



LEGAL ASSISTANTS POSTS RECRUITMENT 2016

A Guide for Applicants

Scottish Law Commission, 140 Causewayside, Edinburgh EH9 1PR Tel: 0131 668 2131
Fax: 0131 662 4900. Email: info@scotlawcom.gsi.gov.uk
Website: www.scotlawcom.gov.uk

About the Scottish Law Commission

The Scottish Law Commission (the Commission) was set up under the Law Commissions Act 1965 for the purpose of promoting the reform of the law of Scotland. A similar law reform body for England and Wales, the Law Commission, was set up under the same Act.

The main task of the Commission is to make recommendations to government on ways in which the law of Scotland can be improved, brought up to date and simplified. This includes the consolidation of statute law and statute law revision.

The Commission has a part-time Chairman, the Hon Lord Pentland, who is a Senator of the College of Justice. There are three full-time Commissioners, Mrs Caroline Drummond, Professor Hector MacQueen and Dr Andrew Steven; a part-time Commissioner, Mr David Johnston QC, and a Chief Executive, Mr Malcolm McMillan.

The core legal staff providing support to Commissioners comprise seven qualified lawyers. They are members of the Government Legal Service for Scotland. There is also a small number of legal assistants at any one time. In addition the Commission has access to the services of Scottish Parliamentary Counsel who prepare the draft legislation which is usually annexed to Commission reports. The Commission also has five administrative support staff; and a professional librarian service.

How the Commission works

Programmes and References

The Commission works on a number of law reform projects. These are set out in our Programme of Law Reform, which is approved by Scottish Ministers. In addition the Commission may be asked to make recommendations on specific matters referred to it by Ministers. The Commission also provides advice and information to Ministers when requested.

Working in teams

Each team is led by a Commissioner, who is supported by a team of lawyers. Each team works on a particular project or projects, developing proposals for the reform of the law. The proposals are set out in a discussion paper which is published for consultation.

Following the consultation period the comments from consultees are analysed, and the Commission's policy finalised. Recommendations for reform are then made in a report (usually with draft legislation) which is submitted to Scottish Ministers and, in relation to "non-devolved" topics, also to the UK Government.

Each team has a project manager who is one of the Commission's core legal staff. One of the main tasks of the project manager is to plan the team's work to ensure that the deadlines for completion of projects are met. The Commission generally works to firm timetables for completion of its projects.

Current projects

Projects are currently underway on a range of topics including:

- Moveable transactions (security over corporeal and incorporeal moveable property: assignation of incorporeal moveable property)
- The law of Defamation
- Compulsory Purchase
- Contract law in light of the Draft Common Frame of Reference
- Aspects of the Law of Prescription.

We aim to issue a report this year on our current project on Moveable Transactions; and discussion papers on Aspects of the Law of Prescription, and on Defamation.

The Commission is also working on a number of joint projects with the Law Commission for England and Wales:

- Insurance contract law, on which a report may be issued this year;
- Electoral law, on which a joint interim report has been issued;
- Statute law repeals.

Further topics may commence this year under the Commission's Ninth Programme of Law Reform, such as a review of heritable securities; and on a review of section 53 of the Title Conditions (Scotland) Act 2003; and any new projects.

Further information on the Commission's work is available on its website: www.scotlawcom.gov.uk.

Working as a legal assistant

Scope of the work

Some of the Commission's work is the focus of political attention. The work is also of practical significance to the legal profession.

Legal assistants will be assigned to one or more of the teams dealing with current projects and will therefore have an opportunity to participate in the process of law reform.

Legal assistants may also be required to work on consolidation and statute law revision. This involves intensive study of statutory texts. It provides an opportunity for legal assistants to develop a sound knowledge of the tools and techniques required when working with legislation.

Nature of the work

The Commission's core legal staff carry out legal research. They also participate in the formulation of policy along with Commissioners. They assist in drafting discussion papers and reports, and prepare these for publication. They have a major role in instructing draft legislation, dealing directly with Scottish Parliamentary Counsel. Legal assistants participate in all these tasks, under the supervision of their project manager. They are encouraged to work independently and to take responsibility for the work allocated to them.

Much of the work involves discussion at team and Commission level. Legal assistants will be expected to prepare papers for team and Commission meetings and to participate in discussion. They are expected to take minutes of meetings and follow up decisions taken.

The work may require liaison with the Scottish Government and with UK Government departments. There may also be close contact with the Law Commission for England and Wales and with professional and other organisations, as well as with the Commission's consultees and advisory groups, and with consultants engaged by the Commission to assist with certain projects.

Legal assistants will often be asked to analyse responses from consultees to Commission discussion papers and to present their analysis to team and Commission meetings. They are also expected to assist advisory groups and working parties which include senior legal practitioners, and to work alongside consultants who are acknowledged experts in their field.

The library

The Commission has a well-stocked library which is managed by a professional librarian.

Provision of IT equipment

Legal assistants will have the use of a networked PC (Microsoft Office Word 2010 suite of programmes). We work within the Scottish Government security IT network (SCOTS). Access to the Internet is also available. Training will be given if required.

Terms of appointment

Location

Legal assistants will be based at the Commission's office at 140 Causewayside, Edinburgh EH9 1PR. The office is close to local shops, banks and a Post Office and is situated on a bus route to the city centre.

Period of appointment

The Commission is seeking to appoint legal assistants on a fixed term contract for a period of one year, commencing at the beginning of September 2016.

Salary

The salary for legal assistants appointed on a fixed term contract of one year is currently in the region of £23,383 per annum, payable monthly in arrears by bank or building society credit transfer.

Working hours

The normal working pattern is 42 hours per week including meal breaks. Office hours are 8.30 am to 5 pm Monday to Thursday and 8.30 am to 4.30 pm Friday. The Commission operates a flexible working hours scheme and legal assistants may opt to participate in this scheme. Details will be given to legal assistants on their arrival.

Holidays

Legal assistants on a fixed term contract of one year will have an annual paid holiday allowance of 25 days, in addition to public and "privilege" holidays which total 11.5 days.

Pension

Pension benefits are provided under Civil Service Pension arrangements. Legal assistants may choose between two pension arrangements:

alpha. This is an occupational pension scheme that currently has a contribution rate dependant on salary currently 5.45%. As your employer we meet the rest of the cost of the scheme; or

Partnership pension account. This is a stakeholder pension with a contribution from ourselves. How much we pay is based on your age. We pay this regardless of whether you choose to contribute anything. You do not have to contribute but, if you do, we will also match your contributions up to 3% of your pensionable earnings. The contributions are in addition to the age-related contribution mentioned above.

Nationality requirements

In accordance with general Civil Service rules, legal assistant posts are open to UK and European Economic Area nationals, Commonwealth citizens, British Protected Persons or citizens of British Overseas Territories.

The Scottish Law Commission and Scottish Government are committed to equality of opportunity of employment for all, on the basis of ability, qualifications and fitness for work. Applications are invited from all those who are, or expect to be, qualified and eligible irrespective of race, age, gender, marital status, disability, religion or belief or sexual orientation.

Application and selection procedure

Qualifications required

Applications are invited from those who can demonstrate that they have achieved very high academic standards in Scots law, and that they have excellent research skills and experience. The **minimum** criteria for applying is that an applicant must have obtained or expect to obtain by summer 2016, a **First or Upper Second Class Honours Degree in Scots Law or any other similar academic qualification that provides evidence of relevant knowledge and understanding of Scots law**. Applications from other suitably qualified candidates who have relevant experience may exceptionally be considered.

Application form

An application form accompanies this guide.

Application forms should be returned, **with two samples of recent writings**,* preferably on topics of Scots law, to:

Wilma MacAskill
Scottish Law Commission
140 Causewayside
Edinburgh
EH9 1PR

*The writings are intended to allow us to assess a candidate's skills in presenting written work. The legal content will not be discussed in any detail if the candidate is invited for interview.

Please note we welcome electronic applications. These should be emailed to wilma.macaskill@scotlawcom.gsi.gov.uk.

Closing date for applications

Applications must be received by Friday, 19 February 2016.

Interviews

Applications will be sifted and those selected for interview will be notified in writing by mid/late March. Interviews will take place in April at the Commission's office. References will be taken up for those candidates selected for interview. Following the interviews, successful candidates will receive a formal offer of appointment.

Disability

The Scottish Government and the Commission are participants in the Jobcentre Plus "Positive about Disabled People" scheme. Under the terms of the scheme we shall interview applicants who have a disability within the meaning of the Equality Act 2010, who meet the essential criteria for appointment and who claim a guaranteed interview. At interview we will consider them on their abilities.

We will also ensure that we consider and implement any reasonable adjustments you may require to attend for interview or during the course of your employment, should you be successful in securing a post.

To find out more about disability in the Civil Service, you can access your Disability Factsheet at <http://www.work-for-scotland.org/about-us/Disability-Fact-Sheet>.