

Access to Justice

Report Summary

The Scottish Child Law Centre, has found that there are **significant barriers to children accessing justice when their rights have been breached.**

Poverty is preventing children and families from realising their rights and it is **vital that organisations continue to come together, collaborate on solutions and hold decision makers to account.**

Background

Our free legal advice is a lifeline for many children and families. The demand for the service has increased significantly with a **250% increase from January 2024 to July 2024. This August we received 313 enquiries, a record number.**

We wanted to bring together organisations with an interest in this area to understand the issues and to discuss potential collaborative solutions. A Round Table was held on 25th June 2024.

What is access to justice?

Access to justice is a **fundamental principle of the rule of law**, meaning that people can have **their voices heard, exercise their rights and hold decision-makers accountable.** It is the equal opportunity for everyone to secure their rights under law and demand that they be protected, **no matter their background or financial status.**



Top Three Issues and Solutions

Lack of education on children's rights

- We found that there is a concerning lack of education and training on children's rights. It is **vital for children's protection that adults are able to recognise a breach of a child's rights** and how to seek remedy.
- We need **child-friendly resources**, mandatory children's rights training, and **trauma-informed training**, for all solicitors who deal with children and families in their practice.

Financial Barriers to children's rights

- Financial barriers are **blocking children from accessing legal advice and representation to realise their rights**.
- Many children struggle to raise concerns about their rights and they **must be independently supported** to navigate systems to ensure their views are heard. This should be at all stages, not just in court or hearings. Current provision is **inadequate** and **underestimates the number of children who require legal advice and advocacy**.

Legal Aid is too restrictive to help those in need

- There is a **real shortage of Legal Aid solicitors**, and the process for obtaining legal aid can be lengthy and complex.
- We need a plan to be laid out for a **complete reformation of Legal Aid** to encourage more solicitors to offer the service.
- Timely access and **simplification of processes** for children and their families, especially for **those whose rights are most at risk**.

