

Citizens Advice Scotland

Supporting evidence for the Equality, Human Rights and Civil Justice Committee evidence session

14 March 2023

The Citizens Advice network in Scotland is an essential community service that empowers people in every corner of Scotland through our local Citizens Advice Bureaux (CAB) and national services by providing free, confidential, and independent advice. We use people's real-life experiences to influence policy and drive positive change. We are on the side of people in Scotland who need help, and we change lives for the better.

Citizens Advice Scotland (CAS) were pleased to provide oral evidence to the Equality, Human Rights and Civil Justice Committee evidence session on Access to Justice on 14 March 2023. This written evidence supports and expands on the points raised during that session.

Summary of Key Points

- Scotland's Citizens Advice network supports thousands of people across Scotland each year to understand their rights and responsibilities and seek access to justice, through holistic advice provision across a wide range of civil justice issues, including tribunal support and representation, and in-court advice projects operating in a number of CAB. However, insecure funding arrangements can pose significant obstacles for service continuity, securing outcomes for clients, and for staff retention in these vital, community-based advice services.
- CAS believes that no-one should be excluded from accessing justice on the grounds of cost, geography, digital skill level, and/or the legal specialism of their issue. Data from across the Citizens Advice network shows that these barriers to access to justice for people across Scotland still remain.
- Increasing digitisation of information, services, and legal proceedings which are vital to accessing justice can create barriers for the significant proportion of people in Scotland who do not have regular and reliable internet access – whether due to barriers of cost, digital skills and confidence, or connectivity infrastructure. While CAS supports the use of technology to enhance access to the justice system, channel choice for individuals as opposed to channel shift is vital to ensure all can access justice.
- Since 2020 the Citizens Advice network in Scotland has seen an increase in demand for advice on legal aid and accessing a practitioner, incapacity (including power of attorney), and simple procedure (particularly court documents and procedures following the introduction of civil online).
- CAS believes the Legal Aid system should help ensure that everyone who has a legal issue is able to find help to resolve it. We believe that significant reform of the Legal Aid system is required, placing the user at the heart, and shifting resources towards early intervention and prevention.

Access to Justice: the role of the Citizens Advice Network in Scotland

The Citizens Advice network in Scotland plays a crucial role in supporting people across Scotland to secure access to justice across a range of civil issues. The biggest advice areas across the network include benefits, debt, finance, utilities, housing, employment, and other key areas of civil and administrative justice.

- Advice from the Scottish Citizens Advice network continues to be in high demand. In January 2023, 93,000 pieces of advice were provided to 22,345 people (up 10% on the previous year). Unique page views (UPVs) of our public advice pages reached 401,900 that month, amounting to the highest number of UPVs outside of the Covid-19 pandemic and the third highest number ever recorded. These figures demonstrate that the cost of living crisis is driving an increased demand for advice across the Citizens Advice network.
- The cost of living crisis is reflected in further service data. In December 2022, energy advice overtook advice on Universal Credit for the first time ever, food bank advice was at an all-time high, and UPVs of online advice for people facing eviction due to home repossessions rose by 824% (from 36 to 324 UPVs) compared to the same period in 2021. With an increase in demand for advice on prepayment meters, CAS has called for stronger protections against disconnection and forced switching to / installment of prepayment meters¹.
- The network provides advice via multiple channels: in person, in over 70 main office locations and in more than 280 advice locations across the country, as well as by phone, email and other channels, and via our online advice pages.
- The Scottish CAB network strives to be accessible for all. Services delivered by national projects as well as generalist advice in Citizens Advice Bureaux can be provided in other languages than English through a contract with Language Line. We are keen to increase the diversity of languages spoken by our volunteers and we also have Recite Me licenses for all CAB websites to enhance the accessibility of our online content.
- While digital technologies can expand and improve accessibility of services for some clients, CAS believe channel choice not channel shift is essential for individuals to access advice and to access justice in the way that best suits their needs.
- Increases in demand on the Citizens Advice network in Scotland during the Covid-19 pandemic and the ongoing cost of living crisis have also been accompanied by changes in the demographics of people seeking advice and support. Strengthening the resiliency of advice services is crucial to respond to increases in demand, and therefore adequate funding is needed on a consistent basis to support early intervention and prevention approaches and improve client outcomes.
- In relation to Access to Justice, it is important to highlight that CABs provide advice on legal issues as opposed to legal advice. If legal advice or representation is required, clients are advised of this and made aware of providers of legal services, but it remains the client's choice to pursue this and seek a legal practitioner. As the Citizens Advice

¹ [Prepayment meter rules and protections for domestic consumers: a call for evidence Citizens Advice Scotland response | Citizens Advice Scotland \(cas.org.uk\)](#)

network in Scotland provides free, impartial, confidential advice, action is only taken on behalf of clients with their express and informed consent and therefore clients' choice and empowerment are at the heart of the service.

Advice on legal issues

- The Citizens Advice network in Scotland currently provides more than 3,200 pieces of advice on legal proceedings in an average month.
- In 2022, Citizens Advice Bureaux provided 39,509 pieces of advice on legal proceedings to 14,931 individual clients, which was broadly consistent with the volume of advice on legal proceedings provided in 2020 and 2021. This covered key civil justice areas including benefits, debt, housing, employment, and legal aid.
- Legal proceedings advice was most frequently sought in relation to benefits tribunals, simple procedure, solicitors/advocates (62% of which related to access to practitioners), incapacity, and legal aid (of which 52% related to access to a practitioner).
- In 2021-22, the network supported clients in over 2,000 court and tribunal instances, with 86% of these cases won or upheld.
- The economic value of advice provided by CABs on legal proceedings is an estimated £11.58m².
- The holistic nature of advice provision across the network means that advice on legal proceedings was as likely to be given alongside other advice (52%) as it was to be the sole advice type given (48%). Advice most commonly sought alongside legal proceedings advice concerned benefits (51%), debt (15%), housing (13%), and relationships (13%). On 5% of occasions legal proceedings advice was provided together with advice on divorce/separation.
- Unique page views (UPVs) of our public advice site provide another way of understanding issues people are dealing with in relation to access to justice. On our public advice site, the Law and Courts pages have the highest number of unique page views across the whole site, accounting for 20% of all UPVs in 2022 (up from 18% in 2020).
- Within the various Law and Courts advice pages, the most viewed subpages were: 'using alternative dispute resolution to solve a problem', 'how an arbitrator decides the outcome of a consumer complaint', and 'taking legal action', especially with regard to 'help with legal costs', 'simple procedure' and 'using a solicitor', all with increased UPVs compared to 2020.

² ["The economic value of advice provided by the Citizens Advice Network in Scotland in 2019-20, with an extension to Q2 2020"](https://www.cas.org.uk/system/files/publications/economic_value_of_advice_report.pdf), https://www.cas.org.uk/system/files/publications/economic_value_of_advice_report.pdf.

Changes in advice on legal issues

While the overall volume of legal proceedings advice from CABs has remained broadly constant between 2020 and 2022, a number of changes highlight potential areas of concern:

- There is an increased demand for legal aid advice (up 6%), with 52% of advice on legal aid linked to ‘access to a practitioner’.
- Advice on solicitors and advocates has increased by 11% since 2020, with over 5,000 pieces of advice provided on this in 2022. Within advice on solicitors and advocates ‘access to a legal practitioner’ has grown by 17% to 3,149 pieces of advice issued in 2022, representing a key area which clients require support with.
- Legal proceedings advice relating to incapacity, including power of attorney, has increased by 27% between 2020-2022.
- Advice on simple procedure has also gone up (by 7%), accounting for 17% of all legal proceeding advice in 2022. Related advice on court documents and procedure rose by 19%.

Barriers to accessing advice and resolving issues

CAS believes that no-one should be excluded from accessing justice on the grounds of cost, geography, digital skill level, and/or legal specialism. Data from the network highlights a number of barriers to accessing justice which are likely compounded by the ongoing impacts of the pandemic and cost of living crisis.

Cost

Cost remains a significant barrier to people seeking advice on legal matters and people are often uncertain about where to start and how to navigate processes.

Polling conducted by YouGov on behalf of CAS in December 2022³ showed that only 27% of respondents had used a solicitor for their last legal problem. Of those who did not use a solicitor despite feeling their issue could have benefited from one – 51% cited concerns about the affordability of instructing a solicitor, while 25% were worried about the costs of going to court. These cost concerns have increased when compared to our 2020 polling⁴ results before the pandemic and cost of living crisis.

Lack of certainty or transparency around costs is another factor that may pose a barrier for those seeking to access legal services: the same polling showing that 34% of respondents did not feel well informed about whether the solicitor they chose would charge reasonable rates (an increase from 28% in 2020).

Bureaux across the network highlight a number of examples of clients struggling to secure access to legal services, or resolve legal issues, for cost-related reasons and in a number of instances clients have been unable to find a practitioner willing to take on their case.

³ All figures, unless otherwise stated, are from YouGov Plc. Total sample size was 1005 adults. Fieldwork was undertaken between 8th - 12th December 2022. The survey was carried out online. The figures have been weighted and are representative of all Scotland adults (aged 18+).

⁴ Total sample size was 1,028 Scottish adults. Fieldwork was undertaken between 5th - 9th March 2020. The survey was carried out online. The figures have been weighted and are representative of all Scottish adults (aged 18+).

The Citizens Advice network operates a real-time case reporting system called Citizens Alerts. The system allows CABs to submit case evidence to CAS demonstrating the impact of policies and services which they feel are failing to meet their clients' needs. Citizens Alerts are used throughout the remainder of this document to illustrate experiences of CAB clients accessing justice.

"A North of Scotland CAB reports that their client, a male aged 65 – 79, used the SLAB website to try to access a legal aid solicitor but was unable to get anyone to agree to represent him. The client has been served with legal action from a firm he has a dispute with. The client then had to get legal representation without legal aid while on qualifying benefits, causing him financial hardship."

Similarly, cost can impede people's access to particular legal services which may not be covered by legal aid but can be vital to prepare for and/or prevent future detriment such as in the following case.

"A North of Scotland CAB reports the case of a client in her 60s and her partner, who had a stroke a few years ago. The couple were looking to register power of attorney and had approached solicitors in their local area but could not afford the costs quoted to them and were seeking help from their local CAB. Eventually, they had to use solicitors in a northern city who were able to offer them the service at a reduced rate. Despite the client's partner being disabled following the stroke, the couple were required to take a 116 mile round trip to their solicitors, as face to face contact was still required for aspects of the legal support they sought."

Geography and legal specialism

Feedback from Citizen Advice Bureaux indicates that access to legal practitioners can be especially problematic for those in remote and rural areas and/or those looking for support in more specialist areas of law like immigration, family law, domestic abuse, or crofting law where a lack of specialists in certain parts of the country may impede people's access to justice. This can lead to a significant disadvantage for one party if the other party has secured the support of the only solicitor experienced in a particular specialism in the geographic area.

"A Central Scotland CAB reports that a client, a disabled single mother with disabled children, was desperate to find a solicitor: her ex-husband, who had been charged with and pled guilty to domestic abuse, was attempting to force the sale of their house which is in both their names. The house had been adapted to the specific needs of the family and the prospect of losing it was causing the client enormous stress and worry. The first solicitor she instructed changed careers, the second solicitor retired, and the firm dropped her case and closed her legal aid claim. She has been unable to get another firm to take on her case as none seems to be accepting new and especially legal aid clients."

CAS is also concerned about multiple, often intersecting barriers⁵ faced by specific groups such as survivors of domestic violence, those with English as an additional language and/or migrant status.

⁵ Barriers to advice and resolving problems can also result from factors external to the legal system but intrinsic to a person's life circumstances at the time such as limited access to postal services. (See "Delivering for all. How vulnerable groups access post in Scotland." May 2021, www.cas.org.uk/system/files/publications/cas_delivering_for_all.pdf).

“A West of Scotland CAB reports a client who is a British citizen from a Northeast African country. He and his wife have separated, both sharing the care of their young children. The client is very concerned for the children’s welfare when they are under his ex-wife’s care, fearing that she might take them to their mutual country of origin without the client’s permission. He has raised child protection concerns particularly for his daughter who could be at risk of female genital mutilation practices there. The client requires an Arabic interpreter to enable him to access and receive legal help with achieving the separation and care of the children. Supported by the CAB advisor, it took the client five phone calls to different law firms on the Law Society of Scotland and Scottish Legal Aid Board websites before they were successful in speaking to someone prepared to take on his case. All other firms that were contacted declined availability based on the client’s requirement for an Arabic interpreter and the fact that he was requiring Legal Aid while the case seemed quite complex. The firm prepared to take on the client’s case is in a different part of the city involving significant travel for the client to attend appointments.”

“A North of Scotland CAB highlights the case of a client, a national of a South Asian country aged 18-24, for whom English is an additional language. She got married in her country of birth one year before joining her husband in the UK on a spouse visa. She left her husband after a period of time in which she suffered domestic abuse. The client is in temporary accommodation. She no longer has contact with her husband, a restraining order seems to be in place. She has contacted several local solicitors to find out about options and proceed with her divorce action, but none were willing to take on legal aid cases.”

Digital exclusion

CAS is aware that a digital divide continues to disadvantage individuals and communities across Scotland. Network data indicates that digital exclusion can be due to issues related to affordability, lack of digital skills, or poor connectivity particularly for Scotland’s rural and island communities.

Ofcom research in 2022 found around one third (32%) of UK households struggle to afford communications services⁶; while YouGov polling on behalf of CAS in 2022 found that of the 1 in 5 people who regularly run out of money before payday – one in 7 go without internet access as a result; while one in 5 go without mobile phone access⁷.

While CAS supports the use of digital technologies to enhance access to the justice system where appropriate, we firmly believe in channel choice not channel shift, meaning individuals should be able to choose how to engage with advice services and the justice system. This approach is vital to ensure that no one is excluded from accessing justice or advice services due to their lack of digital access, as in the example below:

“A West of Scotland CAB, reports the case of an elderly client in her 80s who was required to attend an Attendance Allowance appeal hearing in person but felt uncomfortable to do so because of Covid-19. At the same time, she had no facility or knowledge to use Zoom for a remote hearing.”

⁶ Ofcom: Affordability of communications services, 2022: <https://www.ofcom.org.uk/research-and-data/multisector-research/affordability-of-communications-services>

⁷ All figures, unless otherwise stated, are from YouGov Plc. Total sample size was 1504 adults. Fieldwork was undertaken between 14th February - 4th March 2022. The survey was carried out online. The figures have been weighted and are representative of all Scottish adults (aged 16+).

Throughout the Covid-19 pandemic and even now CAS remains concerned that the use of virtual hearings may disproportionately disadvantage party litigants, those who are assisted by CAB, or others with additional support needs. CAB report that in-court advisors are often spending an increasing amount of time supporting clients to navigate online court forms and digital technologies.

CAS believes that it is unrealistic to expect vulnerable groups to engage with virtual proceedings without providing some one-to-one support. We believe that further action is likely needed to ensure that people can access, understand, and participate in proceedings that affect them, for example, by providing face to face support for people who need help to access virtual services.

“A North of Scotland CAB reports the case of a client who attended a virtual procedural hearing where the Sheriff had determined that he had no jurisdiction and had dismissed the case. The client was unrepresented, did not follow the legal arguments made around jurisdiction and had no understanding of the decision reached or the reasons for it. To compound things, no decision form was issued in the case (until CAS later intervened to raise the matter with the Scottish Courts and Tribunal Service), leaving the client unaware of any arrangements or deadlines for appeal.”

Reform of the Legal Aid system, funding, and access

Reform of the Legal Aid system

CAS believes that the issues outlined above in terms of access to support and advice on legal matters, access to legal practitioners and increases in advice being sought on Legal Aid demonstrate the continuing need for reform of the Legal Aid system. We welcome the Scottish Government's commitment to a Legal Aid bill during this parliamentary session.

In terms of reform of the legal aid system CAS would highlight the following key points:

- CAS believes that no-one should be excluded from accessing justice on the grounds of cost. The legal aid system should help ensure that everyone who has a legal issue is able to find help to resolve it.
- We believe that significant reform of the Legal Aid system, to place the user at the heart of it, is required. This was a central plank of the independent review of legal aid.
- CAS would welcome extension of the Legal Aid regime to:
 - Provide better triage before referral to solicitors.
 - Provide coverage for areas not currently covered such as in tribunal and simple procedure work (pre appeal).
- Early intervention and prevention are key, and we believe there should be a significant shift in resources towards this and towards the use of Alternative Dispute Resolution (ADR) in civil areas. The Citizens Advice network in Scotland has seen increases in demand for access to advice on ADR across a range of sectors including housing, employment, consumer, relationships, utilities, and healthcare during the pandemic. We believe people should be able to access advice and support in order to resolve disputes at the earliest stage, as this can help to reduce the impact, cost, and distress caused by disputes. However, we recognise that some will always choose to pursue court action, and all should be adequately supported however they choose to proceed with their dispute.
- CAS is strongly in favour of simplifying the process by which consumers apply for legal aid while maintaining/extending its broad scope. We believe that the Legal Aid system in Scotland should be built on the principles of fairness, transparency, and timeliness.
- We note that reforms of this nature were strongly supported in the Scottish Government consultation on reforming legal aid. CAS believes that the current fifty-day turnaround for applying for legal aid is too long and every effort should be made to reduce this time period.
- The application process can be extremely demanding on applicants, who are likely to already be under stress due to the underlying legal dispute they are engaged in. It is important to remember that consumers tend to use legal services infrequently, and when they do so they are often in a vulnerable position. This needs to be taken into account when determining the correct assessment model for legal aid. CAS recognizes that the length of the process is partly due to the Scottish Legal Aid Board (SLAB) considering a range of different circumstances and making allowances for these. However, CAS would welcome any steps that can be taken to reduce the time taken between applying for legal aid and having the final decision communicated.

Funding

No-one should be excluded from accessing justice on the grounds of cost, and the legal aid system should help ensure this does not happen.

This may require re-balancing of the Legal Aid budget to focus on advice and earlier resolution of disputes. Expanding the grant-aided part of legal aid spend to boost preventative advice, better triage and signposting, and reducing the need for the demand-led judicare element is likely to be beneficial. Reconsideration of the funding model in this way could also assist with the issues identified above in relation to accessing practitioners in particular areas of the country, for specific areas of law and/or complex cases. An innovative, mixed funding model thus could aid earlier intervention and lead to speedier, less costly resolution of legal problems and disputes.

- Given the advice need at CAB related to simple procedure and the fact that civil legal aid is not available for most of these, CAS believes this gap needs to be addressed. Individual CABs report that people are struggling to navigate the simple procedure process despite these being low value claims. People can struggle to access support to present their case in court as there is no national provision or funding available for in-court advice or lay representation.
- Currently organisations are able to apply to SLAB for grant funding which can support projects providing this support, however provision remains inconsistent across Scotland. CAS believes there needs to be consistent national coverage and extension through more grant funding to enable greater provision of such vital support across the country, which may also assist with an early intervention and prevention approach.
- At present, a number of individual Citizens Advice Bureaux receive funding from SLAB to operate various projects related to access to justice including in-court advice projects. These in-court advice services offered by Bureaux are predominantly physically located within the court building allowing many clients to drop in on the morning of their hearing. Services vary from one location to another, but typically involve casework assistance with simple procedure cases, advice about the processes courts follow and relevant evidence they may consider, assistance with completing and lodging forms, representation at preliminary hearings, negotiation with opposing parties towards a possible settlement, and sometimes support in housing cases involving possible eviction or recovery of possession.
- These services require to be consistently funded on a longer-term basis, as the current funding cycles adversely affect these project's ability to support clients and retain staff. At this point in time, in-court advice projects at CAB had their funding for the next financial year confirmed very close to the end of the current financial year putting their vital work and clients at risk for several months in which the funding decision was pending. This also causes staff members enormous stress and negatively impacts on retention of experienced, key in-court advisors.
- Therefore, CAS calls for dedicated work which will:
 - ensure wider access for citizens to these projects on a national basis
 - ensure longer-term funding to develop a sustainable institutional landscape of access to justice support
 - ensure creation and utilization of funding models which promote an early intervention approach through a greater emphasis on grant-funded services (such as in-court advice) in order to deliver positive outcomes for citizens across Scotland.

- CAS is also calling for the Scottish Government to ensure that the Legal Aid Payment Review Panel recommendations are taken forward promptly, to ensure coherent, evidence-based fee structures for the future.

Access to legal aid/access to practitioners

As outlined and illustrated above, across the Citizens Advice network we see clients experiencing difficulties in locating a legal practitioner who will take on their case; in some instances, this relates to issues of geography forcing clients to seek a practitioner from a wider geographic area or it may be due to a lack of practitioners focussing on a specific legal specialism.

Individual bureaux ranging from the Borders to the Highlands report issues with clients being unable to access practitioners who are able and willing to take on legal aid cases. This is of particular concern where specific groups experience multiple, often intersecting barriers to accessing justice.

Given the current and ongoing issues with access and in order to place the user at the centre of the process CAS would like to see a significant shift in legal aid resources to invest in more early intervention and prevention approaches and alternative dispute resolution, as well as an extension of legal aid coverage. Concerted efforts seem necessary to address continuing gaps in the supply of legal practitioners and in their coverage of specialist areas of the law.

“A North of Scotland CAB reports that one of their clients spent one month calling several solicitors to take on her separation case from her abusive husband. The only one she could find eventually was 150 miles away in Glasgow.”

“A West of Scotland CAB highlights the case of a disabled client aged 60-64 in an ongoing dispute with a charity that supports disabled people and their families with their mobility needs. The charity requested the return of a vehicle he had leased from them – which he refused - in addition to the payment of charges for the recovery of the car. When CAB advised the client that he would require legal advice to resolve his dispute, the client asked the advisor to help him set up an appointment with a suitable solicitor. The advisor showed him a list of local solicitors on the LSS and SLAB websites. Four were called but none were willing to take on civil legal aid cases.”

Impact of the COVID-19 Pandemic on Access to Justice

We understand that the move to online services will continue and that this was a necessity during the pandemic to ensure the justice system continued to function. However, CAS remains concerned that those who are digitally excluded or have access issues may be excluded if services are fully digitised or a fully digital-by-default system is established. Any further move towards digitisation must include sufficient safeguards to ensure that no-one is excluded from accessing the justice system, and alternative communication and engagement methods must be easily accessible and available to users.

- CAS has carried out research into digital access which identified that key barriers to getting online include skills and confidence; practical access; health issues, and literacy and language. While there have been positive changes in recent years, there remains a group of CAB clients, often with vulnerabilities, who may lack the skills to go online and also may face other barriers in doing so. While we understand the inevitable and necessary move towards online services during the pandemic, we note that this has led to further complications for some CAB clients. Many clients would previously have accessed devices and Wi-Fi through support services or community venues such as public libraries and the pandemic prevented these clients from being able to access face-to-face advice and assistance. Opportunities for getting online or receiving assistance in doing so were reduced.
- The impact of the COVID-19 pandemic on access to justice has been significant in terms of how all parties concerned engage with legal processes and how these operate. In some instances, steps taken to ensure the functioning of the justice system during the pandemic have led to difficulties for CAB clients, particularly in relation to the use of virtual hearings.
- CAS firmly believes in channel choice not channel shift. Individuals should be supported to engage in legal proceedings in the ways that best facilitates their active understanding and involvement, through their preferred channel of engagement.
- CAS believes that parties engaged in legal action should continue to have the option to attend proceedings in person if this best meets their needs and facilitates their involvement in proceedings. Equally, CAS is aware that some clients, especially those with access issues or disabilities may find virtual hearings more convenient. It is for these reasons we consider those engaging in legal proceedings should be empowered to do so in a way that best suits their needs.
- Throughout the pandemic period and even now CAS remains concerned that the use of virtual hearings may disproportionately disadvantage party litigants, those who are assisted by Citizens Advice Bureaux or others with additional support needs. CAS believes that it is unrealistic to expect vulnerable groups to engage with virtual services without providing some one-to-one support. We believe that further action is likely needed to ensure that people can access, understand, and participate in proceedings that affect them, for example, by providing face to face support for people who need help to access virtual services. Without attending physical court room locations, party litigants may not always be signposted to advice and advocacy services (where these exist and are appropriate) such as the in-court advice services offered by some Citizens Advice Bureaux predominantly inside court buildings. If the clients are not physically in the court, they are far less likely to get advice or representation for their case, which, for example, in eviction or repossession hearings can be crucial to secure clients' rights. The drop-in

service is a vital resource to communities, and a system of remote hearings by default could be detrimental to many clients, who may otherwise be unable to access resources or representation, or have difficulties in understanding proceedings.

- Given the concerns we have outlined in relation to virtual/remote hearings we welcome the provisions in the Coronavirus (Recovery and Reform) (Scotland) Act which will allow for additional monitoring mechanisms in relation to remote hearings, and this was something we called for during the Bill process.
- CAS also believes other reforms outside of the Coronavirus (Recovery and Reform) Scotland Act would benefit consumers in a post-COVID legal system. For instance, effective use and funding of early intervention techniques, such as the use of Alternative Dispute Resolution (ADR) are crucial to reducing the backlog of court cases. These services can help parties resolve their case without going to court (if they so choose), which can reduce the strain on individuals and reduce pressure on the court system.