



LEGAL ASSISTANTS POSTS RECRUITMENT 2011

A Guide for Applicants

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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 Drummond Young, who is a Senator of the College of Justice. There are three full-time Commissioners, Professor George L Gretton, Mr Patrick Layden QC TD and Professor Hector MacQueen; a part-time Commissioner, Ms Laura Dunlop QC, and a Chief Executive, Mr Malcolm McMillan.

The core legal staff providing support to Commissioners comprise five qualified lawyers, part of the Government Legal Service for Scotland on loan from the Scottish Government Legal Directorate. 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 seven administrative support staff including a professional librarian.

How the Commission works

Programmes and References

The Commission works on a number of law reform projects. These are set out in our 5 year 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:

- Adults with incapacity
- Moveable transactions (security over corporeal and incorporeal moveable property: assignation of incorporeal moveable property)
- Prescription and title to moveable property
- Similar fact evidence and the *Moorov* doctrine
- Contract law in light of the Draft Common Frame of Reference
- Trusts
- Judicial Factors
- Consolidation of Statutes

We aim to issue discussion papers or reports on some of these topics in the course of this year.

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

- Level Crossings
- Insurance Law
- Misrepresentation and unfair commercial practices
- Statute Law Revision

Further topics will commence under the Commission's current Eighth Programme of Law Reform which covers the period from 2010-2014.

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 immediate 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 draft 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 requires liaison with the Scottish Government and with UK Government departments. There is also close contact with the Law Commission in London 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 service 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 2003 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 in September 2011.

Salary

The salary for legal assistants appointed on a fixed term contract of one year is currently in the region of £22,173 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 10.5 days.

Pension

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

Nuvos. This is an occupational pension scheme that currently has a 3.5% member contribution rate. 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 hold, or expect to obtain by summer 2011, 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 civil or criminal law, to:

Mr Malcolm McMillan
Chief Executive
Scottish Law Commission
140 Causewayside
Edinburgh
EH9 1PR

Please note we welcome electronic applications. These should be e-mailed to heather.ryan@scotlawcom.gsi.gov.uk.

Closing date for applications

Applications must be received by Friday, 25 February 2011.

Interviews

Applications will be sifted and those selected for interview will be notified in writing by mid/late March. Interviews will take place around the middle of 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 Disability Discrimination Act 1995, 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.scotland.gov.uk/About/Recruitment/DisabilityFactsheet>