

THE PROCEDURE FOR THE REMOVAL OF THE TITLE OF KING'S COUNSEL IN SCOTLAND

Set out below is the procedure for the removal of the title of King's Counsel in Scotland.

1. A request for the removal of the title of King's Counsel is made to the Lord Justice General. The request form can be obtained from the Judiciary of Scotland website. Requests should be submitted to the Lord President's Private Secretary;
2. A panel comprising the Lord Justice General, the Lord Justice Clerk and the Lord Advocate (as representing the interests of the Crown) will be formed to consider the request. The panel will consult the Dean of the Faculty of Advocates and the Law Society of Scotland;
3. If the panel considers that the request may have merit, the King's Counsel concerned will be contacted by the Lord President's Private Office and be offered the opportunity to respond in writing to the request;
4. The decision of the panel will be communicated to the King's Counsel by the Lord President's Private Office;
5. The panel will forward a recommendation for the removal of the title of King's Counsel to the First Minister;
6. The First Minister will write to His Majesty the King advising that he is of the view that His Majesty the King should revoke the Letters Patent issued to the King's Counsel concerned;
7. His Majesty the King will revoke the Letters Patent. The individual concerned may no longer use the title of King's Counsel.

Removal of the title of King's Counsel in Scotland will typically be appropriate where:

- a. The King's Counsel has been convicted of a crime and sentenced to a period of imprisonment for 12 months or more;
- b. The King's Counsel has been permanently disbarred from practice as a solicitor or an advocate.

Requests for removal of the title of King's Counsel should be made to:

Lord President's Private Secretary,
Parliament House,
Parliament Square,
EDINBURGH,
EH1 1RQ
Telephone: 0131 240 6701
E-mail: lppo@scotcourts.gov.uk