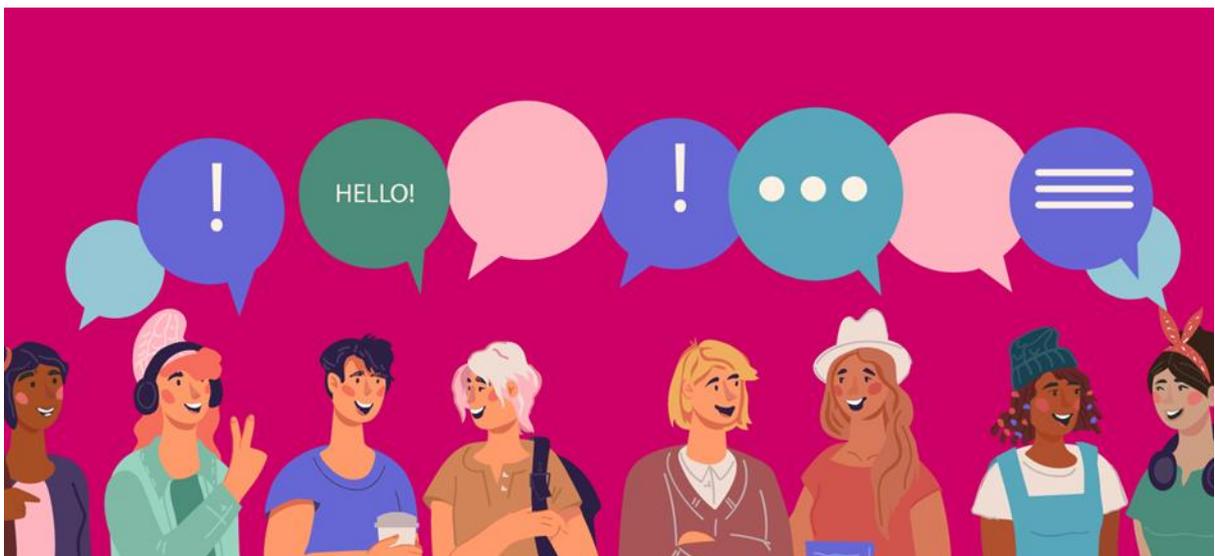


Who makes complaints to the SLCC?



About the SLCC Consumer Panel

The SLCC Consumer Panel is an independent advisory panel set up to assist the SLCC in understanding and taking account of the interests of consumers of legal services.

The Panel has a keen interest in ensuring that everyone who uses legal services is aware of their right to complain about that service and has access to the SLCC's complaints process.

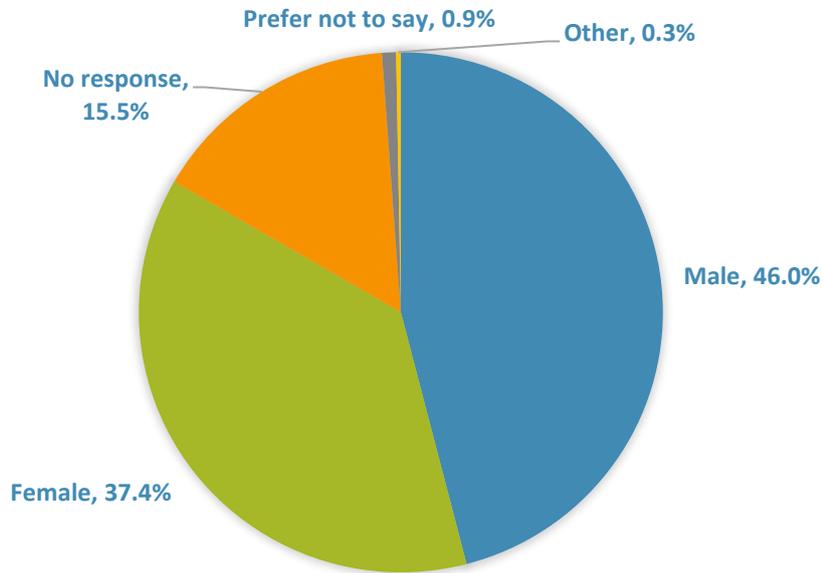
We want to know whether there are groups more or less likely to use the SLCC's services, as this may indicate groups of people who are under-represented. We do this by looking at the anonymous demographic data collected by the SLCC when someone makes a complaint. This includes data on complainers' age, gender and ethnic background, as well as whether they have a disability.

Not everyone chooses to respond and not all of those who do respond answer every question, which means we must be cautious with any findings. However, this information helps us understand whether there are groups who may be less likely to make complaints, and to consider what could create barriers for those groups. This enables us to work with the SLCC to ensure its services are accessible to everyone.

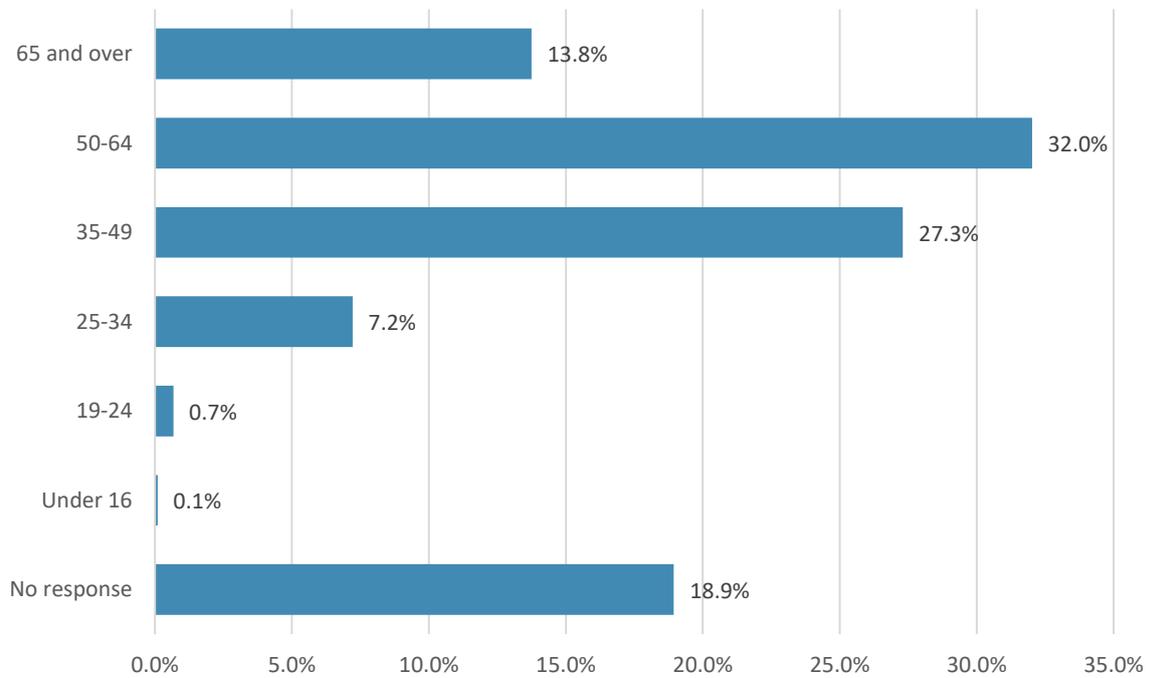
The information collected relates to the period between 1 July 2021 - 30 June 2022. It includes 1040 individual responses (although not everyone will have responded to every question). Detail on non-responses to individual questions is included for completeness.

Who makes complaints about legal services?

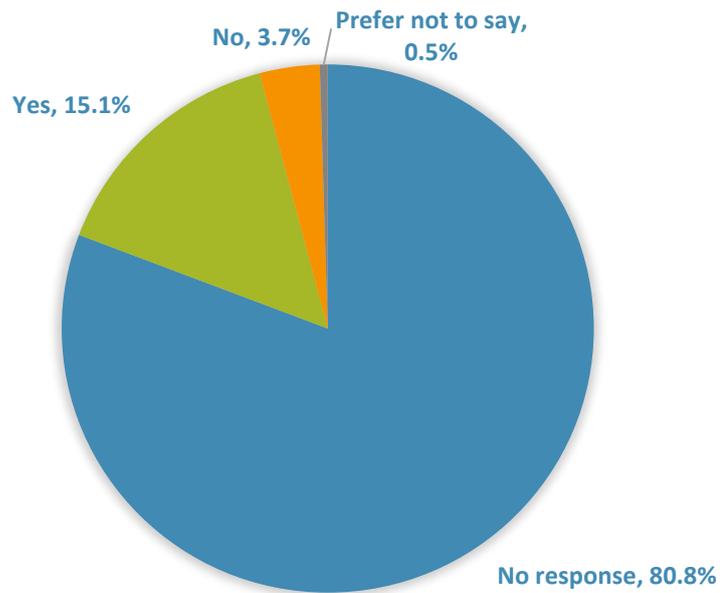
Gender



Age

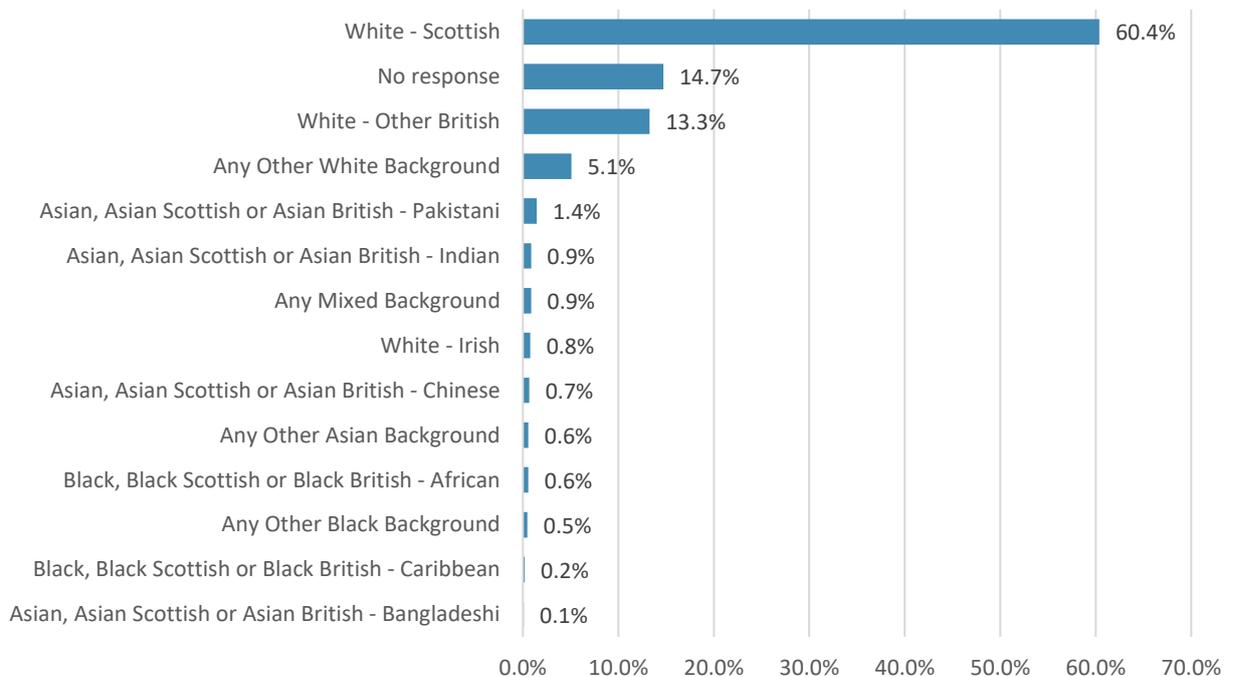


Disability



The data on disability has been manually adjusted for around 150 cases where responders added a free text comment in response to this question which indicated a disability or limiting long-term health condition, where they had otherwise not responded. Those cases have been recategorised from 'no response' to 'yes'.

Ethnic group



How does that compare to the general population and people using legal services?

As far as possible using publicly available data, we have sought to compare this data to population data for Scotland (using the [Scottish Household Survey, 2019](#)) and available data on legal services users.

There is no standard dataset which shows who uses legal services in Scotland. However, data from sources such as the [Scottish Crime and Justice Survey](#), or the [Scottish Legal Aid Board's legal aid applicant equality data](#) can give some indication of likely demographics within some groups of legal service users.

These sources may give a useful indication of the extent to which certain groups of legal service users may compare to the wider Scottish population and to those who make complaints to the SLCC. Subject to the caveat above about data completeness (and excluding non-responses), we can see that:

Gender

- More men than women complained to the SLCC than the population split of 49% men: 51% women.
- There is no clear indication from the available data that overall either men or women are more likely to use legal services (although there are some differences in the type of legal services most commonly used).

Age

- Proportionally fewer young people (those under 16s and 16-24 year olds) complained to the SLCC (17% of the population were under 16 and 11% aged 16-24).
- The available data suggests that children and young people do access legal services, albeit in smaller numbers than older adults. This is especially clear in the demographic data on applications for legal aid.

Disability

- Fewer people who said they had a disability complained to the SLCC than the percentage of the population who reported having a limiting long-term health condition in 2019 (just under a quarter of adults in Scotland).
- The available data also suggests that people with a disability were more likely to experience civil law problems than the general population. However, it is not clear whether this leads to a greater use of legal services.

Ethnicity

- The ethnicity profile of complainers broadly corresponds with ethnicity figures from the Scottish Household Survey 2019.
- There is no evidence on the ethnicity profile of legal services users that we have found to use as a point of comparison.

Our view on the findings

It is difficult to draw firm conclusions from some of the data, and there are many people who choose not to answer these questions when asked by the SLCC. That means these findings should be treated with caution.

Gender

It appears there may be fewer women complaining to the SLCC than might be expected from the population split and available data on the use of legal services.

Age

It appears that fewer young people (under 24 years old) complained to the SLCC than might be expected based on the population split and the number of children and young people who apply for legal aid. However, this is consistent with the relatively higher number of complaints made to the SLCC about legal transactions such as conveyancing. While we wouldn't expect the SLCC to receive many complaints from younger children, and some complaints will be made by adults on behalf of children, this could suggest that children and young people are not aware of, or do not feel able to access the SLCC's services.

The SLCC Consumer Panel has long been concerned about the fact that very few complaints are made by children and young people, despite the fact that significant numbers do access legal services. We are concerned that children and young people may not feel confident or comfortable making a complaint about their lawyer and may find the complaints process daunting or inaccessible.

[Recent research from Clan Childlaw](#) highlighted a significant gap between what children and young people want, and need, from their lawyers, and what they usually experience. The study also suggested that “young people had a, not unsubstantiated, fear of the implications of seeking to have their rights and entitlements upheld, of complaining or challenging”.

We are aware that the Scottish Public Services Ombudsman (SPSO) has been funded by the Scottish Government to develop a [child-friendly way for public bodies to handle complaints](#). We believe this work will provide useful insight and guidance which could be just as applicable to the legal complaints system.

Action to make the legal complaints system more child-friendly is likely to help to make it more accessible, understandable and person-centred overall. This can only be of benefit to all users.

Disability

Fewer people who said they had a disability complained to the SLCC than might be expected given the proportion of the population who reported having a limiting long-term health condition. This may be due to the differently worded questions used by different surveys, or could reflect barriers to engagement with the SLCC.

Ethnicity

There are no clear findings to draw on ethnicity, given the limitations of the data available.

Our recommendations

In considering this data the SLCC Consumer Panel has identified a number of actions which could be taken to address the findings.

1. The SLCC is currently undertaking an update of the diversity monitoring questionnaire. We hope this will ensure that future analysis will bring greater insight. The SLCC should consider any updates which could be made to its data collection to:
 - a. Encourage people to feel confident in completing the diversity monitoring questions
 - b. Make data as comparable as possible with other sources of publicly available equalities data.
2. The SLCC should discuss these findings and use them as a tool for insight and improvement. It should consider if there are any barriers within the complaints process which could affect the ability of particular groups to be confident in accessing the SLCC's services. Where those are within the SLCC's power to change or minimise, it should do so. Where those barriers arise from the statutory complaints system, it should raise those issues within the current reform debate. The SLCC should take any action available to it in order to create a positive culture of complaints as a source of useful feedback within the legal services sector, and to support and encourage reluctant complainers to come forward.
3. The SLCC and Consumer Panel should work together to draw learning from the SPSO project on child-friendly complaints and consider how it can implement the findings into the legal complaints system.
4. The SLCC and Consumer Panel should seek advice and good practice from groups working with or representing minority ethnic minority communities to understand if there are potential barriers to making complaints and if so, then consider how to make the complaints process more accessible.
5. The SLCC and Consumer Panel should seek advice and good practice from groups working with or representing people with disabilities to understand if there are potential barriers to making complaints and if so, then consider how to make the complaints process more accessible.