

Nicholas Burgess

Team:

Homicide; Damages for Personal Injury

Degree:

Law

University:

LLB (Aberdeen); LLM(R) (pending) (Glasgow)

Previous work experience:

I was employed as a tutor on ordinary-level undergraduate LLB courses while doing my LLM(R). I was also a research assistant on a project mapping male-perpetrated homicides in Scotland, and I co-authored a literature review on rape and sexual assault sentencing for the Scottish Sentencing Council.

Project:

Homicide – reform of the mental element in the offences of murder and culpable homicide, and also the defences of self-defence, provocation, diminished responsibility, necessity and coercion. This project is also considering the law relating to victims of domestic abuse in the context of homicide.

Damages for Personal Injury – looking at reforming the law relating to awards of damages rendered to or by an injured person; deductions from awards of damages; provisional damages (particularly regarding asbestos-related diseases); and the management of damages awarded to children.

Future plans: I hope to do a PhD after leaving the SLC.

Tell us about a recent piece of work: The majority of my work since starting at the SLC has been on finalising the Discussion Paper on the mental element in homicide. This has involved lots of comparative research as well as (re)drafting and proofreading.

Why would you recommend working at the Commission?

You get to be part of a small team making a real contribution to reforming an area of the law that interests you. The SLC's work sits in the area of overlap between law and policy, so there is a significant practical element to the legal/academic research you undertake as a legal assistant. As each team is comprised of only three people, having your own opinion on the project's issues is strongly encouraged and your views are taken on board.

How did you hear about the job?

Through my university while studying my LLM(R).

Tips for applicants:

Leave plenty of time to complete the application, write concisely, and carefully consider which projects you are most interested in working on (and which ones

you're not!) and why. Also, do some research into the SLC's previous projects and into the process the Commission follows when undertaking a project.

Elizabeth Connaughton

Team:

Aspects of Leases; Automated Vehicles (joint project with the Law Commission of England and Wales)

Degree:

Law

University:

University of Edinburgh – LLB; Diploma in Professional Legal Practice

Previous work experience:

I completed my traineeship at a mid-size firm in Edinburgh, qualifying in 2020 after undertaking seats in Medical Negligence and Family Law.

Project:

Aspects of Leases – reform of certain areas of the termination of leases, including tacit relocation and the law of irritancy. We are currently working on our final report and draft Bill.

Automated Vehicles – creating a regulatory framework for the safe deployment of automated vehicles. Topics covered include the meaning of self-driving, safety assurance, and criminal and civil liability. We have recently published our third Consultation Paper and plan to release final recommendations by the end of 2021.

Future plans: I am currently applying for Masters programmes and after that, hope to pursue a career with the Civil Service.

Tell us about a recent piece of work: Currently, the Leases team are instructing a Bill, which basically means that we're asking Parliamentary Counsel to turn our recommendations for law reform into a new piece of legislation. This process is unlike anything you're likely to come across in private practice or at university, making it both interesting and a real learning curve.

Why would you recommend working at the Commission?

There are lots of reasons why I would recommend this role. Firstly, working in a small team means lots of opportunities to contribute and legal assistants are encouraged to share their views. Secondly, it's a great opportunity to learn about the legal subject area (if it's not something you're familiar with) and to gain experience from seasoned advocates and solicitors. The variety in work is also a real benefit. In addition to typical tasks such as conducting research and editing consultation papers, I've also presented at industry events, assisted with graphic design and drafted press releases. Finally, although I've been working from home, there is a real sense of community within the Commission, which makes for a welcoming working environment.

How did you hear about the job?

Google!

Tips for applicants:

Firstly, if you're an NQ or at a slightly later stage, don't let the idea that this role is just for new graduates stop you from applying. I've found my previous experience really useful and am glad I joined the Commission a bit later in my career.

Secondly, in terms of the application, have a good think about how you can demonstrate the skills the Commission is looking for, using practical examples wherever possible. Make sure that you've also thoroughly researched the Commission's projects, even the ones you're not interested in - this is especially important for an interview.

Molly Little

Team:

Aspects of Family Law and Surrogacy

Degree:

LLB (Hons)

University:

University of Edinburgh

Previous work experience: I had previously interned and completed summer placements with law firms and a children's rights policy organisation. During my time at university I was involved with various societies and volunteering groups where I developed a range of skills which have been helpful in my role at the Commission.

Project:

Aspects of Family Law – the project is currently in its first half and is reviewing the financial remedies available to cohabitants (otherwise than by death) under the Family Law (Scotland) Act 2006. Our team is currently analysing responses to the Discussion Paper with a view to producing a Final Report which will make recommendations for reform to the 2006 Act.

Surrogacy – this is a joint project with the Law Commission of England and Wales, reviewing the current law on legal parenthood when a child is born from a surrogacy arrangement. The project is currently considering a new process to better support all parties to a surrogacy agreement.

Future plans: I plan on pursuing postgraduate study and also on qualifying as a solicitor; although I have yet to decide in which order!

Tell us about a recent piece of work: Within the Aspects of Family Law team, we are preparing an internal policy report for discussion with other Commissioners. To finalise the report, we are currently meeting regularly to review each chapter of the report and discuss our recommendations. This involves reading the chapter in advance along with the responses to the Discussion Paper, discussing the more complex issues with the team in the meeting and taking minutes of the decisions we have made.

Why would you recommend working at the Commission?

The legal assistant role involves a varied workload from research tasks, attending meetings with your team and stakeholders, drafting chapters of reports and admin. As projects run over the course of a few years, it is a unique opportunity to think in-depth about what the purpose of the law is and the best way of structuring legislation to achieve that. As you are working in a small team, your opinion is valued and it is very fulfilling to know that your work is contributing to law reform.

How did you hear about the job?

I was interested in the work of the Scottish Law Commission whilst at University and saw that the advert for the legal assistant position on the Commission website.

Tips for applicants:

Firstly, use the Commission's website to read up on the current projects and make sure to convey if there are specific projects you would be particularly interested to work on and why. Secondly, as a legal assistant, you will spend a lot of time researching and helping with administrative tasks so provide examples from either university or other roles which demonstrate your research and admin skills. Finally, writing clearly and concisely in your application is another way of demonstrating you'd be a good fit as the role involves a lot of written communication.

Charlie MacKay

Team:

Heritable Securities

Degree:

Law

University:

LLB (University of Glasgow)

Previous work experience: I previously had very little work experience in the legal field. However, at university I was Criminal Law Editor for the Glasgow University Law Review, and have publications in both the Edinburgh Law Review (on service of a calling-up notice in a standard security) and the upcoming interdisciplinary journal at Glasgow University, the 1451 Review.

Project:

Heritable Securities – reform of the law relating to standard securities in Scotland. We are currently working on a second discussion paper on this topic, addressing issues post default. So far, I have been involved in chapters regarding possession and foreclosure as remedies.

Future plans: In the long-term, I'd like to do a PhD.

Tell us about a recent piece of work: I've recently been given responsibility for drafting a chapter on foreclosure as a remedy in a standard security. This has involved researching what the current law is, highlighting any specific issues with the current position and undertaking comparative research.

Why would you recommend working at the Commission?

The legal assistant position is a great way to get a taste for how law reform really works, and helps with understanding the policy side of the legislative process too. Work at the Commission is undertaken in small teams and it's a very welcoming environment, allowing you to express your opinion, ask questions and develop your knowledge with great support. You also get the chance to work on a variety of things; for example, while our team focuses on heritable securities at the moment, we recently hosted a workshop for Scottish practitioners, academics and other stakeholders on consumer contracts, a project currently being undertaken by the Law Commission of England and Wales.

How did you hear about the job?

I came across the position on the SLC website while researching for an assignment at university.

Tips for applicants:

Have a think about the areas of law that really interest you and have an idea of one or two of the projects currently being worked on that you'd like to contribute to and feel as though you could talk about at interview. Try to be as concise as you can in your application, but don't be afraid to let your personality shine through if you're invited for interview!