



Scottish Law Commission
promoting law reform

LEGAL ASSISTANTS POSTS RECRUITMENT 2024

A Guide for Applicants

Scottish Law Commission
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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 Chair, the Rt Hon Lady Paton, who is a Senator of the College of Justice. There are usually three full-time Commissioners and a part-time Commissioner. Current Commissioners are: Mr David Bartos, Professor Gillian Black, and Professor Frankie McCarthy. The announcement of a part-time Commissioner is expected soon. The interim Chief Executive is Charles Garland.

The core legal staff providing support to Commissioners comprise six qualified lawyers, called project managers, who 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 works with the Parliamentary Counsel Office who prepare the draft legislation which is usually annexed to Commission reports. The Commission also has three 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 current Programme of Law Reform, which is approved by Scottish Ministers. Our 11th Programme runs from 2023 to 2027. In addition the Commission may be asked to make recommendations on specific matters referred to it by Ministers.

Working in teams

Each team is led by a Commissioner, who is supported by a project manager and a legal assistant. A 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, after being agreed by all Commissioners at a Commission meeting, is published for consultation. Following the

consultation period the comments from consultees are analysed by the team, and the Commission's policy is agreed by Commissioners. Recommendations for reform are then made in a report (usually with draft legislation) which is submitted to Scottish Ministers or, in relation to reserved topics, to the UK Government. Certain projects are carried out jointly with the Law Commission for England and Wales.

Current projects

Projects are currently underway or planned on a range of topics under the Eleventh Programme of Law Reform, including:

- Heritable securities;
- Tenement law: compulsory owners' associations;
- Aspects of leases;
- Homicide;
- Aspects of family law;
- Damages for personal injury.

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 and wider society.

Legal assistants will be assigned to one or more of the teams dealing with current projects and will therefore have an opportunity to participate actively in the process of law reform. Each team meets regularly, often weekly or more frequently, to plan tasks and to review legal research. We encourage all team members to engage in discussions and we value everyone's contributions.

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 and participate in the formulation of policy along with Commissioners. They assist in drafting discussion papers and reports, and prepare these for publication. They also have a major role in instructing draft legislation, dealing directly with the Parliamentary Counsel Office. 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 of England and Wales, particularly in relation to joint projects, and with professional and other organisations, as well as with the Commission's consultees and advisory groups.

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.

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 laptop (Microsoft 365). We work within the Scottish Government security IT network (SCOTS). Access to the Internet and to legal databases is available. Training will be given as required.

Terms of appointment

Location

The Commission is based at Parliament House, 11 Parliament Square, Edinburgh EH1 1RQ. The office is just off the High Street in the centre of Edinburgh. Following the pandemic staff and Commissioners have been working on a 'hybrid' model, with some time (at least 40%) spent in the office each week.

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 end of August 2024.

Salary

The salary for legal assistants appointed on a fixed term contract of one year is currently £32,140 per annum, payable monthly in arrears by bank or building society credit transfer.

Working hours

The normal working pattern is 37 hours per week excluding 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.

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. As your employer we meet the rest of the cost of the scheme. You will be automatically enrolled into alpha upon appointment; 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

With effect from 1 January 2021 the civil service nationality rules, that apply throughout the UK, are amended to reflect the UK's exit from the European Union. It remains the case that you will be eligible to apply for any job in the Scottish Government if you are:

- a UK national or have dual nationality with one part being British;
- a national of the Republic of Ireland; or
- a national of a Commonwealth country.

In addition, you will be eligible to apply for a Scottish Government job if you are:

- a national of any of the member states of the European Economic Area (EEA) or Switzerland and certain Turkish nationals who were working in the UK Civil Service on or before 31st December 2020;
- a national of any of the member states of the EEA or Switzerland and certain Turkish Nationals who have built up the right to work in the Civil Service on or before 31st December 2020 and have leave to remain in the UK either through the EU Settlement Scheme or limited or indefinite leave to remain; or
- a certain category of family member of a relevant national of any of the member states of the EEA or Switzerland or certain Turkish nationals.

Further information about civil service nationality rules is available here: [Nationality rules - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Any applicant with, or applying for, EU Settled Status, must provide one of the following;

- If you have already been given Settled Status, please e-mail evidence of this to LARecruitment@scotlawcom.gov.uk when you submit your application.
- If you have applied for Settled Status and are awaiting a decision, please e-mail LARecruitment@scotlawcom.gov.uk confirming this when you submit your application. Failure to provide this information or a suitable alternative evidencing your right to work in the UK will result in your application being automatically rejected.

The Scottish Law Commission and the 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** criterion for applying is that an applicant must have obtained or expect to obtain by summer 2024, a **First or Upper Second Class Honours LLB Degree (or a pass on the accelerated (graduate entry) LLB course) in Scots Law**. Applications from other suitably qualified candidates who have relevant experience may exceptionally be considered.

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 any applicant who has a disability within the meaning of the Equality Act 2010, who meets the essential criteria for appointment and who claims a guaranteed interview. At interview we will consider them on the basis of their competencies.

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

Application form

An application form accompanies this guide.

Please submit your application, **with a sample of recent writing**, preferably on a topic of Scots law, by e-mail only, to Scott Macdonald at LARecruitment@scotlawcom.gov.uk

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

Closing date for applications

Applications must be received by noon on Wednesday 14 February 2024

Interviews

Applications will be sifted and those selected for interview will be notified by e-mail by end-March. Interviews are likely to take place late April, and we expect that this may well be by video via Microsoft Teams. Please note that the interviews will be competency-based.

References will be taken up for those candidates selected for interview. Following the interviews, successful candidates will receive by e-mail a formal offer of appointment.