

# **Legal Services Agency Annual Report 2022 - 2023**

**Doing the Right Thing,  
the Right Way**

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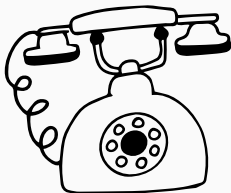
# Our Year in Numbers



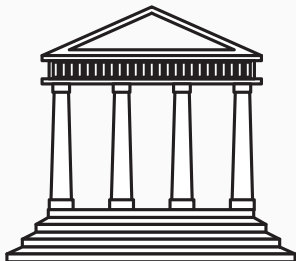
**We appeared at more than 800 hearings**



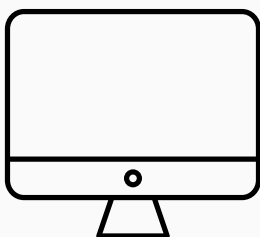
**We provided advice and representation to over 1,300 people**



**We received over 24,000 telephone calls**



**We raised 22 Judicial Review proceedings**



**We hosted 69 live webinars**



**We are grateful to our 17 volunteers for their hard work this year**

# CHAIR'S INTRODUCTION



The Board of Trustees would like to firstly extend its sincere thanks to the staff of LSA for continuing to deliver excellent services to our clients in our core areas of work over the past year, whilst at the same time adapting to further change and the introduction of new services. Our staff are our key asset with their dedication and professionalism highly appreciated in meeting our aims and objectives.

The annual report provides a detailed review of our direct service provision, legal education, and wider policy contribution to the field of social welfare law.

In summarising our work over the last year, we would highlight a number of specific areas, and would note the increase in the number of people we have seen using our services.

This is encouraging at a time when we continued to emerge from the conditions imposed by the covid pandemic, although when considering the presenting issues, is also reflective of the impact of the cost-of-living crisis impacting peoples' lives. We have continued to respond to homelessness, prevention of eviction, the legal needs of people with mental health problems; and have also established new services in line with our established values. In this respect we were pleased to develop projects addressing disability, employment rights and social justice law, all of which are welcome additions to our established suite of services.

As ever, we are highly reliant on our full range of funders, and we would like to specifically mention the Scottish

Government, Glasgow City Council, the Robertson Trust, AB Charitable Trust and St Martin in the Fields Frontline Fund, whose support has been invaluable in our ability to provide high quality legal services. Law Centres such as LSA work with people who are marginalised by society, have complex needs and would not be able to access legal support from private practice. Legal Aid contributes to our funding but is simply not enough to cover the costs of our solicitors' time in responding to our clients' needs. Given their circumstances, our clients require higher levels of support than clients who access mainstream legal services, so we can only continue to provide the service we do with the support of grant funding.

Our view is increasingly that funding for social welfare law needs addressed and restructured at both central and local government levels. We know that the social and financial costs of poverty, homelessness, mental ill health, and other legal needs that would require to be met if LSA were not in existence, would be hugely costly to society.

However, due to the shortfall of Legal Aid and the limitations of grant funding, welcome as it is, our funding is inadequate to fully meet the needs of our clients. As a result, we are regularly having to draw on reserves and incur a deficit on our budget, which is unsustainable. We believe the Law Centre sector urgently needs to see a realistic level of funding for its work, and we need to lobby and campaign to ensure that access to the law is truly available to all.

LSA saw a major change in its organisational structure in September 2022 with the retirement of our Principal Solicitor, Paul Brown. Paul was one of the original founders of LSA over 30 years ago and throughout his time with LSA, has made a significant contribution to the profile and development of social welfare law in Scotland and the UK. We would like to thank Paul for his significant contribution and to wish him well in his retirement. In moving forward, the Board have decided that rather than replacing the post of Principal Solicitor,

we would expand our number of managing partners and share the responsibilities of the principal solicitor across the partners and our CEO.

Thanks also go to our Board members who have worked hard and consistently over the past year in ensuring our level of oversight is thoroughly professional and in providing strategic direction to the work of LSA. The work of trustees often goes unacknowledged, but a functioning board is essential to the overall health of the organisation and as a board we would like to thank all staff who have contributed their time in supporting the board in its work, and with particular mention for the provision of high-quality financial and organisational reports.

In this context, a special mention needs go to our CEO Aaliya Seyal who has steered the work of the organisation, provided leadership at a time of significant change, and supported the Board in its role with an exceptional level of professionalism.

Thanks again to our staff, funders, board members and many supporters who have contributed their time, energy, and experience to the work of LSA. We are very proud of our work, all of which goes towards assisting our clients and our overall aim of tackling inequality and striving towards social justice.

**Barrie Levine**  
**Chair of LSA**

**“In the pursuit of justice, let our actions speak louder than words and our commitment shine brighter than any obstacle we may face.”**



## **CEO REPORT**

**As we reflect on the past twelve months, to say more people than ever have needed our help would be an understatement. Living up to our reputation of not shying away from challenges, this year was far from the exception. We dealt with double the volume of calls compared to the previous year and saw a nearly 50% rise in our casework and one-off enquiries increased by 15%. Each enquiry highlighted the ever-growing challenges facing communities with the impact of cost of living and rent arrears being at the highest level we have ever seen, and the continued impact on mental health and people struggling to simply make ends meet. Accordingly, the increase in demand for our services was accompanied with people finding themselves in extreme circumstances, requiring more time and intensive support.**

**Our team has risen to these challenges in our unwavering commitment to empower those whose voices often go unheard. We continued to build upon successful adaptations to both remote and in person service provision, providing people flexibility and enabling us to maintain our widespread geographical coverage.**

**We are proud to have strengthened our tenacious approach of developing legal remedies using our expertise, not only in primary legislation relevant to the subject matter, but also in considering equalities and human rights to law to protect basic human rights. We have supported and represented people to raise and defend legal proceedings upholding and advancing their legal rights and achieving justice they rightfully deserve.**

**Our specialist legal knowledge and intervention results in:**

- **Preventing homelessness enabling people to retain their homes and improving housing conditions**
- **Representing the interest of people detained under the Mental Health Act**
- **Preserving the rights of adults with incapacity**
- **Challenging discrimination with a specialist project improving access to justice for disabled people**
- **Improving knowledge and rights in employment law matters often resulting in improved financial circumstances and working conditions**
- **Assisting victims of violent crime to seek compensation under the Criminal Injuries Compensation Scheme**
- **Challenging adverse community care assessments**

**We are pleased to have developed and progressed our core objectives, guided by our core principles of Equality, Human Rights, Empowerment, Sustainability and Strategic Litigation. The crux of these principles is to address the adverse impact of poverty, disadvantage and inequality and to use strategic approaches and litigation as appropriate to include adverse policy changes. We have also remained committed to promoting awareness of legal rights and remedies and using a collaborative approach with a**

**view to early intervention and preventing repeat crisis situations.**

**With people facing multiple challenges, I am equally proud of the approach our team takes going above and beyond the legal surface and undertaking a holistic assessment of the individuals' circumstances. Our network of collaborations with multidisciplinary partner organisations enables warm referrals, allowing people to get the additional support they need to maximise their chances of achieving a positive lasting change.**



We continued to facilitate monthly meetings of Glasgow Advice and Information Network (GAIN) and Scottish Association of Law Centres (SALC) holding secretariat role for both networks. These provided an important avenue for the advice sector to consider issues facing communities and proactively engaging with Glasgow City Council and Scottish Government Justice Directorate.

We remained committed to raise policy issues at a strategic level and were pleased to have been invited to join the Scottish Government's Homeless Prevention Strategy Group (HPSG), bringing our frontline experience with a particular focus on equalities. We responded to the Scottish Government's consultation on 'Prevention of Homelessness Duties' and contributed to a number of consultations with SALC members (Scottish Association of Law Centres); a response to Scottish Government Consultations on 'Human Rights Consultation New Deal for Tenants Consultation and

Scottish Court Fees', the latter was a joint response between SALC and Human Rights Consortium and the Scottish Government's consultation on 'Principle Based approach to Administrative Justice in Scotland', stressing the importance of human rights and equalities.

In the pages ahead, we are excited to share successful delivery of a number of initiatives responding to emerging community needs, collaborative early intervention approaches, strengthened collaborations – each aiming to alleviate further hardship to communities applying preventative early intervention approaches.

It goes without saying that none of the achievements shared in our annual report were carried out in vacuum. A huge amount of gratitude is extended to our staff team for their tireless efforts, the dedication and commitment of our volunteers, trustees, and cross collaboration with our partner organisations.

**Lastly, we extend our sincere thanks to our funders for their trust and confidence, without their support, LSA could not continue to do the right thing the right way as we continue to tackle injustice and influence positive policy changes and legislative developments.**

**We recognise the year ahead will not be without continued challenges for the communities we support, and we are confident LSA is more than up for the challenge to continue to work with our strong network of stakeholders to ensure the rights of people experiencing disadvantage are protected and advanced.**

**Aaliya Seyal**  
**Chief Executive Officer**



“We are proud to have expanded our presence to Dumbarton Sheriff Court and North Lanarkshire, allowing our solicitors to help a larger number of people.”

# HOUSING & GENERAL COURT DEPARTMENT

The Housing and General Court Department has had a successful year undertaking prevention of homelessness work. Our department focuses on preventing homelessness, mainly through defending evictions and mortgage repossessions. We also assist people who have no accommodation to obtain accommodation through the local authority. This work involves appearing in the Sheriff Court, the Housing and Property Chamber of the First Tier Tribunal and instructing cases in the Court of Session in Edinburgh. We appear in procedural hearings as well as full evidential hearings to assert our clients' rights.

While our department has previously mainly concentrated on Glasgow and Inverclyde, during 2022-23 we have expanded our presence in Dumbarton Sheriff Court through our helpdesk

service there, to help people at the door of court who do not have a solicitor. This is an important project providing emergency legal representation to those who require our assistance. We have also started a partnership with Airdrie CAB to assist people in North Lanarkshire.

Since the coronavirus pandemic, we have seen an increase in the level of rent arrears that people have accrued, and an increasing number of people presenting to us with complex cases, including evictions based on criminal convictions and anti-social behaviour. We continue to assist people to assert their rights notwithstanding the challenging circumstances after coronavirus, with the additional pressures of the cost of living.

# Case Studies

## Mrs F

We were instructed by Mrs F who was at risk of eviction. During the pandemic she had had significant issues with substance use and mental health. Mrs F had been referred to us by one of the local Citizen Advice Bureaus. The case was legally complex, in that there were several issues with the validity of the notice to quit, the AT6 and the Section 11 notice. We were instructed only two days before the hearing, but were able to arrange to meet Mrs F face to face, take full instructions from her, review the paperwork and appear for her in the Tribunal in that short amount of time. The Tribunal determined that the correct procedures had not been followed in terms of the documentation provided, so dismissed the case, allowing Mrs F to remain in her home.

## Mr O

We took over an eviction file from another firm of solicitors. Mr O contacted us as he didn't know what was happening with his case, and wanted us to act for him. We established that an evidential hearing had been assigned, and we were able to ask for this to be discharged given our recent instruction. The eviction is based on anti-social behaviour. Mr O had to have part of his leg amputated in 2020. He struggled to deal with this, especially over the pandemic, and turned to alcohol and substances to self-medicate. He is now resolving his issues with substances, but is having to return to hospital to have a further operation on his leg. Due to this we were able to get the evidential hearing cancelled and the case put on pause while this went on. We have encouraged Mr O to engage with Social Work at the hospital to ensure he gets the support he needs to maintain his tenancy.

## Ms W

We were instructed by Ms W, a single parent, with depression and anxiety struggling to manage financially after the breakdown of her relationship. A decree had been granted against her in Dumbarton Sheriff Court on the basis of rent arrears. This was because her rent had not been paid in full as in error her ex-partner had not been removed from the tenancy agreement. She had been referred to us for assistance to recall the decree, and she was also referred for money advice. We managed to have the decree recalled, and her financial situation has also been resolved, with the tenancy being signed over to her. The full universal credit housing element is now in place and contributions being made to reduce the rent arrears. As such the case has been continued to allow this to be monitored, and we hope it can be paused when it next calls in court.

## Miss K

We were instructed by a woman in rent arrears. These accrued due to financial mismanagement and substance use preventing the client from coping with the rent account. Miss K recently stopped working due to her ill health, but by this time arrears had already accrued. We appeared for her when her case first called and we were able to secure a continuation to allow her rent to be fully covered by Universal Credit and for direct deductions to be made from her Universal Credit towards her rent arrears. Miss K is now engaging with the services she needs, including residential rehab, to assist with her substance use.



# Airdrie Citizens Advice Bureau

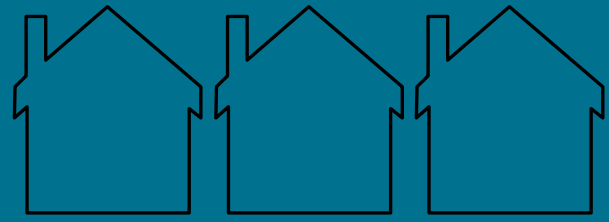


Legal Services Agency started a collaboration with Airdrie CAB in relation to prevention of homelessness in North Lanarkshire. LSA has long recognized that there are areas of Scotland which have very limited availability of specialist housing law advice, and we have been exploring ways to deal with these legal aid deserts to ensure people can enforce their legal rights. As such we were pleased to have the opportunity to expand our work to North Lanarkshire Council. We regularly appear in Airdrie and Hamilton Sheriff Courts to defend evictions and repossessions, and provide bespoke housing law advice to CAB clients. This collaboration allows both of our organisations to bring our different areas of expertise together to find solutions for clients in a variety of circumstances.

## Legal Strategy Group/Fairway

The housing team at LSA has a focus collaborative working, and sharing our learning with different organisations. We recognise that services in the area of housing and homelessness are stretched, and the sector works best when organisations work together. This is particularly the case in the area of migrant rights. We have worked together through the Roof Coalition to share expertise and ensure that people get the right advice at the right time. This has expanded into our work in the Fairway Project, where we provide second tier advice on housing law to the different organisations who are part of the Fairway Project. This ensures that clients get the appropriate advice at the right time, and frontline workers have access to a valuable resource in being able to get advice from us in a niche area. Working collaboratively also builds relationships between partner organisations, meaning that where referrals for representation are required they can be made quickly and effectively.

# INVERCLYDE



Our Greenock office has continued to provide residents of the Inverclyde area with advice, assistance and representation at court and at the Tribunals service.

Our core work focuses on prevention of homelessness, defending evictions from social housing tenancies and private tenancies, mortgage repossessions, and other tenancy issues. We have continued to provide tenants with advice about the validity of eviction notices served on them by their landlords. We work closely with the Homelessness Services at Inverclyde Council to prevent clients with valid eviction notices from becoming street homeless. We have also provided advice and assistance to clients who are facing homelessness about their homeless applications, reviewing Decisions by the Council, and about standards of temporary accommodation. We have advised clients on the legislative changes brought about by the cost of living crisis, and the changes to homelessness law.

We have seen a rise in clients seeking advice about challenging social housing providers' decisions on the priority allocation of their housing applications. We successfully argued that one housing provider's Policy was not compliant with current legislation, which led to the provider conducting a review of their Policy in early 2023, and amending the Policy to afford all social housing tenants the same priority for underoccupancy of their tenancies.

We have also seen a rise in clients reporting that they are suffering financial hardship due to the cost of living crisis. We have continued to work in close partnership with the financial advice team at Inverclyde Advice First, and our strong professional relationship means we regularly refer clients to that Service to obtain advice about income maximisation and debt management.

We recently launched our new “Prison Project”, which aims to provide legal advice to prisoners in HMP Greenock regarding prevention of homelessness and tenancy management. This is with a view to reducing the number of people in the criminal justice system who are released from prison into homelessness. We have already had several referrals to this project, and we will soon begin attending the prison on a regular basis for an in person drop in advice service in the coming weeks. We are grateful to our funders, St Martin-in-the-Fields Charity Frontline Fund, for the opportunity to provide this service and allow us a wider remit of people that we can support.

The shift in working practices brought about by the COVID-19 pandemic required us to utilise technology more effectively. We have continued to use the lessons learned during the pandemic to offer our clients a flexible service, namely by engaging with clients over the telephone, in person, and by email, depending on what best suits their needs. We have attended court in person and by WebEx video hearings, and we have attended the Tribunal by teleconference video call.

2023 also saw LSA welcome a new trainee solicitor to our Greenock office. Fiona has already taken on a number of clients herself and we look forward to the progression of her traineeship.

We will continue to assist our Inverclyde clients with their housing difficulties in the coming year and as always, strive to assist more people each year. We take pride in our working relationships with other agencies in the Inverclyde area and will continue to strengthen these partnerships. This allows us to make the most appropriate referrals on behalf of our clients if they need assistance with something that we cannot help with and ensure that we do all we can to assist our clients.



# CASE STUDIES

## Miss B

Our Client, Miss B, received a Notice of Proceedings from her social landlord in respect of her rent arrears. This Notice formally initiates the eviction process for tenants living in social housing. Miss B's arrears accrued due to issues with payment of her benefits and there was a significant monthly shortfall. Miss B was solely reliant on benefit income as she was unable to work due to ill health.

We referred Miss B to local advice agencies who were able to assist with reducing the deductions for historical arrears on a temporary basis, affording her with more income to address the arrears. They were also able to assist her in approaching the benefits department to make sure she was in receipt of the correct entitlement going forward.

We represented Miss B when her case first called in court. Her landlord asked for a short continuation to allow matters to be progressed however we were able to convince the Sheriff that a longer continuation would be more appropriate, as Miss B had various things going on in her life at this time, and the issues with her benefits were likely to take some time to be resolved. During this time, Miss B was successful in a benefits appeal and was awarded a backdated payment as well as increased ongoing payments.

When we next appeared in court, Miss B had made a lump sum payment which significantly reduced the arrears balance. The Sheriff continued the case again to allow Miss B to pay off the remaining arrears. Thanks to involvement with local advice agencies, Miss B was able to meet her ongoing rental charge going forward.

At the next court appearance the Sheriff dismissed the eviction action and our client was able to retain her tenancy and avoid being evicted, which would have had a detrimental impact on her health. We are now assisting Miss B with a view to her securing more suitable accommodation in light of her health problems, as well as health problems faced by one of her children.

## Mr W

Mr W contacted us seeking urgent advice regarding the suitability of temporary accommodation provided to him by Inverclyde Council. He had recently been released from prison where he had been held on remand. Mr W was accommodated in the Inverclyde Centre, which is hostel style emergency accommodation. Mr W had mental health problems, a developmental disorder and is a recovering drug addict. The environment was very overwhelming for him and was causing him to have panic attacks. He was also concerned that being there would be a significant risk to his recovery.

Mr W received an offer of permanent accommodation with a local housing association however the property required significant repairs before he could move in. We wrote to Inverclyde Council and highlighted that the accommodation provided to Mr W was unsuitable in light of his personal circumstances. We asked that homelessness services urgently re-accommodate Mr W in suitable alternative temporary accommodation.

Inverclyde Council responded and denied that the accommodation was unsuitable. They also denied that accommodating Mr W in the Inverclyde Centre constituted a breach of the Equality Act 2010. We discussed the possibility of making an application for Judicial Review in the Court of Session. Judicial Review is a court process whereby a decision, action or a failure to act by a public body can be formally reviewed. Mr W was then offered a temporary furnished flat, where he stayed for a few months until the necessary repairs were made to his permanent tenancy.

We asked Inverclyde Council about ongoing support that might be available to Mr W to help him manage and sustain his tenancy. Assessments were carried out by the homelessness service and by the occupational therapy service. Mr W is now receiving 7 hours of support per week which is delivered flexibly to meet his needs.

We received a recent update from Inverclyde Council that Mr W was managing his permanent tenancy better than was expected. Mr W also confirmed he was happy with the ongoing support he is receiving and he has established a good relationship with his support worker.



"Our flexible approach has allowed us to continue to meet our clients in ways that best suit them, such as in-office meetings, telephone appointments and home or hospital visits."

## MENTAL HEALTH

Following the lifting of all Covid restrictions we have been able to return to visiting our clients at home, in care homes or in hospital when they need us to do so. We also offer appointments within our offices or by videocall or telephone. We are happy to adapt our approach to meet the needs of individuals. Having a flexible approach has allowed us to offer clients the most comfortable way of communication for them throughout their cases. Using video technology has also allowed us to reach a wider group of people than before, using this to assist with Powers of Attorney in Perthshire and Moray where clients wish to use our specialist services.

2023 will see our first trainee in many years coming to the end of her traineeship. It has been a valuable experience for both Mera and the Team allowing her to contribute to our busy day to day practice whilst experiencing all this area of work has to offer.

Throughout the last year both Aileen and Rachel have attended Transition events with partner organisations to explain the benefits of Guardianship or Power of Attorney to families where a young person is moving into Adult services. These events have allowed us to meet and introduce ourselves to a number of different organisations who work in supporting Adults with disabilities.

# CASE STUDIES

## Mr D

Mr D was detained within the State Hospital. He did not agree that he required this level of security anymore and wished to move to medium secure facilities. Mr D's Responsible Medical Officer was not initially supportive so we sought an independent report which was supportive of the progress he had made and agreed that he should be moved to medium security. During this process an Application was made for Mr D to move to medium secure but there were no beds available. We assisted Mr D to make an Application to the Mental Health Tribunal and obtained an Order that he was detained within conditions of excessive security and should be moved to medium secure. During the 12 weeks of this Order he was not moved and we represented him at a further Hearing which, again, confirmed that he should be moved to conditions of medium security. At the expiry of the second Order a bed became available for Mr D and he has now successfully moved into a medium secure hospital.

## Mr C

Mr C is subject to a Guardianship Order that he does not agree is necessary. He was placed within a care home and wished to move into his own property. We assisted Mr C to obtain independent reports which confirmed that the care home was overly restrictive and that certain powers within his Guardianship were not being used. We shared these reports with his social worker and did not receive any response. As a consequence, we raised a Court action seeking to have Mr C moved to less restrictive accommodation and to remove certain Guardianship powers. While the papers were with the Court Mr C was informed that he would be moving to a supported tenancy, which he was very pleased about.

## **Ms L**

Patient was detained in IPCU but did not have capacity to instruct a named person. Due to deterioration in mental health and challenging behaviours, decision was made to transfer Patient to the State Hospital. Patient did not have capacity to instruct a solicitor to challenge transfer nor had capacity to nominate a named person. Patient's sister, Ms L, contacted us extremely upset at prospect of her brother being transferred to the State Hospital and felt she had no legal recourse to such an important decision being made regarding her brother. Solicitor was able to advise Ms L of her rights in which she could raise an appeal under S257A of the Mental Health (care and treatment) Scotland Act 2003 which makes provision for the ability of an individual to act if no named person. Raising an appeal under this section is not a common occurrence. Ms L was happy she was able to seek legal advice and exercise her appeal rights in order to do what she believed was in her brother's best interests.

## **Miss X**

Miss X approached us extremely anxious and overwhelmed with concerns for her close friend and a guardianship application being made for her by estranged family. She was able to be covered through Legal Aid funding on the basis that we would seek vouching at later date which we were able to do following closing of proceedings. Miss X voiced concerns of mal intentions on behalf of the estranged family members. We proceeded to object to the Application of the family members. Matters proceeded through the Sheriff Court and an independent report was instructed alongside a safeguarder's report. Ultimately Miss X's concerns were legitimised through the differing reports made available. The Sheriff on discretionary powers pronounced an order to the effect that Miss X was to be appointed as both welfare and financial guardian. Miss X was initially extremely concerned that she would not be provided legal aid in order to take this matter on however we were able to take a judgement on the case matter early on and proceed with matters on the basis financial vouching would later be provided.

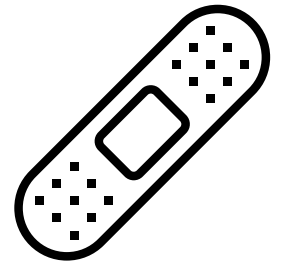
# Power of Attorney Test of Change Project

In April 2023 we began working in partnership with Glasgow Health and Social Care Partnership, Govan Law Centre and Castlemilk Law Centre on a Power of Attorney Test of Change project. This project came about as a way to try and reduce the number of people in hospital who are unable to be moved due to their lack of capacity to consent to this and having no Power of Attorney/Guardianship in place. The project is aimed at those who have a diagnosis of Alzheimer's/Dementia and wish to grant a Power of Attorney. Where the person does not qualify for Advice and Assistance funding from the Scottish Legal Aid Board the project will fund the costs associated with granting a Power of Attorney. So far, there has been a high referral rate into the project, and we look forward to seeing what can be achieved with this style of working.

## Case Study

Mrs Y was diagnosed with vascular dementia and was immobile. She did not qualify for legal aid and due to this, along with her mobility issues, had never pursued matters in obtaining a Power of Attorney and this was not affordable given the extra care costs she requires on a day to day basis. We were able to provide her with a funded Power of Attorney through the Power of Attorney Test of Change Project. We were able to visit Mrs Y at her home and reassure her that we would ensure the Power of Attorney would be signed in the comfort of her own home. Without the project itself and our undertaking of the cases the client would be unable to have safeguarded herself following her diagnosis.

# CRIMINAL INJURIES



**LSA is focused on assisting those who are particularly disadvantaged with applications to the Criminal Injuries Compensation Authority.**

The victims of crimes of violence are some of the most vulnerable in our communities. As a law centre, we aim to assist those who have an unmet legal need and may struggle otherwise to get legal assistance, such as those who have experienced traumatic brain injuries. LSA's approach, and it has been similar for many decades, is to assist victims of crimes of violence who have difficulty in accessing justice.

Advice, assistance and representation is provided to victims who have brain injuries, mental disorders, and co-morbidity of mental health. Such cases are often very complex and the client can require additional supports to progress matters. They require a specific approach with an appropriate level of expertise.

The department has gone through a significant change in the last year with the retiral of Paul Brown, Principal Solicitor, from LSA. Despite this change we continue to offer our clients advice and representation in relation to CICA Applications, Reviews and Tribunals with our departments working together to provide this service.

The department can call on a wealth of experience and range of expertise to ensure that clients benefit from the holistic approach to our service.

LSA is equipped and experienced to act for victims of crime with major physical trauma such as serious brain injuries, as well as those who have experienced significant physiological trauma.

# CASE STUDIES

## Ms P

Ms P is a vulnerable client who was a victim of childhood sexual abuse with complex mental health diagnoses. She required legal assistance to progress a Criminal Injuries Compensation Application. She initially attempted to progress matters independently given that she resided in Australia. There were no local experts available and there was no eligibility for legal aid.

Despite difficult time zone differences and Ms P having limited access to IT, other than through a smartphone, we assisted with extensive investigations to obtain medical evidence from a number of experts. The Criminal Injuries Compensation Authority continued to refuse to make an award. We assisted Ms P to successfully progress an appeal with HM Court and Tribunal Service. Despite logistic difficulties, we were successful. Ms P was ultimately offered over £114,000 in compensation.

## Mrs G

Mrs G, who is a mother, and a secondary victim, experienced trauma from witnessing her daughter's sexual abuse. Mrs G had disabling mental injury prior to the event. However, her mental injury was exacerbated with expected secondary diagnosis of comorbidity. She was unable to leave her home, had difficulty speaking and meeting with individuals, and was extremely isolated. There was clear exacerbation of her mental injury. With our assistance, investigations were able to take place and we obtained professional assistance to prepare a report differentiating mental injuries and showing the exacerbation of the symptoms leading to an award.



## **Miss M, Mr G and Mr E**

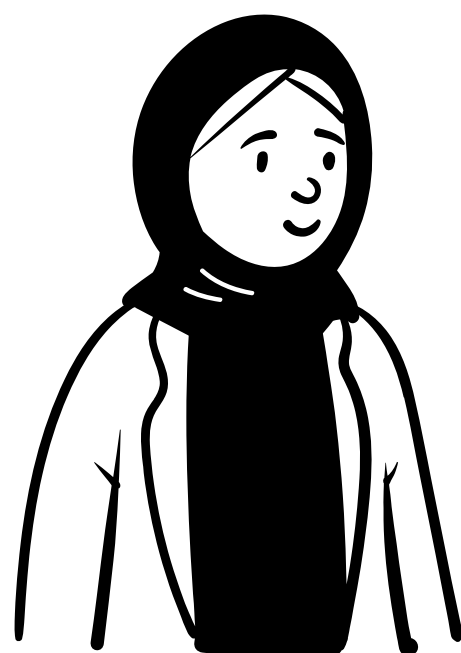
LSA is working with a number of young individuals who are victims of crimes of violence and all with significant mental health diagnoses.

The individuals were sexually abused as children by those individuals most trusted and responsible for their care. By adapting our processes we ensure that support is maintained for the clients at all times. LSA is working with relevant and essential parties including family, social work department and advocacy workers as well as medical professionals. It is necessary to go to additional lengths in our work to enable access to compensation on behalf of such individuals and not further re-traumatise the clients in the circumstances.

LSA are committed to providing a complete service to clients including Review and Appeal cases, where it is appropriate.

## **Ms W**

Ms W, who, due to the trauma associated with the crime of violence and because of further traumatic life events, delayed making an application to the Criminal Injuries Compensation Authority. She has been refused an award. She received extensive counselling for many years and as stated, sustained further major trauma due to connected life events. LSA is assisting Ms W to obtain appropriate medical evidence through the General Practitioner and Psychiatric services to support a review with the Criminal Injuries Compensation Authority which will hopefully lead to an offer of compensation.



# EMPLOYMENT PROJECT



With thanks to funding provided by the National Lottery Community Fund, our long-term Employment Law Project commenced on 1 April 2022. The main objective of the project is protecting employment rights to improve financial circumstances.

We provide employment law advice throughout Scotland to individuals (including young people, people in low paid job, people being unlawfully discriminated against, and families at risk of financial hardship). We also provide support to fellow grassroots advice agencies and aim to bring together stakeholder expertise to challenge inequality and injustice in the workplace. 65% of the individuals we supported live in an area of multiple disadvantages.

We are pleased that feedback received from clients has been positive in 100% of cases.

Through our support, advice and representation, we are proud to note that our clients' financial circumstances have improved collectively by at least £347,905.46 up until 31 March 2023.

There were 47 individual positive financial outcomes.

The highest individual amount secured was £79,000.

The lowest individual amount secured was £66.50.

The average amount was £7,402.24.

The median amount was £4,000.

We helped secure reinstatement in two cases and helped two individuals avoid summary dismissal.

We have had seven volunteers work with us on the project and are very grateful for their help.

Our employment solicitor, Stuart, has shared his experiences of working on the project, on our website, highlighting the importance of our work for those with unmet legal need. Two of our volunteers have also written about their time working with the project.

We have also published our 'Year in Numbers' which shows the huge impact that this project has had on our community in just one year. We are looking forward to the continued progression of this project over the next year.

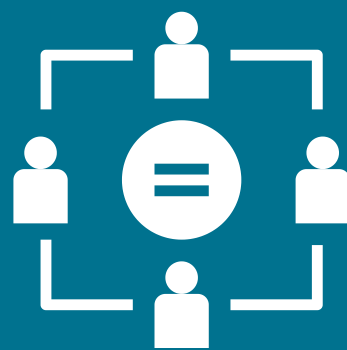
We are grateful to our funders, the National Lottery Community Fund, for the opportunity to provide this vital service and continue to assist our clients.



## **CASE STUDY**

We have been privileged to support individuals where the amounts pursued would not have been economic to pursue but where there was an unmet legal need. In one case, we advised a young international student who had not been paid for “gig” work that he had undertaken. The employment agency had refused to pay him and others in a similar position for the “gig” and had no good reason not to pay. Our client had raised an internal complaint and escalated it but to no avail. It appeared to us that the employment agency was taking advantage of a situation where it was unlikely that the matter would be pursued further. We took instructions and raised a claim at the Employment Tribunal. It was only after the claim had been brought that our client secured what was lawfully due to him. We have no way of measuring the ripple effect, but our client has undertaken further paid work; he was able to inform others in a similar position to him; and the employment agency should treat others fairly in the future.

# DISABILITY & SOCIAL JUSTICE PROJECT



**Our Disability and Social Justice Project focuses on empowering disabled people to enforce their rights, challenge injustice and reduce the day-to-day discrimination that they face**

In October 2021 we launched the Disability & Social Justice Project as way to help challenge the discrimination that disabled people face everyday. The Disability & Social Justice Project is now in its second year at LSA. The project receives referrals from agencies across Scotland and clients themselves in matters from housing allocations to lack of provision of care services and discrimination by educational bodies.

This year we have raised a number of actions within the Sheriff Courts in relation to Disability Discrimination and represented clients in Courts from Elgin to Dunoon.

The service uses a flexible approach to working with our clients and offers appointments by way of telephone, videocall or face to face; whichever is most accessible to the individual person. It is essential that our clients feel comfortable to share their experiences with us and we strive to ensure this.

Through the work of the project, our team throughout LSA were able to participate in cross sensory training delivered by Deafblind Scotland. This provided us with a deeper insight into what adjustments we can make to assist clients with visual impairments.

Our trainee solicitor, Kay, has spoken at a number of events including those held by the Scottish Commission for Learning Disabilities and the University of Edinburgh about the importance of our work.

# CASE STUDIES

## Mrs Q

Mrs Q, a client who drives an adapted car, lost the use of her car following an accident. There was a significant delay in providing her with a replacement car by her insurers. This was discrimination under the Equality Act 2010. She was placed at a substantial disadvantage because of her need for an adapted car and the insurer failed to make reasonable adjustments to its practice for sourcing hire cars. LSA were able to raise an action against the insurer, a multinational corporation, in the Sheriff Court under the Equality Act. This resulted in a settlement offer significantly above the compensation offered to the client when she complained.

## Mr K and Miss D

Mr K and Miss D, blind clients living in an area undergoing redevelopment, approached the LSA as they were unsure about how to raise challenges to a road redevelopment project. The project would involve significant changes to the road layout in the town including the installation of cycle lanes and 'floating bus stops' where the pavement was separated from the bus stop by the cycle lane. This was a matter of concern for the blind community generally. LSA were able to obtain an opinion from counsel outlining the duties on the Local Authority when engaging in a project such as this along with the potential challenges that could be raised under Planning, Roads and Equality Law.



## **Mrs S**

**Mrs S is the mother and Guardian of her son who has additional support needs. She had agreed with the local authority that she would access Direct Payments to allow for the provision of respite care. The local authority maintained the position that they had not received the return of a sign form to begin the payments. Mrs S had been chasing for a response and support from the local authority for a number of years during the pandemic, with her enquiries being unanswered. LSA obtained an opinion from counsel regarding the prospects of raising a Court action for breach of contract regarding the failure to make respite payments. Upon becoming aware of a grant of civil legal aid the local authority have engaged and offered an ex-gratia payment to settle matters. Mrs S would not have been in a position to push for this without the assistance of LSA and the project.**

## **Ms X**

**Ms X, a blind client had an accessible bathroom installed. The bathroom as installed was not suited to her specific needs and placed her in danger if she were to use it. The bathroom installer had obligations regarding the performance of the contract to install the bathroom under the Consumer Rights Act 2015. LSA were able to obtain a commitment from the bathroom installer to reperform their obligations under the contract to ensure the bathroom met Ms X's particular needs.**

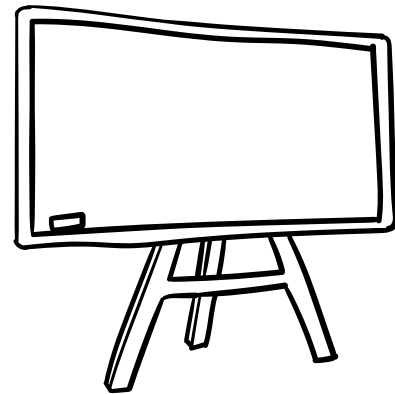
# SEMINARS AND LEGAL EDUCATION



**LSA continued to play a leading role as a legal education provider in Scotland by delivering affordable and thought provoking legal education, building knowledge and skills of the sector.**

We were delighted to resume in person events, however, continued to deliver online webinars based on preference and feedback from delegates. The online mediums allowed us to continue to attract delegates from throughout Scotland, as well as attracting speakers from throughout the UK, reducing travel as a barrier to access training and opportunities for sharing and learning.

Alongside LSA's own staff, we attract expert speakers from a range of organisations.



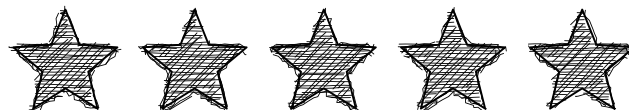
**We delivered 69 webinars attended by 1,580 delegates from diverse voluntary, statutory and private sector organisations.**

The topics continued to cover a range of subjects, highlighting changes in statute, updates on case law and issues to consider in responding to consultations. A key objective remained a focus on human rights and equalities law to address disadvantage and injustice.

## Some of our most popular events include:

- Lady Dorrian and Sandy Brindley at Rape Crisis Scotland ran an event for us on Improving Victims' experiences of the justice system where we had 42 attendees at the live webinar and 11 recordings providing flexibility of participation for people unable to make the live event due to clashing commitments.
- We also ran a timely event following the tragic death of the two-year-old in England due to poor housing condition on Disrepair in Private and Social Tenancies with Jim Bauld, Partner at TC Young Solicitors. The aim was to empower the legal sector to raise appropriate proceedings challenging poor housing conditions to prevent future tragedies. 43 delegates participated in the live webinar with 3 recordings.
- Lockton's kindly sponsored a free Risk Management webinar which attracted 100 bookings and was fully booked within a day of advertising.

## We are proud to note that feedback we receive from delegates is overwhelmingly positive

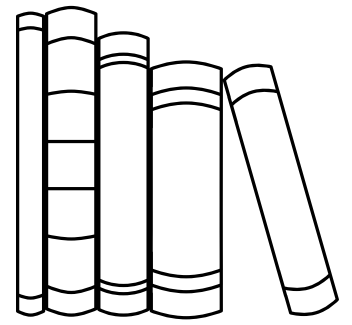


We were delighted to invite Lady Hale back as our key speaker in an in-person event held in Edinburgh focusing on Diversity and Inclusion in the Legal Profession with contributions highlighting different perspectives of inclusion from Amanda Miller, past president of the Law Society of Scotland, Robin Moira White, Tatora Mukushi and Chris Fry. We are grateful to Brodies for their kind sponsorship in providing accommodation and catering for the event.





# LSA TRAINEESHIPS



## Mera Logan

Undertaking my traineeship at Legal Services Agency has been a hugely rewarding experience which has allowed me a great deal of independence. After commencing my traineeship, I very quickly realised that there is always more to learn and further skills to obtain. I work in the Mental Health Department and have dealt with a number of cases regarding guardianship applications, compulsory treatment orders, criminal injuries compensation and appeals against excessive security to name a few. My clients' wishes are extremely important to me and as a result I ensure I am flexible to meet with my clients in a way that best suits them. This means in one week I may be carrying out a number of home visits, hospital meetings, in office appointments and telephone and video call consultations.

In particular, I have been working on the Power of Attorney Test of Change Project since its launch in April 2023.

This has been an extremely unique experience and has allowed me to assist a number of new clients with the granting of a Power of Attorney who may not otherwise have had the opportunity to instruct a solicitor due to their dementia diagnosis, inability to travel or low income. I have visited many clients in their home to talk them through a Power of Attorney and ensure their understanding. I have liaised with medical professionals to provide reports confirming my clients have the capacity to grant a Power of Attorney which is a vital step. I have drafted and my colleagues have signed and registered for me a high number of Power of Attorneys now, enabling my clients to safeguard themselves as their diagnosis of dementia progresses. A number of my clients have never dealt with a solicitor before and have never heard of a Power of Attorney prior to this project. Many think it is the same thing as a will, when in reality, it is an essential document that everyone should have in place long before they may ever need it. The Power of Attorney Test of Change Project has been an extremely valuable learning experience for me and I am very proud to be a part of it.

# Rachel Scott

I joined the Housing and General Court Team in 2021. As I near the end of my traineeship on 1 November 2023, I find myself reflecting on the incredible experience and invaluable knowledge I have gained. One of the standout features of my role has been the autonomy I have been granted to manage my own caseload, all while benefiting from the expert supervision of qualified staff. This balance of responsibility and guidance has been instrumental in my growth as a Trainee Solicitor.

I have had the opportunity to work on a diverse range of cases, each presenting its own unique challenges and complexities. From navigating eviction proceedings and mortgage repossessions to addressing issues of homelessness and assisting clients with criminal injuries applications, my role has provided insight into finding solutions to various legal problems. In addition to these more common cases, I've also had the chance to delve into some less conventional cases, such as Sequestration and Immigration and Asylum matters which has allowed me to develop a versatile skill set.

Entering the Social Justice sector was a significant transition for me, as I was new to this field before joining LSA

The journey has been challenging, but I am grateful for the unwavering support I have received from my colleagues and mentors. One of the most significant takeaways from my time as a Trainee Solicitor at LSA has been the continuous process of learning and growth. Staying current with changes to legislation and keeping up to date on recent decisions has been a daily commitment. However, this pursuit of knowledge has been immensely rewarding, equipping me with the skills necessary to navigate the ever-changing legal landscape. LSA's ongoing commitment to provide relevant training has been invaluable. It's reassuring to be part of a team where questions are encouraged, knowledge sharing is prioritised, and where there's a genuine commitment to foster growth among staff.

I have learned the importance of empathy and effective communication from interacting with a wide variety of clients. Every client's story is unique, and being able to offer legal assistance in their time of need has been both humbling and fulfilling.

The social justice sector has become more than just a workplace; it's a platform for advocating for those in need and making a tangible difference in people's lives. I am grateful for the experience I've gained thus far which have laid a strong foundation for the challenges and opportunities that lie ahead.

# VOLUNTEERING AT LSA

**We are very grateful to all of our volunteers who offer their time to assist us with our vital work**



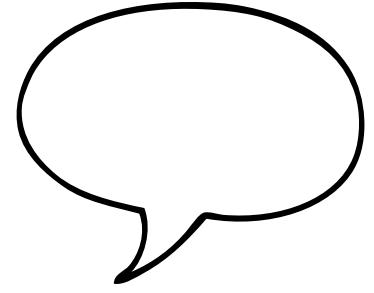
## **Eilidh Denny, volunteer**

Throughout my year of volunteering within the Employment Law Project, I have found that each day is never the same. There is always a new case with a different client who has different needs in which I always give 100%. I have found myself completing a range of tasks over the last year. These include:

- Shadowing solicitors during calls and meetings with clients
- Shadowing at Court/Tribunal
- Research Tasks; helping with unusual circumstances in cases and researching for similar case law to support a potential claim
- Completing forms such as ET1 Forms
- Drafting Correspondence and Claim(s)
- File Management; perusing papers and preparing bundles
- Taking initial information from clients

I believe that the experiences that I have had over the last year will be hugely beneficial to my future career as a solicitor. I know that there will be expectations that I have an understanding of how to complete such tasks when I am a solicitor. Gaining experience of completing such tasks now as a volunteer will put me in great stead for when I qualify as I will have more confidence in carrying out this work in the future. I have become more confident working with a range of legal professionals, as well as new clients through volunteering. I believe having this contact early on through volunteering has improved my communication skills and my ability to work with new people with ease. I plan on continuing volunteering for as long as I am able to do so as it is rewarding to help a charity-based project and being able to give back to those who are struggling to obtain legal support. I have thoroughly enjoyed volunteering with LSA.

# TESTIMONIALS FROM OUR CLIENTS:



"Stuart has been magnificent throughout the process by understanding my situation and making all options clear throughout. His advice and approach was excellent and I cannot thank him enough for assisting and guiding me through the process from start to finish. I was really pleased with the outcome achieved and will recommend Stuart and Brown & Co Legal LLP at Legal Services Agency to anyone who requires legal assistance."

"Your service was so helpful. My solicitor's helpfulness on the call was wonderful. He understood my condition. Explained all with patience and kindness as I struggle in these situations."

"Luisa's ability to provide a professional relationship to clients is beyond any duty of care and her overall hard work, excellent care and client management reflects LSA as a whole. She is a true reflection of how LSA can provide a holistic and person-centered approach. Thank you LSA for your time and commitment."

"My solicitor exceeded my expectations. She went above and beyond on what I thought would have been an incredibly stressful process and I am so happy with every aspect of the application. I am very happy to recommend LSA going forward."

"I'm very thankful for your service. I got the result I wanted. Reception staff were also very warm and welcoming."

"When speaking to Aileen and Julie on the phone I found them to be exceptionally professional and our interactions went very well."

"I was provided with all of the assistance and help required for a successful outcome. My solicitor was superb with the comfort and understanding to help ease my mental health. Thank you so much for the service and support you provided me with."

"My solicitor was helpful, knowledgeable, efficient, professional, empathetic, supportive and kind. He very quickly assessed my situation, recognised the distress I had already experienced and made sure to cut straight to the chase in terms of how he could best help me and minimise further anxiety. In less than 24 hours he had called me back twice, proactively referred my case to a third party solicitor (as he was unfortunately not available for my dates) ...and had been more effective than every other solicitor I had dealt with in 9 months!"

"The service I received from the office and Tracey was outstanding. I was kept informed all the way and treated like a person and not just a number."

"I can't thank you enough for the support you offered in the past four months. You always gave me food for thought that would allow me to make an informed decision at each stage of my case. I also felt reassured to know that if in doubt, I could email you.

Thank you again for taking the time to answer my long emails and questions, to schedule in calls despite your busy schedule."

"I was informed as to exactly what to expect and what I had to do. I don't cope well with these things and I was treated with respect and understanding. You won my case for me. Thank you."

"Rachel Walker was very helpful and approachable. I am very happy with the outcome."

# OUR FUNDERS:

We would like to give a special thank you to our funders for their continued support which allows us to remain available to our clients and provide the best possible services that we can

without this support we would not be able to carry out our vital work

**AB Charitable Trust**

**Citizens Advice Scotland**

**Community Justice Fund**

**Glasgow City Council**

**Glasgow Health and Social Care Partnership**

**Inverclyde CHCP/SLAB**

**MS Society**

**National Lottery Community Fund**

**The Scottish Government**

**Scottish Government Equalities and Human Rights Fund**

**Scottish Government Legal Aid Traineeship Fund**

**SG Third Sector Homelessness Fund**

**St Martin-in-the-Fields Charity Frontline Fund**

**The Robertson Trust**

# CONCLUSION

**We look forward to continuing our commitment to addressing unmet legal need in the coming years. We remain focused on achieving the best possible outcomes for our clients who trust us to assist and support them during difficult periods in their lives.**

**Legal Services Agency continues to remain as accessible as possible to our clients with our flexible approach to meeting with people. We are happy to assist on the phone, via video calls, in office appointments, home or care home visits and hospital meetings. This means that those with restricted mobility or other health concerns or those who live far from our offices are not cut off from accessing or specialist legal support.**

**We are proud of the impact that our work has had on our clients and we continue to reach a wider number of people who may benefit from our services. With the introduction of multiple new projects this year, we are certain that we can help significantly more clients who may otherwise have struggled to seek legal advice.**

# STAFF AND BOARD MEMBERS

We would not be able to do any of this without the dedicated work of our staff and board members:

**Aaliya Seyal • CEO**

**Aileen Miller • Solicitor/Partner**

**Alastair Houston •**

**Solicitor/Partner**

**Angela Hudson • Legal Secretary**

**Ann Marie McKay • Legal**

**Secretary**

**Anthony Huddleston • Financial  
Guardianship Assistant**

**Barrie Levine • Convener**

**Caroline Love • Communications/  
Administrative Officer**

**Carrie-Anne Clifford • Senior  
Solicitor**

**Christine MacInnes • Finance  
Manager**

**Cinzia Biondi • Trustee**

**David Alexander • Administrative  
Officer**

**Evelyn Boyd • Trustee**

**Fiona Anderson • Trainee Solicitor**

**Garry Burns • Company Secretary**

**Grant Carson • Trustee**

**Gwyneth King • Solicitor**

**Jacqueline O'Donnell • Accredited  
Paralegal**

**Julie Robertson • Legal Secretary**

**Karolina Dziedzic • Trainee**

**Solicitor**

**Kathleen Bolt • Trustee**

**Kirstie Cusick • Trustee**

**Linsay Taylor • Trustee**

**Luisa Fidelo • Solicitor**

**Mark Stringer • Administrative  
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**Philip Grady • Finance Assistant**

**Rachel Scott • Solicitor**

**Rachel Walker • Solicitor/Partner**

**Siobhan O'Donnell • Legal  
Secretary**

**Stuart Swan • Solicitor**

**Susan Bell • Seminar Manager**

**Taranveer Kaur • Trainee Solicitor**

**Tracey Donnelly • Benefits  
Administrator**

**Troy Charman • Administrative  
Officer**

**Wanda Greig • Cleaner**



**lsa.org.uk**

Legal Services Agency  
2nd Floor  
Savoy House  
140 Sauchiehall Street  
G2 3DH

T: 0141 353 3354  
E: [mail@lsa.org.uk](mailto:mail@lsa.org.uk)

