



## **GUIDANCE NOTE**

### **THE OFFICE OF SENATOR OF THE COLLEGE OF JUSTICE**

Thistle House  
91 Haymarket Terrace  
EDINBURGH  
EH12 5HE

Telephone: 0131 244 3131  
Email: [mailbox@jabs.gov.scot](mailto:mailbox@jabs.gov.scot)

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## 1. INTRODUCTION

This guidance note is provided for applicants who are considering applying for the role of Senator of the College of Justice. This provides information and guidance about how to apply and how to complete the application form.

## 2. THE OFFICE OF SENATOR ROLE PROFILE

The Role Profile, which is produced by the Judicial Office for Scotland, describes the role of a Senator of the College of Justice, outlines the skills required and provides some further background about the role.

The salary for a full-time Senator is currently £234,096 per annum.

There are currently 5 vacancies, it is expected that most of the successful candidates will take up appointment in June 2026. However, it is possible that some appointments could be later than this depending on retirement dates for existing Senators. This is a matter that would be decided by the Lord President. The induction process with the Judicial Institute for all successful candidates is expected to take place in June 2026.

Please read the [Role Profile](#) on our website.

## 3. ELIGIBILITY

### 3.1 Statutory Eligibility Requirements

The eligibility for the Office of Senator of the College of Justice is set out in section 20A of the [Judiciary and Courts \(Scotland\) Act 2008](#).

#### **Qualification of certain individuals for appointment as Court of Session judge**

(1) An individual is qualified for appointment as a judge of the Court of Session if the individual—

(a) immediately before the appointment—

(i) held the office of sheriff principal or sheriff, and

(ii) had held office as either sheriff principal or sheriff throughout the period of 5 years immediately preceding the appointment, or

(b) at the time of appointment—

(i) is a solicitor having a right of audience in the Court of Session or the High Court of Justiciary under section 25A of the Solicitors (Scotland) Act 1980 (rights of audience), and

(ii) has been such a solicitor throughout the period of 5 years immediately preceding the appointment.

(2) Subsection (1) does not affect an individual's qualification for appointment as a judge of the Court of Session by virtue of article [xix of the Union with England Act 1707](#).

Please note that there is no requirement, in relation to the eligibility of Advocates, that they be an Advocate immediately prior to their application or that the minimum five years as an Advocate be continuous.

### 3.2 Mandatory Retirement Age

There is a mandatory retirement age of 75 for judicial office holders as defined in Section 16 of the [Judicial Pensions and Retirement Act 1993 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1993/16).

## 4. JUDICIAL SKILLS AND QUALITIES

### 4.1 Skills and Qualities

We will assess each applicant against a set of legal, judicial and personal qualities that are necessary for the role as set out in the role profile.

#### Legal, Judicial and Personal Qualities for Senator of the College of Justice



Applicants are expected to demonstrate their capability to work effectively in the branch of law they regularly practice as well as across a diverse range of legal areas, including those that are new and emerging which may arise during their judicial responsibilities.

Those seeking appointment should be judicial office holders or practitioners of significant standing, whether solicitors or advocates. They are required to have considerable experience in the Superior Courts.

In reaching the decision on making a recommendation for appointment, we will assess candidates through the application and interview process. The following are skills, abilities and characteristics which are required for the role of Senator and which will be tested during the process.

## **4.2 Knowledge, Skills and Abilities Being Sought for the Role of Senator of the College of Justice**

Set out below are the legal, personal and judicial characteristics which are being sought for this role.

### **Criterion 1: Knowledge, Interpretation and Application of the Law**

Candidates for Senator will have exceptional legal ability and expert knowledge and experience of the area (or areas) of law in which they have regularly practiced, experience and standing in the area(s) of law in which they specialise. In particular, they must be able to forensically analyse arguments about complex and new areas of law.

They require:

- Exceptional level of knowledge of the substantive law in the area(s) of the applicant's practice or specialism
- Exceptional level of skill and competence:
  - in the analysis and interpretation of case law and statute law
  - in identifying, distinguishing and analysing complex issues of fact and law
- Ability to interpret and apply the law in unfamiliar areas

### **Personal and Judicial Qualities**

In addition to their legal expertise, candidates for Senator will have excellent personal and judicial qualities. These are:

#### **Criterion 2: Exercising Judgement**

- Ability to analyse and assess complex evidence and arguments, reason clearly and reach clear conclusions
- Ability to be impartial, open-minded and fair to all, exercising discretion appropriately
- Ability to make sound judicial decisions with confidence including in unfamiliar areas of law

#### **Criterion 3: Working with Others**

- Even tempered, consistent and treats a diverse range of people with respect
- Allows people to give of their best
- Ability to work collegiately with judicial colleagues and others

#### **Criterion 4: Managing Work Effectively and Efficiently**

- Ability to manage own time, cases and other duties effectively and efficiently
- Ability to deliver work at speed and under pressure
- Is confident in managing the court process

#### **Criterion 5: Communicating Effectively**

- Ability to establish authority, respect and confidence
- Ability to produce written work, including decisions in complex cases, that is clear, concise, well-reasoned and timeous
- Ability to communicate clearly and effectively with others
- Ability to listen with patience and respect

## **Criterion 6: Personal Qualities**

- Ability to maintain personal resilience, while dealing with a varied and demanding workload and in the face of public criticism by the press or others

## **4.3 Education, Professional Qualifications, Training and Career History**

While we place great importance on the legal career of an applicant, and success in that career, we also value experience outside the law that may be relevant to the qualities required for judicial office.

Judicial experience (including part-time or full-time; court or tribunal) is something that we will take into account, however it is not a requirement for appointment to this role. If you have not held judicial office, you should not be deterred from applying. You should draw attention to any aspect of your career or any other experience, that demonstrates the qualities required for judicial office.

## **5. THE SELECTION PANEL**

The selection panel comprises six members of the Board, two judicial members, one legal member and three lay members, one of whom will chair the panel. They will assess applications, undertake interviews and make recommendations to the JABS Board for appointment. Only the judicial and legal members assess the legal competence of applicants.

## **6. THE PROCESS**

You must complete an online application. Applications will be assessed by the selection panel on a name blind basis, against the required criteria, and you will then be notified whether or not you have been shortlisted and invited for interview.

Final decisions on recommendations are made by the JABS Board in line with statutory requirements. Recommendations are made solely on the basis of merit provided that JABS is satisfied about the good character and conduct of applicants.

You can view the whole assessment process, including guidance, hints and tips on '[The Process](#)' page on the JABS website.

## **7. ONLINE APPLICATION**

The first time you apply online for a judicial office where the recruitment is carried out by JABS, you will be required to register on the GetGo portal via the JABS website. The email registered will become the default email contact for the recruitment process. If you have any difficulties, please contact the Business Management Unit (BMU) on 0131 244 3131 or email us directly on [mailbox@jabs.gov.scot](mailto:mailbox@jabs.gov.scot).

When you submit your application, you will receive acknowledgement by email. You should contact us if you have **not** received an acknowledgement within 24 hours of submitting your application.

Please note the application system will not spell or grammar check your submission. Please take care to check that there are no typing, spelling or grammatical errors.

However, evidence will be taken into account by the whole selection panel from across the entire application when assessing your personal and judicial characteristics. For example, the legal written work in the application form will provide evidence for the Communicating Effectively criterion.

**Applications need to be submitted by 12 noon on the closing date of Wednesday 7 January 2026. Applications received after this will not be accepted.**

## **8. COMPLETING THE APPLICATION FORM**

The online system is designed to be intuitive and includes instructions for completion within the form. You should also review the [Application Section](#) of our website before completing the form. There are some areas in the application form that require instruction, and these are detailed below:

### **8.1 Personal Information**

It is mandatory to include your first name and surname in your application. It is optional to include 'Any Other Surnames' by which you are known as this may be needed in correctly identifying you for the process of eligibility, consultation and disclosure. If you have a middle name, it is mandatory to include this for the purposes of obtaining a Royal Warrant, should you be recommended for appointment. If you do not have a middle name, please add 'N/A'. Applicant names and personal information will not be shared with the selection panel for shortlisting purposes but will be shared with the selection panel if you are invited to interview.

There is a mandatory retirement age of 75 for judicial office holders, as defined in Section 16 of the [Judicial Pensions and Retirement Act 1993 \(legislation.gov.uk\)](#). It is therefore mandatory to include your date of birth for eligibility purposes. Applicants' dates of birth will not be shared with the selection panel.

A preliminary assessment of each application is carried out by the Business Management Unit (BMU) in relation to eligibility and whether applicants meet the age requirement. Should a concern arise, the BMU will send anonymised information to the selection panel to make a decision on the matter.

### **8.2 Nationality**

It is mandatory to include your nationality. Applicants should be aware that the selection panel will consider applications from applicants who are not citizens of the British Commonwealth. However, if recommended, the Scottish Ministers may be unable to appoint such an applicant. Applicant nationality will not be shared with the selection panel.

### **8.3 Address and Contact Information**

You are required to provide the email address that you wish to be used for the purposes of your application and subsequent correspondence. Please get in touch if you have included an email address which you no longer have access to. Your address and contact information will not be shared with the selection panel at any point.



## 8.4 Statutory Eligibility

You must confirm that you have read the statutory eligibility criteria in this Guidance Note (Section 3). You should also give a brief description of how you meet the statutory eligibility criteria - you do not need to use the full 300 words.

## 8.5 Relevant Memberships in Scotland

In this section you are asked to confirm if you are a member of the Law Society of Scotland the Faculty of Advocates or The Society of Writers to His Majesty's Signet. Please ensure the dates you provide are consistent with the relevant organisation's membership records on their website.

[Law Society of Scotland](#)

[Faculty of Advocates](#)

[The Society of Writers to His Majesty's Signet](#)

You will also be asked to confirm if you currently hold a judicial office.

## 8.6 Education, Professional Qualifications and Training

Please give any details of your degree(s), as well as any other relevant qualifications or training completed, such as devilling.

## 8.7 Career History

The system only allows you to enter one current role. We are aware that you may have more than one. If that is the case, you should enter what you consider to be your main role in the 'Current Job' section. Any other current role(s) should be entered in the 'Previous Job' section. Where you are asked to add in your leaving date, in the box 'Dates To' enter the date that you submit your application.

If you are self-employed or a judicial office holder, use the 'Employer Name' field to state this.

If relevant, please include information on any breaks in employment. This is not mandatory.

## 8.8 Tribunal and Other Judicial Appointments

Please give details of any judicial appointments not previously mentioned, including court or tribunal appointments, which you hold or have held, including dates (starting with the most recent). Please include a brief description (no more than 50 words) of work undertaken in these roles. Appointment to the Parole Board for Scotland or as a Justice of the Peace should also be noted here.

## 8.9 Membership of Specialist Professional Organisations

Please give details of any specialist professional organisation of which you are a member, if relevant.

## 8.10 Any Other Relevant Experience and Membership of Organisations

Please provide any other experience, including memberships of organisations, which is relevant to your suitability for this judicial office, and not referred to elsewhere in your application.

### **8.11 Personal Statement**

This section of your application is your opportunity to demonstrate how your skills, experience, and personal qualities align with the requirements of the role of Senator of the College of Justice.

Your response should be no more than 1200 words.

Please explain why you consider yourself to be suitable for this judicial office, as outlined in the Senator of the College of Justice role profile. As part of this exercise we will also want to understand what you would find to be the most challenging or demanding aspects of this role and how you would address these.

### **8.12 Experience in Areas of Law**

The purpose of this section is to let the selection panel see the breadth and depth of your experience in certain areas of law. This may include your experience in practice or from any judicial role held.

There is a limit of 300 words for each section. This is your opportunity to highlight the strengths of your legal experience and knowledge.

Your response should include such things as:

- Timescale – when you were involved in each area of work
- An indication of the volumes and range within each category
- You may wish to indicate any cases or transactions of particular importance or significance
- Please indicate the extent of your [legal] experience in the Court of Session, High Court, Upper Tribunal or Sheriff Appeal Court

#### Civil

Family

Public Law

Commercial

Private Law (e.g., property, taxation, trusts & succession, insolvency)

Personal Injury

Other (please detail)

#### Criminal

Summary Criminal – including appeals

Solemn Criminal – including appeals

### **8.13 Self-Assessment**

This is the section of the application that you will spend the most time completing. Here, we ask you to assess yourself against the judicial skills and qualities required for the role of Senator.

It is important that your responses address each of the bullet points under each criterion.

### **8.14 Self-Assessment – Legal (Criterion 1)**

In this section you are required to provide evidence which demonstrates Criterion 1, Knowledge, Interpretation and Application of the Law.

Please ensure your answers address all the sub-criteria listed under this criterion.

Your self-assessment should provide evidence, including by reference to examples, which demonstrates Criterion 1. You are required to provide evidence of your knowledge of and skill in interpretation and application of the law. It should also evidence your ability to acquire and apply legal knowledge in new areas of the law that may arise in the course of the work as a Senator.

You should provide evidence of your high degree of ability to analyse, interpret and apply the law in the types of cases undertaken by a Senator. The examples that you choose should ideally be recent and clearly demonstrate Criterion 1. You may wish to include recent cases, transactions, advice or opinions.

There is a 1000 word limit for this section.

### **Legal Written Work**

The purpose of the legal written work is to provide additional evidence of your legal skills and abilities, in particular your ability to analyse, interpret and apply the law. By providing the selection panel members with relevant written work you are giving them valuable insight into your legal skills and abilities, your approaches to problem-solving, and the outcomes you have achieved. It will also provide evidence of your written communication skills.

You are required to provide three examples of your written work. Your written work should ideally be recent and should clearly demonstrate the qualities required under Criterion 1.

Please consider your selection carefully as not all legal documents are best suited to demonstrate Criterion 1. Make sure that what you do select is concise and focused. When selecting written work, you should bear in mind the nature of the role of Senator.

You may refer to reported and unreported decisions of the courts or tribunals in which you have been involved, and significant pieces of legal work or other relevant work in the law for which you have been personally responsible.

### **Examples may include:**

- advice given to clients in the form of letters or memos
- opinions or notes
- written submissions or other written legal arguments

- reports
- judgments
- stated cases
- decisions letters given in a judicial, tribunal or similar capacity
- written advice given internally in a firm or other institutional environment
- any other written explanation of the law, and how that applies in the circumstances of a particular case or other factual situation
- an article on an area of law authored by you

The selection panel requires three written passages not exceeding a total of 2000 words for each piece of written work to assess for this purpose. If the piece of written work you submit is shorter than 2000 words, the selection panel will consider the whole document. If you submit a document that is longer than 2000 words per piece of written work you **must** identify the passage(s) of up to 2000 words within that piece of written work which best demonstrates Criterion 1 and which will be read and assessed by the selection panel. If you have not clearly identified the passage(s) to be considered, then the selection panel will restrict their assessment to the first 2000 words of that piece of written work.

You should delete or redact references to the identity of clients or others in your examples of your written work, where appropriate, for reasons of confidentiality and sensitivity. You should also redact your own name from the document as the selection panel members will not see your name on the application or supporting documents when initially assessing them at the stage of shortlisting. The selection panel will treat your examples as confidential.

### **Legal Written Work Summary**

You should briefly explain (**in no more than 150 words**) for each of your written work examples how they demonstrate your knowledge of the law, your skills and competence in the interpretation and application of the law, and your ability to reason and reach conclusions. If relevant, you must also use this section to identify the passage(s) of your work that you wish the panel to consider (whether by highlighting parts of the document, reference to paragraph numbers or by another means) and which does not exceed 2000 words.

### **How To Upload Your Legal Written Work**

Your written work examples must be uploaded in one PDF document.

To convert a Microsoft Word Document to PDF format you must:

Open the Microsoft document that you would like to convert to PDF.

Click 'File', then click 'Save As'

Click the 'File Format/ Save as type'

Select 'PDF' on the drop down list.

Click 'Export/ Save'. This will save your document as a PDF however, you will still have the original Word document.

### **8.15 Self-Assessment – Personal and Judicial Qualities**

In this section you are asked to provide evidence, including by way of example, of the personal and judicial qualities for each of Criterion 2-6.

Please ensure your answers address all the sub-criteria listed under each criterion.

Your response to each criterion should not exceed 600 words, with the exception of Criterion 6, where you should not exceed 300 words. Bullet points and note form are acceptable. Applicants are asked to provide specific examples for each criterion.

The answers for these sections should include specific examples which demonstrate how you meet each criterion. In providing examples, you may find the following structure helpful.

- Briefly outline the situation – to give it context.
- State what you were trying to achieve.
- What action did you take? Explain what you did, how you did it and why you did it. What did you actually do? What was your contribution and role?
- Describe the result/outcome. What happened and what did you learn?
- Any reflections you have

Please do not use hyperlinks. We advise you not to use lists, generalised descriptions, assertive aspirations statements, or to refer solely to positions held.

### **8.16 Cases, Matters, Transactions, or Publications**

You are required to provide a list of the most significant cases, matters, transactions, or publications which are examples of legal work carried out by you and are available in the public domain.

Please provide **five examples**. The purpose of this is to provide a wider context to the work that you have done. Please do not send us a copy of the related paperwork; a list is sufficient.

The list you are required to submit is in addition to the three examples of your written work. However, these written work examples can be related to one or more of the five examples you list, if you think that these best reflect the legal work you have undertaken.

### **8.17 Reasonable Adjustments**

We are committed to considering any reasonable adjustment requests to ensure that you can participate in the appointment process fairly. Please indicate on the form whether you require any reasonable adjustments in order to access materials or at interview.

If you require larger font size for the Guidance Note, please contact the BMU. You are able to increase font size of the application form on GetGot.

You can submit a request at any point in the process by emailing us at [mailbox@jabs.gov.scot](mailto:mailbox@jabs.gov.scot). We may contact you about your request and ask you to provide more detail if required.

We will consider requests on a case-by-case basis. The information you provide is not used in the selection decisions.

### **8.18 Conflicts of Interest**

You are required to note family, personal or professional relationships with any JABS member (whether part of the selection panel (marked with an asterisk) for this competition or not) or any Legal or Lay Appointment Advisers.

**JABS Members:**

Mr Lindsay Montgomery CBE, Chairing Member\*  
Mr Jonathan Barne, KC\*  
Mrs Liz Burnley CBE  
Mr Paul Cackette, CBE  
Mrs Wilma Canning\*  
Sheriff Principal Kate Dowdalls, KC  
President May Dunsmuir  
Sheriff Farquharson, KC  
Mr Paul Gray\*  
The Hon. Lady Haldane, \*  
Ms Emma Marriott  
Dr Fiona McLean  
Mr Gareth Morgan, QPM  
Mr Peter Murray  
The Hon. Lord Weir, \*

**Legal and Lay Appointment Advisers:**

Mrs Gillian Mawdsley, Legal Appointment Adviser  
Dr Geoff Garner Lay Appointment Adviser  
Mr Peter McGrath, Lay Appointment Adviser  
Ms Marieke Dwarshuis, Lay Appointment Adviser  
Mrs Deirdre Fulton, Lay Appointment Adviser

Please read the [JABS policy on conflicts of interest](#) which is on our website.

The conflict test is whether any particular relationship might reasonably create a perception by others that you might be treated differently from other applicants.

Infrequent social interaction or simple contact with a JABS member or others specified above in a professional context, such as having appeared before the JABS member or member of the selection panel in a court or tribunal, sitting in the same court, or having involvement in the same cases will not usually constitute a professional relationship without further involvement, and does not need to be declared. However, frequent contact of this nature may constitute a professional relationship and should be declared.

The test is whether any particular relationship might reasonably create a perception by others that you might be treated differently from other applicants.

**8.19 Good Character and Conduct**

Applicants are asked to respond to a number of questions about to their personal and professional life, relating to character and conduct, including the need to disclose any unspent criminal convictions as well as any other issues which may call into question an individual's suitability for judicial office. Applicants must also disclose spent convictions unless those spent convictions are protected from disclosure by virtue of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013.

**8.20 Judicial Ethics**

The Judicial Office for Scotland has published guidance to Judicial Office Holders on Judicial Ethics in Scotland. At the application stage you are required to confirm that you can comply with this guidance, which is available online at the [Judicial Office website](#). If invited

to interview, you will be asked some questions on your ability and willingness to adhere to requirements relating to the Guidance to Judicial Office Holders on Judicial Ethics in Scotland.

## 8.21 Diversity Questions

The Board has a duty under Section 14 of the Judiciary and Courts (Scotland) Act 2008 to have regard to the need to encourage diversity in the range of individuals available for selection for judicial appointments. To help us do this, we ask applicants to provide information at the application stage allow us to create aggregated diversity data. We use this data to let us better understand the diversity of the applicant pool.

The questions are deliberately wide-ranging since we consider it important to cover all the areas relevant to Section 14 considerations.

**This questionnaire will be separated from your application form. The selection panel and the wider Board will not have access to this form. The purpose of this is to provide data for recruitment rounds. The information contained in it will not be held or otherwise processed in a manner which would allow the Board or selection panel members to identify you or otherwise link that information to you. The information is held by the Business Management Unit and used to produce diversity reports for each competition, which show overall summaries and do not identify any individual.**

The declaration on the application form does not relate to information provided in the diversity monitoring form.

JABS decisions on making recommendations for appointment are made solely on merit and matters to do with diversity cannot be taken into account.

## 9. DISCLOSURE SCOTLAND

We are required to carry out a Level 2 Disclosure Scotland check as part of the appointment process.

Should you be successful in being invited to interview, a link to the online disclosure application form and guidance will be sent to you with your outcome decision letter. You will be required to pay the cost of the check, which is £25.

Only those with a satisfactory disclosure check will be recommended for appointment.

## 10. CONSULTATIONS

We will undertake for consultations relating to applicants who are invited to interview. These consultations will be sought from (amongst others):

- The Lord President
- Sheriffs Principal
- The Crown Agent
- Scottish Legal Complaints Commission
- Professional Bodies (such as the Faculty of Advocates and the Law Society etc)
- The Scottish Legal Aid Board

If you are invited to interview and, if relevant, you will be given the opportunity to address any queries or concerns arising from the [consultation](#) process.

## 11. SOCIAL MEDIA CHECKS

Candidates who are invited to interview will be subject to social and general media background checks. These will be conducted by an external party contracted by JABS, Giant Screening. This will involve personal information including your name, email address(es) associated with your social media accounts, date of birth, national insurance number and address details for the preceding five years being provided to Giant Screening for this purpose only. Additional information will be provided to relevant candidates after shortlisting.

## 12. FEEDBACK

We aim to offer feedback to those candidates who request it. We are unable to offer a timescale for this feedback.

The Business Management Unit will send you a survey to be completed anonymously following the application and interview stages. These surveys provide you with an opportunity to comment on your experience of the JABS recruitment process and provide valuable feedback to JABS to help us review and improve our processes.

## 13. COMPETITION SCHEDULE

We anticipate following the key milestone dates as detailed below:

| Date                 | Milestone   |
|----------------------|---|
| 8 December 2025      | Application window opens                              |
| 7 January 2026       | Application window closes                             |
| w/c 16 February 2026 | Applicants notified of outcome of shortlisting        |
| March 2026           | Interview period                                      |
| w/c 20 April 2026    | Final decision meeting                                |
| w/c 27 April 2026    | Recommendation report sent to the Scottish Government |
| w/c 27 April 2026    | Interview outcome letters issued                      |

## 14. COMPLAINTS

If you are dissatisfied with any aspect of the handling of your application, you should refer to the [Complaints Handling Procedure](#) on our website.

## 15. CONFIDENTIALITY

JABS is committed to confidentiality during all stages of the application process and as such all information shared will be handled in accordance with our privacy and data protection policies. Further details are available through the [Privacy Notice](#) on our website.



## 16. FURTHER SUPPORT

If you have any queries on this process or the role profile, please contact the Business Management Unit via email at [mailbox@jabs.gov.scot](mailto:mailbox@jabs.gov.scot).