



Office of the Advocate General for Scotland

APPOINTMENT OF STANDING JUNIOR COUNSEL TO THE ADVOCATE GENERAL FOR SCOTLAND

INFORMATION FOR APPLICANTS AND FREQUENTLY ASKED QUESTIONS

Thank you for your interest in applying to be a member of the Advocate General for Scotland's panel of standing junior counsel.

Appointments to the panel are made on merit and through fair and open competition. The Advocate General appoints the best applicants solely on merit, irrespective of age, disability, gender reassignment, marriage and civil partnership status, pregnancy and maternity, race, religion/belief, sex (gender), and sexual orientation.

OAG encourages applications from candidates with diverse backgrounds and experiences.

The panel appointment process is carried out in accordance with the principles of the Public Sector Equality Duty (PSED) which was created under the Equality Act 2010. OAG is required to have due regard to the need to achieve the objectives set out under s149 of the Equality Act 2010 in carrying out its functions. The PSED requires that public bodies have due regard to the need to:

- eliminate discrimination
- advance equality of opportunity
- foster good relations between different people when carrying out their activities
- For more information on PSED please see [GOV UK](https://www.gov.uk).

General panel background and areas of need

1. The Advocate General maintains a panel of standing junior counsel to undertake advocacy work and legal advisory work in Scotland for all UK Government Departments. The panel is operated by the Office of the Advocate General (OAG), on behalf of the Advocate General. Appointees will be instructed both directly by OAG and also by law firms who are appointed to act on behalf of UK Government departments through procured framework arrangements.

2. There are currently twenty-five existing standing junior counsel to OAG, whose four year term of appointment expires in September 2028. The Advocate General is seeking to appoint around five to ten additional standing junior counsel for a term of four years.

3. The panel is a single panel, covering all UK Government departments. All members of the panel are expected to be able to deal with different areas of work as the need arises. As well as applicants with experience in general public law, for this

appointment process the Advocate General is looking to deepen the capacity of the panel with appointees experienced in:

- Commercial and company law (including tax, insolvency and the interaction between public and commercial law);
- Personal Injury;
- Employment;
- Criminal and regulatory issues; and
- Immigration.

Eligibility

4. Appointment is open to:
 - members of the Faculty of Advocates; and
 - solicitor advocates with rights of audience in the Court of Session.

Applicants must not hold positions that could create a conflict of interest with their appointment to the panel, for example as standing junior counsel to the Lord Advocate.

Applications

5. Applicants must (i) complete an equality and diversity monitoring questionnaire; (ii) complete an application form that contains specific questions to be answered; and (iii) provide a CV, with a maximum length of three pages. If an applicant has not completed an equality and diversity questionnaire their application will not be considered.

6. Each application must be made on the application form that can be downloaded from the OAG website ([Office of the Advocate General for Scotland - GOV.UK](https://www.gov.uk/government/organisations/office-of-the-advocate-general)). The application form should be completed in full and applicants should be aware that there will be a word limit in relation to answers to questions in the application form.

7. Application forms and CVs should be emailed together to businesssupport@advocategeneral.gov.uk with the email subject heading of "Standing Junior application" by no later than **4pm on Friday 16 October 2026**. Any requests for clarification or further information should be directed to the same email address

The selection process

8. All applications will be assessed and scored against the assessment criteria. Assessment panels will consist of members of OAG staff (with at least one OAG lawyer on each panel) and may also have members from law firms who are appointed to act on behalf of UK Government departments through procured framework arrangements. Those applicants whose applications meet the minimum criteria will normally be invited to interview, for further assessment. If there are a significant number of applications that meet the minimum criteria a cut off score may be set for invitations to interview.

9. Following the conclusion of interviews recommendations for appointment, based on merit, will be made to the Advocate General who will then make appointments.

Assessment criteria

10. The criteria that will be used to evaluate applications (consisting of both the application form and a CV) are:

1. Skills and experience of both advisory and advocacy work in Scotland.
2. An appreciation of the specific considerations of Government litigation.
3. Experience of working as part of a team, including with other counsel, instructing solicitors and clients, to tight timescales.
4. Drafting ability.

Applicants will be asked to provide evidence in the application form of how they meet the assessment criteria by referring to a maximum of 3 examples.

11. The Advocate General would welcome applications from groups currently under-represented on the panel, including those applicants with a disability and from minority ethnic groups.

12. The Advocate General will appoint applicants who are best qualified regardless of age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity status, race or ethnic origin, religion or belief, sex or sexual orientation.

13. If any applicant requires reasonable adjustments in order to participate fully in the appointment process, please contact Hannah Robinson (hannah.robinson@advocategeneral.gov.uk) separately from their application and CV.

Areas of work

14. As noted above, members of the Advocate General's panel of standing junior counsel advise and appear on behalf of UK Government departments in Scotland. Standing junior counsel appear in the full range of courts and tribunals that sit in Scotland, including the Court of Session and sheriff courts, representing UK Government departments in legal proceedings. Standing junior counsel may also appear at the UK Supreme Court on behalf of departments.

15. Panel members are also called upon to provide written legal advice on Scots law issues affecting UK Government policy and operations, and advise on litigation strategy, risk assessment, and the development of legal arguments.

16. As well as direct instruction by OAG, panel members are also instructed by law firms who are appointed to act on behalf of UK Government departments through procured framework arrangements.

17. General areas of work that panel members may be instructed in include but are not limited to public law (including judicial review), commercial and company law (including insolvency, corporate and tax), employment, criminal and regulatory issues,

immigration matters and personal injury but the varied needs of government mean that there will be a full range of different work available and there is a requirement for panel members to be able to deal with different areas of work when the need arises. Examples of the kind of work that panel members may be instructed in on behalf of UK Government Departments include:

- petitions for judicial review and other petitions, including insolvency-related ones before the Outer House and Inner House of the Court of Session;
- work arising in relation to the Scotland Act 1998 including devolution challenges and legislative competence issues
- representation in the UK First-tier Tribunal and UK Upper Tribunal and onward appeals to the Inner House of the Court of Session in statutory appeals;
- occasionally, including in constitutional cases, representation in the UK Supreme Court;
- appearance at caveat hearings and interim orders hearings;
- representation in disputes concerning trusts, partnerships, companies, contract law, statutory interpretation and the exercise of statutory powers;
- damages actions of various types including on a variety of human rights issues;
- personal injury litigation, including a substantial volume of disease claims and historic abuse claims often involving complex disputes on liability as well as claims of significant value; and
- Fatal Accident Inquiries;
- proceeds of crime advice and litigation;
- criminal and regulatory advice and disputes, particularly in connection with concurrent civil proceedings and involving issues such as public interest immunity and legislative competence; and
- applications for warrants and other court orders.

Terms of Appointment

18. Detailed terms of appointment will be set out in the individual letter sent to successful applicants. At this stage, however, we would wish applicants to be aware of the following key terms of appointment:

- Appointment will be for a period of four years subject to termination by notice. Termination of the appointment may be made by either party at any time during the appointment and following one month's notice to terminate.
- Standing Juniors will be expected to give priority to instructions from UK Departments and Agencies. Standing Juniors are required to notify OAG in advance of the acceptance of any other appointments that may materially impact their availability for Standing Junior work.
- Appointment does not guarantee that instructions will be issued to any appointee and appointment does not attract any salary, pension or similar benefits.

- Work undertaken on behalf of the Advocate General in terms of instructions pursuant to an appointment as Standing Junior Counsel should be charged out at **£120** per hour.

The hourly rate of charge will be reviewed every two years. Reasonable expenses in relation to travel and subsistence will be reimbursed for work undertaken outside Edinburgh. Travelling time should be charged for at one half of the appropriate hourly rate.

- Those appointed may be required to obtain security clearance up to and including Developed Vetting level to enable them to undertake work involving handling and discussion of sensitive material.
- Performance may be appraised during the period of appointment.
- Standing Juniors will be expected to provide or assist with training events from time to time, as part of OAG's internal training programme on topics to be agreed.

Office of the Advocate General
September 2026