

Access to Social Justice in Stirling District and the Forth Valley

February 2025



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1. Executive summary

Access to justice is a fundamental right and is essential to the rule of law. We believe that in a just and fair Scotland, everyone should be equally able to access independent courts, a fair hearing, and an effective remedy for rights breaches. Early access to information and advice on rights and responsibilities, as well as access to legal advice and the services of legal professionals where required, play an important part in people's journeys to seek justice.

Stirling District Citizens Advice Bureau¹ (CAB) has a long history of providing an essential community service empowering people in Stirling and the surrounding Forth Valley to realise their rights. In 2023/24, we supported more than 11,000 individuals who came to us for free, confidential, and independent advice. We offer person-centred and holistic advice and advocacy across a wide range of issues, including in areas which are linked to the law. In more complex cases which require legal advice, clients need to be signposted or referred to legal professionals who operate in the area of law for which advice is sought. However, this is where we have been faced with a problem. We have had significant difficulties in signposting locally for both pro bono and legal aid work.²

Based on desk-based research conducted in June – August 2024, this report³ explores the local legal advice landscape in Stirling (and the surrounding Forth Valley) in terms of current access to social justice for civil matters, specifically regarding the availability of legal aid provision, pro-bono advice and representation at court.

Our findings show that at the time of writing:

- > There is no Civil Legal Aid Office (CLAO) covering Stirling or anywhere else within the Forth Valley Region.
- > There are only 17 Law Society of Scotland (LSS) registered solicitors in Stirlingshire, of which only 8 are also registered with the Scottish Legal Aid Board (SLAB) to provide legal aid work for civil cases.
- > Local legal aid provision in some areas of law – for example, benefits, discrimination and human rights, housing and homelessness, mental health and education, is highly insufficient. In other areas such as mental health-related cases or medical negligence claims, people have to travel more than 30 miles to access a suitable practitioner.
- > A lack of transparency among local legal firms offering legal aid work made it difficult to establish whether they were charging fees for legal aid applications, which could constitute an additional access to justice barrier.
- > No local legal firm seemed to offer pro bono support in Stirling.
- > Stirling University has a small law school which is part of the Faculty of Arts and Humanities but as yet they do not operate a law clinic.

¹ Stirling District Citizens Advice Bureau Ltd is an OSCR registered charity. Commonly known as Stirling District CAB or Stirling CAB, in this report we use these names interchangeably.

² Legal aid refers to publicly funded legal advice and representation for those most in need when they can't afford the cost; pro-bono advice is free legal advice or representation provided by volunteer lawyers to individuals or charities who can't access legal aid but can't afford to pay.

³ This report was researched and written by members of the Social Policy team at Stirling District Citizens Advice Bureau: David Briggs, Paul Chitty, Matthew Millar and Yiran Zhang.

1. Executive summary

- > Law clinics connected to Aberdeen and Edinburgh Napier universities stated that they would consider providing free legal advice to clients across Scotland, but they said that where face to face assistance is required that the client would be advised to attend a local Law clinic. This places people living in Stirling and the surrounding area at a great disadvantage.
- > No law centres are operating in Stirling or the entire Forth Valley region.
- > Legal advice for particular groups or in a specific area of law can be sought from specialist national legal advice charities. However, demand often outstrips what these specialist advice programmes are funded to deliver.
- > There is no In-Court Advice service at Stirling Sheriff Court, which can guide people through the court process and occasionally offer lay representation.

Moreover, for comparison purposes regarding the provision of legal aid or pro-bono assistance we researched the populations of Dundee and Aberdeen.

In stark contrast, Stirling and the Forth Valley, sitting within the busy central belt of Scotland and with a population of almost 305,000 residents, has nothing similar to access.



Aberdeen has a population of approximately 224,000 citizens and Aberdeenshire a population of approximately 262,000 citizens and benefits from two separate university-affiliated law clinics and a Civil Legal Aid Office.

Dundee has a population of just over 148,000 residents – and benefits from a University Law Clinic and a solicitor led Law Centre.

1. Executive summary

Given the situation described above, there needs to be better access to legal aid and pro bono support across Forth Valley. Mitigating measures could include:

- Increasing funding for the provision of legal aid services, especially in areas of law where little local support is available;
- Provision of a Civil Legal Aid Office covering the region;
- Piloting a one day a week Law Clinic at the University of Stirling, to be held during term time for a period of 1 term, in partnership with Stirling District CAB, overseen by a paid solicitor. If successful, take steps to establish a permanent law clinic at Stirling University in partnership with Stirling District CAB with funding for a solicitor to supervise the work of student advisers.

Ultimately, this report makes the case for strengthening and improving equal access to justice for everyone, and we invite stakeholders to work with us at Stirling District CAB to ensure that everyone in our communities can access the legal and non-legal support they need to resolve problems, seek remedies and realise their rights.



2. Background

This research into people's access to social justice in Stirling District and the wider area was prompted by a combination of factors.

At Stirling District CAB, we see, first hand, the many barriers people face when trying to access social justice. Based in Stirling, the bureau serves a larger community within the Forth Valley which has a combined population of almost 305,000 residents. Across the local authorities of Stirling, Falkirk and Clackmannanshire, this includes some of the most deprived areas in Scotland by SIMD.⁴ Many of our clients are either vulnerable or severely financially limited and often do not have the means to pay for legal advice and representation.

At the time this research commenced, the bureau was unaware of any local legal firm offering pro bono support and aware of only one firm that provided legal aid offering a free diagnostic interview regarding a legal aid application.

Stirling District CAB has in recent years attempted to fund a legal service with limited reserve funds to fill this gap and enable people's access to social justice, on the understanding that Stirling Council would assist with a longer-term strategy. Unfortunately, this had to be abandoned due to a lack of funding and support from Stirling Council.

This poses significant difficulties for Stirling District CAB (and other local charitable advice agencies) when trying to signpost clients with complex legal problems to appropriate legal professionals and leaves many people in our community without access to much needed legal advice and representation.

This access to justice gap seems to reflect a broader national problem. Citizens Advice Scotland (CAS), our national organisation representing 59 CAB across Scotland, has for many years highlighted access to justice barriers experienced by people across the country, with a lack of legal aid solicitors able or willing to take on a case posing a major challenge for people and advice organisations. CAS warned that the situation is particularly dire in some legal specialisms and geographical areas but also for those with additional support needs, such as for many disabled people and people who require language translation or digital skills/devices.⁵

CAS has called on the Scottish government to urgently reform the legal aid system, placing those who need legal advice and support to protect and realise their rights at the heart of reforms. This includes providing sufficient funding for legal aid while ensuring it is in practice available and easily accessible for everyone who cannot afford to pay. Reform efforts should also include shifting resources towards early intervention and prevention and providing stable, multi-year funding to advice providers to enable service consistency and coverage.

⁴ See Appendix 1 for key demographic information on the Forth Valley.

⁵ For example, [Access to Justice - CAS supporting evidence for Equality, Human Rights and Civil Justice Committee session, 14 March 2023 | Citizens Advice Scotland](#) (April 2023).

2. Background

Other organisations have voiced similar concerns about unmet legal advice and support need. For example, in 2022, the Law Society of Scotland reported grave concerns over the state of the legal aid system in Scotland⁶. The report found:

- > Out of the 139 most deprived communities in Scotland, 122 have no civil legal aid firms.
- > These communities share only 29 civil legal aid firms among them.
- > Nearly 90,000 people across these communities are left without local access to civil legal aid.
- > The number of lawyers willing to take legal aid cases has significantly reduced, and there are shortages in specialized areas such as immigration, environmental and human rights law.

Moreover, in 2024, the Human Rights Consortium Scotland highlighted to the United Nations Human Rights Committee the challenges faced by people seeking remedies for human rights violations in Scotland, urging the “Scottish Government to commit to a clear timeline for legal aid reform, ensuring that justice is accessible to all.”⁷

Similarly, the Scottish Pro Bono Guide⁸ published in 2023 by the Faculty of Advocates’ Free Legal Services Unit, the Law Society of Scotland and JustRight Scotland, warned that there are “significant shortages of legal aid providers in a number of areas of law and geographical gaps in provision” resulting in “legal aid deserts”.

With these facts in mind, our research aimed to determine what the local legal advice landscape looked like and how Stirling and the Forth Valley area compared with other regions of Scotland in legal aid provision and pro bono support. Was the legal advice and support need in Stirling District and the surrounding Forth Valley being met or could the area be considered a “legal aid desert”?

⁶ As referenced in [UN’s help sought in forcing Scottish government to act on legal aid | Scottish Legal News](#) (11/03/2024).

⁷ [Consortium Urges UN Human Rights Committee to give recommendations to UK and Scottish Governments | News | Human Rights Consortium Scotland \(hrcscotland.org\)](#) (11/03/2024).

⁸ [Guide to Pro Bono and Other Free Advice in Scotland November 2023 \(probonoweb.org.uk\)](#). An updated version was published in 2024 after the completion of this research ([Scottish Guide to Pro Bono - November 2024](#)).

3. Research methodology

To understand the legal aid and pro-bono situation locally the researchers of this report undertook an evaluation of the situation by doing the following.

- a. Establishing the number of Stirling District based local legal firms registered with the Law Society of Scotland.
- b. Establishing with the Scottish Legal Aid Board which of these firms were registered to provide legal aid and the areas of law for which they did so.
- c. Consulting the website information of local SLAB registered legal firms to establish whether they charged for a consultation on the entitlement to legal aid.
- d. Exploring historically the last known provision(s) of pro-bono advice locally.
- e. Approaching a local charity that supports vulnerable clients (women facing violence) to ascertain how they currently provide legal support for them.
- f. Exploring the bureau database for numbers of clients approaching Stirling District CAB for assistance with legal proceedings over the past 5 years.
- g. Submitting a FOI request to the Scottish Courts and Tribunal Service (SCTS) on the number of people appearing at Stirling Sheriff Court for the last 2 years by category of law for which they did so and the percentage of unrepresented clients within those categories.
- h. Exploring other providers of known legal aid and pro bono support across Scotland to compare with the situation locally.
- i. Corresponding with University Law Clinics across Scotland to understand how far reaching geographically their support extended.

Research findings

4. Civil Law Legal Aid

4.1 Overview

In Scotland legal aid is administered by the Scottish Legal Aid Board (SLAB). In the main it is provided to clients who meet means tested requirements administered by SLAB via a network of solicitors across Scotland who are registered with SLAB to offer legal aid. The main bulk of such legal entities are private firms of solicitors, but a few non-profit community-based Law Centres managed by solicitors also receive legal aid for some of their work (see later under Law Centres).

Alongside this network of registered legal firms are several Civil Legal Aid Offices (CLAO) run directly by SLAB operating in four geographical regions of Scotland – Highlands, Aberdeen, Argyll & Bute and Edinburgh & Lothians (see later map). None cover Stirling nor anywhere else within the Forth Valley Region, therefore residents must contact SLAB registered solicitors for legal aid assistance.

Civil legal aid may be provided for cases that include:



Benefits



Claims for money



Criminal Injury



Debt



Discrimination



Divorce or separation



Domestic abuse



Employment



Housing



Immigration and Asylum



Personal Injury

Research findings

4.2 Legal Aid in Stirling

In Scotland solicitors must be registered with the Law Society of Scotland to be able to provide legal advice. Their records indicate that within Stirlingshire there are 17 registered solicitors, of which 8 are also registered with SLAB to offer legal aid for civil cases. Private practice solicitors in commercial business only provide a service to those who can afford to pay or are eligible for legal aid. Where and how they practice, and the areas of law they cover, is determined mainly by commercial considerations.

Below we provide a table compiled from research undertaken via SLAB records over the last twelve months that demonstrate for each local legal firm their involvement in legal aid cases and the categories of law defined by SLAB for which it was provided.

A black tick indicates the category of law for which they are registered to provide legal aid and have undertaken cases in the last 12 months.

An orange tick indicates the category of law for which they are registered to provide legal aid but have not undertaken cases in the last 12 months.

If no local legal firm provided legal aid for a specific category of law, we have indicated the nearest legal firm outside Stirling to do so⁹.

Legal Aid Category	Stirling Solicitors								Nearest provider to Stirling
	Barton & Hendry	Dalling	Hill & Robb	Jardine Donaldson	Mailors	McCready & Co	Pollock Ross	Virgil M Crawford	
Adults with incapacity and power of Attorney	✓	✓	✓	✓	✓		✓		
Benefits including UC								✓	Aidrie - Cartys
Childrens Cases		✓	✓			✓	✓	✓	
Compensation and damages		✓						✓	
Complaints against profession		✓						✓	
Consumer problems									
Death related matters			✓				✓	✓	
Debt, money and tax								✓	
Discrimination & human rights								✓	Falkirk - Taylor & Kelly
Employment								✓	Cumbernauld - Watt Law
Family - divorce and seperation	✓	✓	✓			✓	✓	✓	
Fmailly - contact and children		✓	✓			✓	✓	✓	
Family - domestic violence		✓	✓			✓		✓	
Housing and homelessness								✓	
Immigration, asylum and nationality								✓	
Education								✓	Hamilton - Brophy & Co
Medical negligence								✓	Motherwell - Ness Gallagher
Mental health		✓	✓					✓	

⁹ All data within this table was taken from publicly available websites at the time of writing this report.

Research findings

Comparing local legal firms in this way demonstrates the poor provision of legal aid in some categories of law such as benefits, discrimination and human rights, housing and homelessness, mental health and education. It also reveals that Virgil Crawford is the only solicitor offering assistance for all the legal aid categories other than Power of Attorney (POA), even though they have not taken on cases for every category in the last 12 months.

The table also indicates that for anyone wishing to pursue for example medical negligence claims or a mental health related case, they would have to travel at least 30 miles for face-to-face appointments, which would be an extra financial burden given that clients provided legal aid are financially vulnerable.

From the latest available SLAB financial data, we composed the following table below showing the amount of legal aid payments made to the above legal firms (rounded to the nearest thousand). Jardine Donaldson and Mailers were not included in the data provided by SLAB. This may be because SLAB data does not reveal legal aid payments made to legal firms that are less than £25,000, and this is likely for both these solicitors as they specialize in legal aid cases in POA cases only.

Legal aid payments by legal firm 2022-23 (in thousands)	Civil	Criminal	Childrens	Total Fees	VAT on Fees	Total Fees (inc VAT)
Dalling Solicitors	84	173	7	265	53	318
Hill & Robb Limited	82	0	11	92	18	111
Virgil M Crawford Solicitors	77	235	14	326	65	391
Barton & Hendry Solicitors	54	0	0	54	11	65
McCready & Co Solicitors	43	199	5	246	49	296
Pollock Ross & Co Solicitors	22	42	6	70	14	84

Clearly, the table also indicates that for those firms that also operate in criminal law, the legal aid payments to them are much greater, although this most likely reflects the complex nature of such cases.

Having examined the websites of all the above solicitors, at the time of writing this report we found that only Virgil Crawford specifically stated that an initial 30-minute appointment to discuss legal aid provision was offered free of charge. We would hope that, given the intention of legal aid is to support financially vulnerable clients, firms would be more transparent regarding introductory consultation charges.

Research findings

5. Pro-bono legal support

5.1 Overview

Pro-bono (free) legal support is the last resort when it comes to assisting vulnerable people with very little or no financial means. It is offered usually voluntarily by a variety of legal institutions in Scotland when all other support including legal aid has been exhausted. Pro-bono support may be offered by:

- > Solicitors/legal firms
- > Two Law clinics in Scotland registered with the Law Clinics Network UK – the Edinburgh School of Law Free Legal Advice Clinic and University of Strathclyde Law Clinic
- > Other Law Clinics operated by or connected to University Law schools or faculties.
- > Free Legal Services Unit (FLSU) operated by the Faculty of Advocates.
- > Law Centres managed by solicitors in areas of Social Welfare Law.
- > A few charities operating in specialist legal areas of law. For example, the Scottish Women's Rights Centre for women experiencing domestic violence and abuse.

For all the above pro-bono categories demand outstrips supply, and there is an inherent limitation on service which relies on volunteers. Sometimes the need for help in key areas of law may also not match the specialisms of the volunteers.

5.2 Pro-bono assistance locally

Using the categories of pro-bono providers listed above as a guide we examined how each operated locally.

Provision by local solicitors and legal firms

The current situation with pro-bono assistance in Stirling appears to be non-existent. No legal firm, including those that currently provide legal aid offers pro bono support according to information on their websites at the time of writing this report.

Historically, the last indication of any form of organised pro-bono advice operating locally that our research discovered was undertaken in 2019/20 when Stirling CAB ran a 'pilot' pro-bono clinic at the bureau in conjunction with two local solicitor firms, Hill & Robb and Barton & Hendry. The clinic operated one evening per fortnight on an appointment only basis figures below indicate the number of clients assisted by the CAB/solicitor partnership.

Legal firm	Year 2019	2020 – Pre pandemic
Hill & Robb	29	7
Barton & Hendry	36	13

Research findings

By examining the cases that presented at the pro bono clinics we have compiled the following table indicating the types of legal issue for which assistance was requested and the number of clients that did so. In some cases, clients presented with more than one law subject, for example, a divorce inquiry might also include issues around child access or custody, so the separation of these subjects is reflected in the figures presented below.

Legal Issue	Hill & Robb	Barton & Hendry
Registered Company name dispute	0	1
Benefits	0	3
Will dispute	6	8
Boundary dispute	0	1
Child access/visitation right	4	1
Child custody	1	3
Historic child abuse	0	1
Mortgage payment dispute	0	1
Child protection	0	1
POA– selling home to pay for care	0	2
Care home – poor quality provision	0	1
Medical negligence	1	1
POA – dispute	2	2
Employment – wage increase dispute	0	1
Car damage dispute with Council	0	1
Divorce/separation	6	5
Consumer disputes – sales/service	2	10
POA – application support	0	1
Police caution – mistaken identity	0	1
Nuisance – slurry smell from farm	0	1
Sequestration / Repossession	2	1
Housing	1	2
Personal Injury claim	1	2
Parking dispute	0	1
Debt	9	0
Discrimination	1	0
Driving offence	1	0

Research findings

It is worth noting here that the solicitors involved gave free legal advice on subjects beyond their employers' legal aid provision remit. Examples here include medical negligence, mistaken identity and the dispute over a company's registered name.

We also undertook an analysis of Stirling CAB's own local data gathered from the provision of advice to clients who have presented at the bureau requesting support with legal proceedings involving a court or tribunal or had enquired about legal aid as it included specific advice matters pertaining to:

- > Court of Session
- > Sheriff Court – ordinary, summary and simple procedures¹⁰
- > Personal related matters
- > First and Upper Tribunals for employment, benefits, non-benefit or employment and Scotland Social Services
- > Criminal matters

We outline the figures for the last five years below.

Year	Legal Proceedings Support Enquiry (All)	Legal Aid Request Enquiry
2019	889	18
2020	537	15
2021	435	27
2022	326	16
2023	358	25

Clearly these figures indicate just how great the demand continues to be for such support, although we suspect that the fall in figures for Legal Proceedings reflects issues around the operation of courts during the pandemic and the subsequent moves to remote hearings for some cases thereafter.¹¹

¹⁰ Ordinary cause procedures are claims over £5k or family actions including divorce and children orders. Summary/simple causes are claims less than £5k.

¹¹ [Civil Justice System's Pandemic Response Main Findings Report \(www.gov.scot\)](https://www.gov.scot/civil-justice-systems-pandemic-response-main-findings-report).

Research findings

5.3 University law clinics

Several of such law clinics operate in the major cities of Scotland offering free advice and support to local citizens in a variety of areas of law. Led by or connected to universities that have a law school/faculty, advice and support is usually being administered by law students under the careful supervision of legal academics and/or legal professionals and the advice provided underwritten by insurance.

In Edinburgh, law faculties at both Edinburgh and Napier Universities operate law clinics open to the public. Edinburgh University also offers a specialist Tax Clinic on matters related to self-assessment tax returns which is open to all people living in Scotland.

In Glasgow, Caledonian and Strathclyde universities also provide law clinics for the public whilst the University of Glasgow administers legal support to clients referred to them from Rape Crisis Scotland. In Aberdeen, both Aberdeen and Robert Gordon universities work in partnership with¹² or operate law clinics as does Dundee University.

We contacted the law clinics to ascertain whether their services operated only for the benefit of people living geographically close by or extended further. Most universities indicated this was the case, although the size of geographical area varied. Robert Gordon University for example also operate an outreach clinic on the Isle of Orkney.

However, the law clinics connected to Aberdeen and Napier universities did indicate to us that they would take cases from anywhere in Scotland with the caveat that if face to face appointments were necessary it would be better and easier to find assistance from a law clinic closer to the client.

Stirling University's law school which operates LLB degrees (the required entry degree to becoming a solicitor or advocate) and runs a legal research programme for its students, unfortunately has no legal clinic. This situation therefore places citizens of Stirling and the Forth Valley at a great disadvantage compared to other major Scottish cities that have university affiliated law clinics.

5.4 Free Legal Services Unit (FLSU)

The FLSU is the Scottish Bar's pro bono charity and offers free legal help from both trainee and member advocates for court cases or hearings. Assistance is undertaken in all areas of law for clients referred to them by advice agencies. Stirling District CAB has occasionally requested their help in the past for representation at courts/tribunals.

¹² The University of Aberdeen Law Project was set up as a company in 2009 and works in partnership with the University.

Research findings

5.5 Community-based Law Centres

There are several community-based law centres across Scotland operated by solicitors that specialise in assistance with Social Welfare related law – benefits, housing, employment, debt, disability, discrimination – being the most common topics. Their websites state that legal advice is free to users of their services, and this is the case as it is provided either pro bono or covered by legal aid payments to the law centres.

Much like the university law clinics mentioned above they tend to operate within the major Scottish cities for the benefit of those citizens and others living near the cities. For example, Govan Law Centre as well as supporting local Glasgow citizens with a range of legal issues also has a housing advice service for residents of Ayrshire. The Legal Services Agency, also operating in Glasgow, includes North Lanarkshire in its remit and has close ties with Airdrie CAB.

Other law centres work closely with other charities including Citizens Advice. Castlemilk Law Centre in southeast Glasgow has among its contact and partners list CAB throughout Glasgow.

Dundee Law Centre undertakes advice and support for people living in and around Dundee, and Fife Law Centre operates across the Fife region of Scotland with outreaches in several towns.

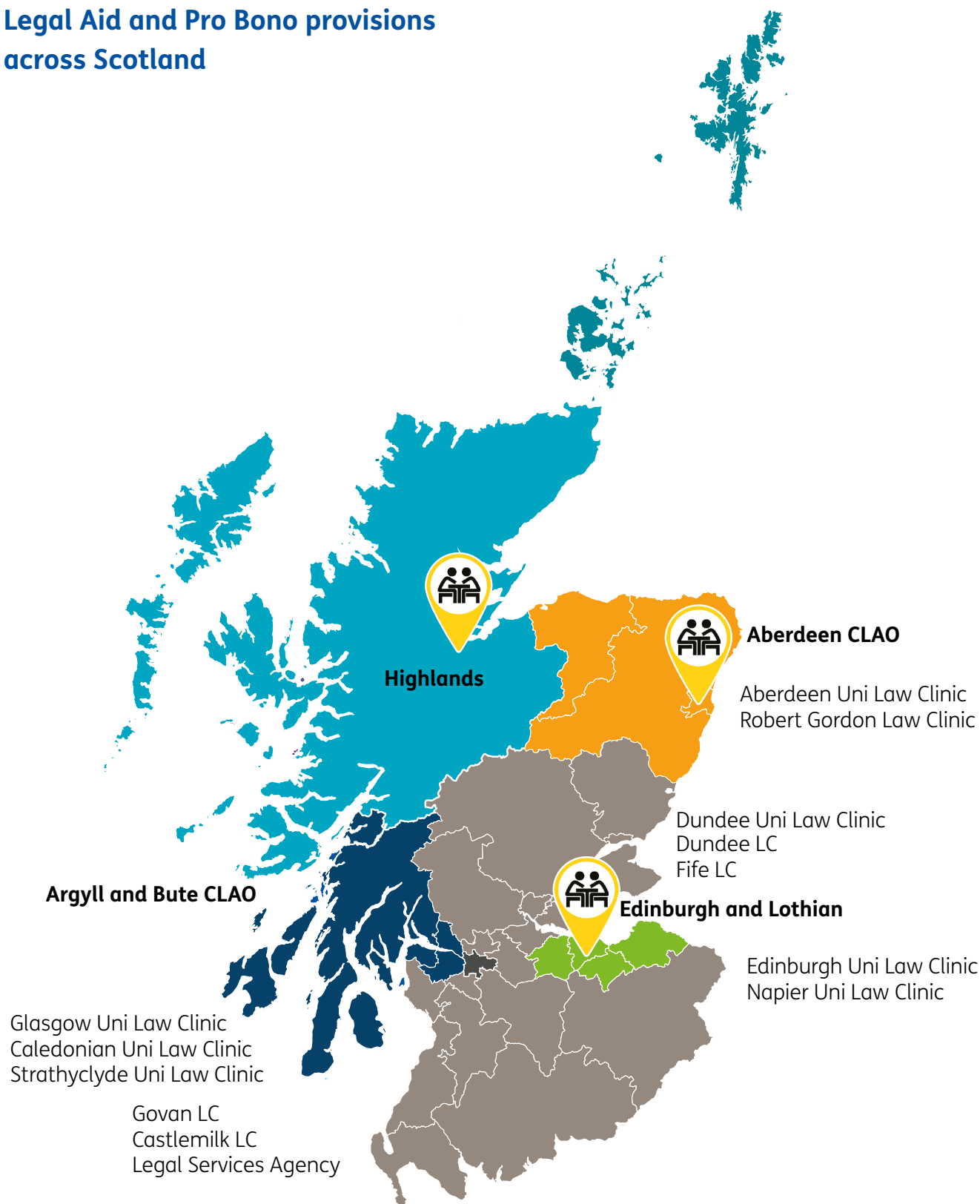
Again, as is the case with both the University Law Clinics and Civil Legal Aid Offices mentioned earlier, there are no Law Centres operating in Stirling or indeed the entire Forth Valley region.

To demonstrate the absence of all the previously mentioned entities of legal assistance compared to other regions of Scotland we have illustrated this pictorially via the map on the next page which highlights visually how poor the situation is in Stirling.



Research findings

Legal Aid and Pro Bono provisions across Scotland



Research findings

5.6 Specialist Charities

These are charities that have an emphasis on supporting specific groups across the Scottish population. Examples would include children, migrants and asylum seekers, and women who experience domestic abuse or violence. As well as providing emotional and psychological support they also offer legal assistance, often in partnership with other organisations such as some of the university law clinics mentioned above.

Unlike Law Centres, CLAOs and University Law Clinics, their support is offered to anyone living in Scotland and as such, this means that they are frequently inundated with referrals for legal assistance. Their client base tends to come from referrals from organisations operating within the same specialist sphere.

Regarding the latter of those groups mentioned above – women and children affected by domestic abuse – Stirling District CAB in conjunction with Stirling District Women’s Aid previously operated a project that offered free legal advice for such victims. The project was Lottery funded and paid for the services of a ‘dedicated’ solicitor who was able to provide quick, free bespoke legal advice for women supported by Stirling Women’s Aid. Sadly, that project ended when the five-year funding grant came to an end and despite 12 different submitted bids to find new funding, it has so far never been restarted.

Such is the unmet legal need across Stirling District, the CEO of Stirling CAB convinced the Stirling CAB Board to fund a Community-Based Legal Service (CBLs) pilot for 18 months from reserve. This decision was taken on the promise that Stirling Council would seriously consider funding the CBLs when the external evaluation was submitted. Regrettably, they did not.

As part of our research, we corresponded with Stirling Women’s Aid to understand how clients needing legal help are currently supported. In their reply they indicated that this was either done via the Scottish Women’s Rights Centre based in Glasgow or referral to a solicitor. They also indicated that 80% of their clients needed legal support and that the average time it took for an appointment to be made was two weeks.

The Scottish Women’s Rights Centre (SWRC), based in Glasgow, operates nationally to advise and support a network of locally based charities operating around issues of women experiencing domestic abuse. Legal assistance is one of their areas of support. Unfortunately, due to heavy demand the charity states on its website that it can only handle a limited number of such cases, but it does helpfully provide a list of recommended solicitors for women’s aid organisations to contact for legal help for their clients.

We examined the list to see which Stirling based solicitors were recommended by the SWRC for legal support and discovered that there were none. The nearest recommended solicitor was based in Cumbernauld, and after that several solicitors were recommended in Glasgow. This evidence highlights the dire situation of legal support for any local women experiencing or affected by domestic violence or abuse.

Research findings

Other examples of specialist charities that provide free legal assistance are:

- > **Environmental Rights Centre for Scotland** - dealing with Environmental law including law relating to land-use planning, climate change, pollution control, environmental health, the conservation of biodiversity, and any other field (e.g. cultural heritage, transport and energy) to the extent that it impacts on the natural environment and/or the right to live in a healthy environment.
- > **Ethnic Minorities Law Centre** - the only Law Centre offering services dedicated to black and minority ethnic communities, offering legal support in human rights, employment, discrimination, immigration and asylum. Stirling CAB has in the past referred clients to them for assistance.
- > **Shelter Scotland Housing Law Service** - the most high-profile housing and homelessness charity in Scotland.
- > **Clan Childlaw** - providing free legal representation for children in such matters as contact and residence, court appearance, parental responsibilities, leaving care, contact and residence, permanence for example in a foster care placement.
- > **Scottish Child Law Centre** - providing legal support in matters such as education, additional support needs, health, residence, youth offending, hearings and court disputes
- > **JustRight Scotland** - Operates four legal centres including the previously mentioned Scottish Women's Rights Centre. The others are:
 - > **Scottish Just Law Centre** - providing legal advice in all categories of discrimination e.g. race, gender, disability.
 - > **Scottish Refugee and Migrant Centre** - operating second tier legal advice on matters concerning children, family, women and destitution for migrants and refugees.
 - > **Scottish Anti-Trafficking and Exploitation Centre** - is the only specialist legal project in Scotland providing direct legal advice and representation to child and adult survivors of trafficking and exploitation in Scotland.

Due to the nature of the categories of client that present at Stirling CAB, of the above specialist charities Shelter is the most likely one that the bureau refers clients to.

Research findings

6. Legal Representation at Stirling Sheriff Court

All the above information so far has indicated the grave situation that Stirling and by extension other locations within the Forth Valley Region face in terms of getting access to legal aid or pro bono assistance.

We also wanted to determine what the situation is regarding the numbers of civil cases passing through the Sheriff Court, especially relating to the situation of them obtaining legal representation. We hoped in view of the facts laid out above to get figures indicating the percentages of cases for which there was no legal representation to calculate what percentage of all cases this constituted.

We submitted a FOI request on 28th June to the Scottish Courts and Tribunals Service (SCTS) for figures from Stirling Sheriff Court broken down by case category for the last two years.

Outlined below are the total number of cases by category according to the response we received.

Action Type – Civil	2022/23	2023/24
Adults with Incapacity	60	75
Family Actions	163	148
Liquidation	6	14
Misc B Actions incl Summary applications	270	300
Ordinary Action	127	144
Personal Injury	25	28
Proceeds of Crime	2	3
Sequestration	8	9

Summary Cause (All)	2022/23	2023/24
S.C. Payment	0	0
S.C. Heritable	47	44
S.C. Miscellaneous	10	6
S.C. Personal Injury	29	34

Simple Procedure	2022/23	2023/24
Debt	354	421
Damages	18	7
Equality Act – damages	0	0
Delivery	3	6
Implement	4	4
Equality Act without damages	0	0

Research findings

Unfortunately, the SCTS were unable to further break down these figures into represented and unrepresented cases. It was explained to us that the SCTS does not automatically record this data and the only way it would be possible to provide it would involve a manual extraction of the files pertaining to each case.

As a result of the reply, we cannot provide figures of unrepresented cases at Stirling Sheriff Court. However, we must also point out that cases appearing at Stirling Sheriff Court are also at further disadvantage compared to other Sheriff Courts such as Hamilton or Lanark in that it does not have an In-Court adviser, usually a lay representative, to guide people through the court process and sometimes help with representation.

It is clear from the evidence we have gathered the poor provision of local pro bono and legal aid support coupled with the lack of an In-Court adviser that people appearing at Stirling Sheriff Court are badly served.



Research findings

7. Conclusion and Recommendations

The evidence collected from our research would indicate that Stirling is one of the ‘legal aid deserts’ and by extension ‘pro bono deserts’ mentioned in the 2023 Scottish Pro Bono Guide published by the Faculty of Advocates’ Free Legal Services Unit, the Law Society of Scotland and JustRight Scotland.

This conclusion can be borne by the following facts.

1. Unlike the Highlands, Edinburgh and Lothians, Aberdeen and Argyll and Bute, Stirling and the Forth Valley do not have a dedicated Civil Legal Aid Office and citizens must rely on legal aid provided by private solicitors.
2. Aberdeen, Edinburgh and Glasgow all benefit from more than one university(-affiliated) Law Clinic offering free legal assistance to the public. Dundee has one such law clinic.
3. Stirling University has a law school but as yet does not provide this service to the public.
4. Glasgow, Dundee and Fife also benefit from free legal advice given at community-based Law Centres managed by solicitors. No such service exists in Stirling and the Forth Valley.
5. Unlike Sheriff Courts such as Airdrie, Edinburgh, Hamilton, Lanark and Kilmarnock, Stirling Sheriff Court does not provide the service of an In-Court adviser.
6. There are no Stirling based solicitors recommended by the Scottish Women’s Rights Centre for women who are victim-survivors of domestic abuse and/or violence needing legal support.
7. Specialist charities providing free legal assistance are inundated with referrals and struggle to cope with cases resulting in referrals relying on local solicitors to assist if no law centre or university law clinic can offer help.

Moreover, for comparison purposes regarding the provision of legal aid or pro-bono assistance we researched the populations of Dundee and Aberdeen.

- > Dundee has a population of just over 148,000 residents – and benefits from a University Law Clinic and a solicitor led Law Centre.
- > Aberdeen has a population of approximately 224,000 citizens and Aberdeenshire a population of approximately 262,000 citizens and benefits from two separate university led law clinics and a Civil Legal Aid Office.
- > In stark contrast, Stirling and the Forth Valley, sitting within the busy central belt of Scotland and with a population of almost 305,000 residents, has nothing similar to access.

Research findings

In addition to the numbered facts evidenced above we would also add in reflection that the situation for people seeking free legal support is likely to get worse in the coming months for a few reasons.

- > The ending of the eviction embargo and rent caps (albeit a provisional one is in place) because of the pandemic will surely result in more housing issues for advice agencies to cope with.
- > The proposal in January 2024 by the UK Government to reintroduce fees for Employment Tribunals even though not of the same level previously, if it goes ahead, will create barriers for the financially vulnerable with employment issues.
- > The 'housing emergency' facing Scotland declared by Homeless Network Scotland in November 2023 and agreed by multiple poverty and housing charities as well as the Scottish Government in May 2024 is likely to get worse unless there are drastic interventions by the Scottish or Westminster governments.

Recommendations

We at Stirling CAB believe this legal aid and pro bono desert needs to be urgently addressed. The following measures may help to alleviate the situation discussed above. These are:

short-term

- > Production of a practical guide for staff and volunteers at Stirling CAB and other local advice providers that identifies agencies that clients may be signposted to for legal advice, based on our research of such organisations.
- > Pilot a one day a week Law Clinic at the University of Stirling, to be held during term time for a period of 1 term, in partnership with Stirling District CAB, overseen by a paid solicitor.

longer term

- > If the pilot Law Clinic at the University of Stirling is successful, i.e. it is proven that it is possible to staff the clinic with LLB students at the relevant times, move to establish a permanent law clinic at the University in partnership with Stirling District CAB, overseen by a paid solicitor.
- > Discussions with the Scottish Legal Aid Board concerning the establishment of a Forth Valley CLAO.

Following on from this report, we invite stakeholders to work with us at Stirling District CAB to ensure that everyone in our communities can access the legal and non-legal support they need to resolve problems, seek remedies and realise their rights.

Appendix 1

Forth Valley Demographics – Overview of Population and SIMD data

Population

Forth Valley has a combined population of approximately 304,800 residents.

These may be subdivided by Local Authority as follows, rounded to the nearest hundred.

In terms of deprivation and poverty the SIMD indicates the following;

Stirling	92,600
Falkirk	160,500
Clackmannanshire	51,700

Stirling¹³

In March 2023, just over 12% people in Stirling lived in a household suffering from income deprivation. This accounts for 11,000 people across the area, of which:

- > Almost one fifth lived outside the south-east urban area (Stirling city).
- > 2,500 residents resided in areas described as very deprived.
- > Raploch (Stirling) has been consistently among the 5% most deprived areas in Scotland since SIMD 2004.
- > Over 200 households are homeless or in temporary accommodation at any one time in the Stirling Council Area.
- > 9,500 people suffer income deprivation who live in areas not currently recognised as income deprived.
- > The areas of Cowie, Fallin, Plean and Throsk fall within the most deprived 10% on the SIMD.

Falkirk¹⁴

- > In 2020, 35 data zones out of a total of 214 were within the most deprived SIMD quintile, an increase from 33 in 2016.
- > 24,575 people were recorded as residing in the most deprived data zones, representing 15.3% of the entire local population.

¹³ [Facts and figures | Stirling Council.](#)

¹⁴ [Statistics & census - Scottish Index of Multiple Deprivation | Falkirk Council.](#)

Appendix 1

Clackmannanshire

Certain areas in Clackmannanshire experience significant socioeconomic deprivation.

- > Alloa South and East is considered one of the most deprived areas, ranking within the most deprived 10% on SIMD.
- > Other areas such as Tullibody and Sauchie also show high levels of deprivation.
- > Income deprivation affects around 12% of the population, with a significant concentration in specific neighbourhoods. Poverty-related challenges are highlighted by food bank usage, which has increased since the pandemic.





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Stirling District Citizens Advice Bureau.
Scottish charity (SC007270) and company limited by guarantee (126241)

