



Scottish Solicitors' Discipline Tribunal Candidate Information Booklet

Do you think you can contribute to the consideration of the conduct of solicitors in Scotland?

The Lord President of the Court of Session wishes to appoint three non-lawyer members to the Scottish Solicitors' Discipline Tribunal (SSDT). You will hear complaints of professional misconduct against individual solicitors and appeals in relation to unsatisfactory professional conduct findings made by the Law Society of Scotland, as well as applications for restoration to the Roll of Solicitors in Scotland. Non-lawyer members form an essential part of the composition of the Tribunal.

You will be able to analyse written and oral material to arrive at a balanced and objective decision. You also need to be able to operate effectively as part of a team and have excellent listening skills.

Non-lawyer members currently receive £296.70 to prepare for and attend a hearing, and expenses. The fee comprises of a preparation fee of £60.23 and an attendance fee of £235.47. Training is also provided to members.

Candidates should also read the SSDT information sheet - [SSDT Information Sheet](#)

Eligibility to apply: Solicitors, advocates, conveyancing practitioners, executry practitioners and persons with a right to conduct litigation or a right of audience are not eligible to apply as non-lawyer members. There is no bar on non-British nationals applying for and being appointed. However, you must be legally entitled to work in the UK.

You will not be considered for this appointment if you have unspent or relevant spent convictions on your criminal record. Successful candidates will require a Standard Disclosure clearance. Further information on Disclosures can be found at: [Disclosure Scotland](#)

The closing date for applications is 5pm, 20th October 2023.

Interviews are expected to take place week commencing 20th November 2023.

General Information

The Scottish Solicitors' Discipline Tribunal (SSDT) is an independent body, which mainly deals with serious disciplinary issues that arise from time to time within the Scottish legal profession. As a formal judicial body, the Tribunal is constituted under the provisions of Sections 50 – 54 and Schedule 4 of the Solicitors (Scotland) Act 1980 as amended.

Complaints against solicitors in Scotland are dealt with first through the Scottish Legal Complaints Commission who will refer conduct matters to the Law Society of Scotland, who will carry out an initial investigation and can decide to prosecute more serious cases before the SSDT.

The Tribunal deals with the following types of business:

- Complaints of professional misconduct
- Applications for restoration to the Roll of Solicitors and Applications for Removal of a Restriction on a practising certificate
- Appeals by solicitors / lay complainers against findings / failure to make findings of unsatisfactory professional conduct.

The most severe sanction available to the Tribunal is to strike an individual off the Roll of Solicitors, which effectively removes the individual's right to practise as a solicitor in Scotland. Other sanctions include: censure, fine, restriction of practising certificate and suspension.

The Tribunal normally sits with two solicitor members and two non-lawyer members. Non-lawyer members are drawn from all backgrounds and walks of life. The Lord President of the Court of Session – Scotland's most senior judge, appoints all members.

Role Description

Non-lawyer members form an essential element in the composition of the Tribunal and participate with solicitor members in considering matters referred to it and in the decision-making process.

The frequency of meetings depends on the workload of the Tribunal. Meetings are usually held in Edinburgh, but exceptionally may be held elsewhere. They generally commence at 10:00am and finish by 4:30pm or whenever business is concluded. The meetings are open to the public.

Papers are made available to members a week in advance of the hearing. These are accessed on iPads issued to members at the beginning of their term of appointment.

There is a compulsory annual training day for solicitor and non-lawyer members to consider any changes in legislation or any other developments, which might affect the work of the Tribunal. Members are also expected to attend the Tribunal's Annual General Meeting.

Person Specification

The essential requirements for non-lawyer members are the capacity to evaluate evidence and submissions at a judicial hearing and to participate with others in reaching a considered judgement on a particular course of action.

It would be desirable for potential non-lawyer members to have some tribunal experience of disciplinary processes and a degree of familiarity with legal proceedings and terminology.

Criteria

Competence Essential / Desirable	Element
Working with others Essential	<ul style="list-style-type: none"> • Support the Chair by drawing appropriate matters to his/her attention. • Respect others' views and reach decisions as a team. • Work collaboratively with the Clerk. • Read and review draft findings and contribute to re-drafting.
Communication Essential	<ul style="list-style-type: none"> • Listen carefully. • Speak clearly, calmly and concisely, giving reasons when required. • Be fair and respectful while maintaining authority. • Know your audience. • Tackle disagreement constructively.
Analysis, judgment and decision making Essential	<ul style="list-style-type: none"> • Identify the relevant issues and evidence. • Balance evidence, keep to the facts and be open-minded. • Consider bias and do not discriminate. • Reserve conclusions to deliberation stage. • Provide reasons. • Be prepared to support own view.

<p>Knowledge</p> <p>Desirable</p>	<ul style="list-style-type: none"> • Know how the Tribunal fits within the disciplinary system. • Understand the different types of cases. • Have a basic knowledge of procedure, evidence and terminology, and ability to apply this appropriately to questions and interventions during hearings.
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As part of your appointment, you will also be required to attend training events, actively seek feedback for continuous self-improvement and share learning and experiences with other members.

To apply for this appointment please set out in writing using the application form and no more than 400 words per criterion, how your skills and knowledge (drawing on either your working or personal life) meet the essential and desirable criteria set out above. Please note that job titles etc. on their own will not be taken as evidence of meeting criteria. Please include in your letter of application your contact details (full name, address, telephone number and email address).

The application form should be submitted by 5pm on 20th October 2023 to:

judicialofficeforscotland@scotcourts.gov.uk

Or by post to:

Mr Ryan Gare
Deputy Head of Strategy & Governance
Parliament House
Edinburgh
EH1 1RQ

If you require a reasonable adjustment at any stage of the appointments process or if require further support with your application, please contact Ryan using the above details.

How we will handle your application:

- Your application will be acknowledged within five working days of receipt.
- A panel constituted by the Lord President comprised of the Head of Strategy and Governance, the Chair of SSDT and the Lay Members' Representative will consider all applications.
- Your application will be assessed against the criteria for the post to see whether you have the necessary specified skills, knowledge and personal qualities for the appointment. The panel will then decide whether you are to be interviewed.

- If invited to interview, you will be asked questions by the selection panel to assess whether you can demonstrate that you have the specified qualities.
- All interviewees will be advised in writing of the outcome of the interview.
- The Lord President is then presented with recommendations for appointment. Prior to appointment, the Lord President will consult with Scottish Ministers on each proposed appointment.
- We will write to you informing you of your nomination and then the Clerk of the Scottish Solicitors' Discipline Tribunal will contact the successful candidates following the Lord President's consideration.