

# The Right to Justice Shouldn't Depend on Your Income: Why Our In-Court Service Matters

**By Jennifer Howdle, Chief Officer, Hamilton Citizens Advice**

At [Hamilton Citizens Advice Bureau](#), we believe that everyone, regardless of their income, background, or circumstances, deserves access to justice. Yet for many people across Scotland, that access simply doesn't exist. Our [in-court service](#) is one of the most direct ways we work to change that.



## The Access to Justice Crisis in Scotland

[Citizens Advice Scotland \(CAS\) has been clear on this issue, there are too many barriers to accessing justice in Scotland](#), particularly when it comes to civil legal aid.

In evidence submitted to the Scottish Parliament's Equalities, Human Rights and Civil Justice Committee in March 2023, [CAS highlighted that people across Scotland are being shut out of the justice system due to cost, geography, and the difficulty of finding solicitors able to take on legal aid cases](#). Cases were reported of people having to travel more than 150 miles to find a legal aid solicitor willing or able to take on their case, and of others who were simply forced to give up, navigating potentially life-changing legal proceedings entirely alone.

The scale of demand is significant. CAS data shows that across the Scottish Citizens Advice network, [more than 3,200 pieces of advice on legal proceedings are provided in an average month](#). In 2023-24 the network supported [1427 clients in court and tribunal instances](#) and over [2000 clients were supported in 2021-22](#), with [86% of cases being won or upheld](#). A powerful reminder of what is at stake when people do get the support they need.

And yet, many do not. [CAS polling found that only 27% of people used a solicitor for their last legal problem. Of those who didn't, despite feeling their issue warranted one, over half cited concerns about affordability and a further 25% were put off by the potential cost of going to court.](#)

## Nowhere Is This More Acute Than Housing

Facing the loss of your home is one of the most frightening experiences a person can go through. Whether you are a tenant facing eviction from rented accommodation or a homeowner threatened with mortgage repossession, the stakes could not be higher. Yet it is precisely in these situations that people on low incomes are least likely to be able to afford legal representation, and least likely to find a solicitor able to help them through legal aid.

This is where [Hamilton Citizens Advice Bureau's in-court service](#) steps in. Our advisers attend court hearings to provide advice and representation to people who would otherwise be facing those proceedings alone. People who, without our support, would be unrepresented party litigants in a system that can be intimidating, complex, and deeply unfamiliar. [CAS has highlighted that party litigants are among those most disadvantaged in the justice system](#), and that in-court advice services like ours play a vital role in levelling the playing field.

The numbers from our own service tell a powerful story. In 2024/25, our in-court team assisted 155 people across 674 court hearings, an average of more than four hearings per client, reflecting just how prolonged and stressful these legal processes can be for the people going through them. Most significantly, 140 of those people were supported to maintain their accommodation. That is 140 households, families, individuals, people in some of the most vulnerable circumstances imaginable, who kept their homes because they had someone in their corner.

The cost-of-living crisis has made this work more urgent than ever. [CAS data shows that online advice page views for people facing eviction due to home repossessions rose by 56% in March 2023 compared to March 2022, with trends continuing to rise into 2024.](#)

Demand for housing-related advice is not falling, it is growing, and our figures reflect that pressure on the ground.

## A Gap We Can No Longer Fill Alone

We want to be transparent about a difficult reality. Hamilton CAB was previously funded to also support people facing [simple procedure actions](#), a type of civil court process increasingly used to resolve disputes involving smaller sums of money. Funding priorities changed, and we are no longer able to provide that help.

This matters. [CAS evidence shows that advice on simple procedure has grown by 7% across the network since 2020, with related advice on court documents and procedures up by 19%.](#) Simple procedure cases are not simple for the people involved. They can involve debt enforcement, disputes with landlords, or financial claims that are significant to people on low incomes even if they fall beneath higher court thresholds. Without advice and support, people in these situations are left to navigate the process on their own, and many will simply not know their rights, not understand the paperwork, and not be able to present their case effectively.

The shortage of solicitors willing or able to accept legal aid work for simple procedure cases makes this gap even more acute. Cost, geography, and legal specialism should not be a barrier to accessing justice, but right now, for many people in South Lanarkshire, they are.

## What Our In-Court Service Achieves

The work our in-court advisers do every day is vital. For someone facing eviction, appearing in court without representation is not just stressful, it can be the difference between keeping their home and losing it. Our advisers bring knowledge, experience, and calm authority to situations where clients are at their most vulnerable. We help people understand what is happening, what their rights are, what options are available to them, and how to present their circumstances to the court.

The impact is clear. Nine out of every ten people our team supported in 2024/25 were able to stay in their homes, an outcome that would be far less likely without access to our service. Behind each of those numbers is a person who didn't have to uproot their life, a family that didn't have to find emergency accommodation, a child who didn't have to change schools.

[CAS has called for urgent reform of legal aid and the civil justice system, placing users at the heart of the process and shifting resources towards early intervention and prevention.](#) We wholeheartedly support that vision. In the meantime, our in-court service represents exactly the kind of early, expert, community-based support that can prevent cases from escalating and prevent families from losing their homes.

## Help Us Continue This Work

Access to justice should not be a privilege. It should be a right. It should be available to everyone, regardless of income. Our in-court service exists to make that right a reality for people in Hamilton and the surrounding area.

We are proud of the work we do, and we remain committed to fighting for every client who comes through our door.

If you would like to support our work, or [if you are facing a housing crisis and need advice,](#) please [get in touch](#) with [Hamilton Citizens Advice Bureau.](#)