

Application for extended rights of audience

SECTION 25A OF THE SOLICITORS (SCOTLAND) ACT 1980

HIGH COURT OF JUSTICIARY AND JUDICIAL COMMITTEE OF THE PRIVY COUNCIL

Applicants should read:

- *The Statement of Standards for Solicitor Advocates*
- *Performance Indicators;*
- *Rule C4 of the Law Society of Scotland Practice Rules 2011; and*
- *the related Advice and Information issued by the Law Society of Scotland before completing this form.*

Part 1. General Information about Applicant

Society ID

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Have you attended a mandatory Introductory Course as required under Rule C4.2 in the past 2 years?	YES <input type="checkbox"/> NO <input type="checkbox"/>
If YES please state date of course.	
If NO, has the validation period of your attendance at an Introductory Course been extended?	YES <input type="checkbox"/> NO <input type="checkbox"/>

1. Surname:

2. First Name(s):

3. Email:

Contact details for
correspondence if
different:

4. Name of Practice Unit or Employer and Full Postal Address:

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Telephone Number:

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Email address:

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5. Year of Admission as a Solicitor in Scotland:

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6. Are you in private practice or employed in-house?

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7. If you are in private practice, what is your position in your present practice unit?

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8. If you are not in private practice, please give details of your current employment?

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9. How long have you worked as a Scottish solicitor in legal practice preceding this application (include years and work pattern)?

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10. Please provide a brief c.v. of your career (Complete on a separate sheet if required).
CVs should not exceed two pages of A4 and should include your work history (both paid and unpaid, both in law and otherwise, where relevant).

11. Are you now or have you ever been a member of any of the following bodies?

The Law Society of England and Wales	YES	NO
Any other Law Society or Bar Association (if YES state which)	YES	NO
The Faculty of Advocates	YES	NO
The Bar of England and Wales	YES	NO

If yes, please provide details:

12. Have you at any time previously applied for Rights of Audience whether for civil or criminal matters in Scotland?

YES NO If YES please state when and the outcome of that application

Part 2. Fitness

13. Do you possess a current unrestricted Practising Certificate

YES NO If NO please give full details.

14. Are you now or have you ever been the subject of a finding of Unsatisfactory Professional Conduct by the Law Society of Scotland or have you been the subject of prosecution before the Scottish Solicitors' Discipline Tribunal where a finding of Professional Misconduct has been made?

YES NO If YES please give full details

15. Have you been the subject of a finding of Inadequate Professional Service by the Scottish Legal Complaints Commission within the last 5 years?

YES NO If YES please give full details

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16. Are you now or have you ever been the subject of disciplinary action by any other professional body of which you are or have been a member?

YES

NO

If YES please give full details

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17. Are there any other matters bearing on your fitness to act as a solicitor with extended rights of audience which the Society should be aware?

YES

NO

If YES please give full details

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Part 3. Experience

*(Please see Statement of Standards for Solicitor Advocates – Performance Indicators and Advice and Information to Rule C4 – **it is important that you read these documents to assist you in providing relevant examples and detail of your experience**)*

Please use paper apart for each question in this section.

18. Experience in Sheriff Court

Please provide details of the cases in the **five years** preceding the date of this application when you have conducted trials and appeals, giving clear information about the case and dates. Information to be given about any case evidencing relevant experience should include as a minimum:

- the name of the case;
- the Court in which it took place;
- the year in which it was heard;
- the duration of a case; and
- whether the hearing was a trial, proof, debate or appeal (or in certain circumstances, lengthy contested opposed motions).
- A brief summary of your role and contribution to that case with reference to relevant performance indicators of the Standards of a Solicitor Advocate that appearing in the case demonstrates.

Please use the above bullet points in your paper apart to detail the cases.

Please provide fuller details of a minimum of two select cases that demonstrate attributes referenced in the Statement of Standards for Solicitor Advocates. These cases should showcase your most proficient work and demonstrate, in addition to the cases detailed above, that you have a sufficiently advanced level of skills and ability to go on to conduct yourself properly in the higher courts. Your judicial referee should be able to substantiate the quality of your work and address the quality of your oral advocacy in at least one of these cases.

19. Other experience

Please give particulars of your involvement in instructing cases set down for High Court of Justiciary or Courts Martial during the same period. Information to be given about any case in this section should include as a minimum:

- the name of the case;
- the Court in which it took place;
- the year in which it was heard;
- the duration of a case; and

- A brief summary of your role and contribution to that case (whether this was as local correspondent/Edinburgh agent/acting direct) with reference to relevant performance indicators of the Standards of a Solicitor Advocate that appearing in the case demonstrates.

20. Other work

Please provide details of any other work undertaken by you or in which you were involved personally in the same period which you consider relevant to this application, such as appearing at Tribunals or similar legal processes. Information to be given about any other relevant work should include as a minimum:

- the name of the case;
- the Tribunal / process in which it took place;
- the year in which it was heard;
- the duration of a case; and
- A brief summary of your role and contribution to that case with reference to relevant performance indicators of the Standards of a Solicitor Advocate that appearing in the case demonstrates.

Part 4. Further Comments

21. Please give details of your contribution to / attendance at seminars, conferences, or courses in the same period which you consider relevant to this application.

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22. Are there any other important matters which the Society should be aware of bearing on your competence or relevant experience to act as a solicitor with extended Rights of Audience?

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23. Have you passed the examinations for entry to the Faculty of Advocates?

YES NO

If YES please give details including date (or year if more than 5 years ago)

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24. Please provide details of two referees who have direct experience within the last five years of your work as a solicitor and have consented to providing a reference for these purposes. One of the referees should be a Sheriff or other member of the Judiciary before whom you have appeared who can address the quality of your advocacy in at least one of your select cases. The second referee can be a solicitor / advocate but should not be a business partner, employer or client.

Referee 1	Referee 2
Name:	Name:
Email:	Email:
Capacity in which known:	Capacity in which known:
Cases referred to (as appropriate):	Cases referred to (as appropriate):

Declaration

I hereby apply for Rights of Audience in the High Court of Justiciary and the Judicial Committee of the Privy Council.

I have read Section 25A of the Solicitors (Scotland) Act 1980, Rule B8.4 and the rules at C4 of the Law Society of Scotland Practice Rules 2011 and the related advice and information.

The information contained in this application is a full and true account of the matters referred to in it to the best of my knowledge, information and belief.

I understand that the Law Society of Scotland may seek confirmation from third parties of any matters pertinent to a proper consideration of my application (including the seeking of information from any other professional or similar body of which I am now or have been a member).

I understand that any wilful omission or mis-statement made in this application is likely to lead to the refusal of the grant of rights of audience requested, and may lead to the raising of disciplinary proceedings by the Law Society of Scotland.

I undertake to notify the Law Society of Scotland of any significant change in the information provided in this application whether it arises either before or after the requested grant of rights of audience.

I authorise the Society to seek confirmation from third parties of any matters pertinent to a proper consideration of this form.

Signature	
Date	

This application should be submitted to:

davidmacdougall@lawscot.org.uk

or

David Macdougall, The Law Society of Scotland,

Atria 1, 144 Morrison Street, Edinburgh, EH3 8EX (DX ED 1, EDINBURGH)

An invoice for the non-refundable administration fee will be sent out following receipt of the completed application. Please advise of any relevant purchase order number that requires to be cited on your invoice.

GDPR, Data Protection Act 2018: For information about how we use your personal data see our [privacy policy at www.lawscot.org.uk](http://www.lawscot.org.uk). Fees and Practice Rules see www.lawscot.org.uk