



Our Reference: 202600510894

13 April 2026

Thank you for your request dated 15 March 2026 under the Freedom of Information (Scotland) Act 2002 (FOISA).

You asked for the following information:

1. Any legal advice, legal opinion, or internal legal assessment obtained by the Scottish Government assessing the compatibility of the complainer-only free transcript pilot with Article 6(1) ECHR and section 57(2) of the Scotland Act 1998.
2. Any Equality Impact Assessment (EqIA) conducted in relation to the pilot.
3. The total cost of the pilot to date and the projected annual cost.

While our aim is to provide information whenever possible, we are unable to provide the information you have requested in relation to question 1 because an exemption under section 36(1) - legal advice - applies to that information. The Scottish Ministerial Code is clear that Ministers must not divulge either the source or content of legal advice, other than in exceptional circumstances.

With regard to question 2, while no formal EQIA was undertaken in advance of the pilot being introduced, the only material change in policy was in relation to how the funding of applications were to be met. Part of the ongoing review of the pilot was to better understand the reasons for why applications were being made, with applicants asked as part of the application process to voluntarily indicate why they have applied.

On question 3, I can advise that we are still to finalise the total cost of the pilot (cases are still being processed) but the projected annual cost for 2026/27 will be £185,000.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot



Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to Catriona Dalrymple, Director of Justice C/O FOI@gov.scot and C/O this postal address: FOI Unit 1E.10, St Andrew's House, Regent Road, EDINBURGH EH1 3DG.

Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review in accordance with FOISA as soon as possible, and not later than 20 working days from the day following the date we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner.

More detailed information on your appeal rights is available on the Commissioner's website at: Appeal to the Commissioner | Scottish Information Commissioner

Yours sincerely

Jeff Gibbons

CRIMJUS : Violence Against Women & Girls

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