Scottish Government Publications on justice and legal statistics
- The Scottish Courts and Tribunal Service
- Stirling CAB

# Findings

## Legal Aid (Civil Law)

- A total of 76769 civil law cases (including those granted legal aid) were initiated across the Court of Session and sheriff courts in 2014-15 (not including summary applications). The number of cases initiated is at its lowest since this series of statistics began and represents a decrease of 42 per cent since 2008-09 from a level of just over 120.000 cases.
- Despite the Scottish Government introducing a series of measures since 2007 to increase access to legal aid, the SLAB expenditure fell from £161m in 2010/11 to £138.6m in 2014/15.
- The last figures published by the SLAB for civil legal aid applications within Stirling were for the years 2007/8 to 2011/12 thus it is difficult to get a sense of the current perspective.
- Applications for civil legal aid for homelessness issues in Stirling increased by 10% over the last 12 months against a national fall of 4%

## Employment Tribunals

- In the first 12 months following the introduction of fees for Employment Tribunals, total applications fell by 81% in Scotland and in Stirling by just under 50% by the year ending 2015/16.
- Nationwide 46% of awards made by ETs go unpaid. Stirling CAB employment advisers are dealing with clients where this is also the case.
- Since the introduction of fees – in June 2015 it was reported that claims of sex discrimination in the work place had fallen by 85% in Scotland.

## Legal Representation

- The Scottish Courts and Tribunals declined answering FOI requests on information held on numbers of unrepresented cases, citing prohibitive costs as being the reason they could not be disclosed.
- Applications at Stirling CAB for help with Court proceedings have shown a gradual decline over the last three years.
- Stirling Sheriff Court figures reveal that in the past 12 months 32% of summary cases in heritable actions were unrepresented

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