

FOI RESPONSE ISSUED - 22 MAY 2023

REQUEST

1) For all successful applicants to the Scottish Legal Aid Board applying for legal aid to initiate a petition for a judicial review, the average amount of money that has been paid out to successful applicants for the financial year of 2022-23. For clarity, I mean the total number of legal aid payments paid for judicial review petitions in 2022-23 divided by the total number of successful applicants.

2) A breakdown of successful applications for legal aid to submit a petition for a judicial review, broken down by the decision, omission or action from a public authority that is the subject of the applicant's judicial review. If such a granular breakdown is not possible, any categorisation that the Scottish Legal Aid Board breaks down successful applications for legal aid for a petition of judicial review. This should be for the financial year of 2022-23.

If data is not possible to provide for the financial year of 2022-23 as it is too early, please provide this for 2021-22.

OUR RESPONSE TO THE INFORMATION REQUEST UNDER THE 2002 ACT

In answer to your questions I can tell you that:

1. The total **value** of legal aid payments paid for judicial review petitions in 2022- 23 divided by the total number of cases paid, for applicants with a full grant of civil legal aid is:

£4,149

This value is inclusive of VAT and covers the cost of solicitors' fees, counsel fees and outlays (e.g. cost of expert witnesses).

Please note - this sum is NOT paid to applicants. It is paid to their solicitor and counsel where appropriate.

2. We do not have recorded the purpose of the judicial review that we can query in such a way as you request.

I can tell you that the average figure quoted in answer 1 above related to 168 cases. The breakdown of the general subject of those judicial reviews was as follows:

- Judicial Review - Immigration Proceedings = 98
- Judicial Review against Scottish Ministers = 7
- Judicial Review - unspecified = 63