FACULTY OF ADVOCATES

QUALITY ASSURANCE PROGRAMME

1. The Faculty of Advocates will undertake advocacy assessments for practising advocates in accordance with this Programme.

2. The Dean of Faculty will nominate a practising advocate (hereinafter the "QA Director") to be responsible for overseeing the implementation of the Programme, with the support of the Director of Training and Education.

3. A diet of assessment will take place each year in the autumn term.

4. In each year, the Faculty will call approximately one fifth of the practising bar for assessment.

5. Advocates will be called for assessment in order of seniority, starting with the most senior advocates.

6. The Dean of Faculty shall have power to exempt any practising advocate from compliance with this programme where he considers it appropriate to do so.

7. The Dean of Faculty may, on special cause shown, excuse a practising advocate from being assessed when the advocate is called for assessment; but the advocate will, in that event, be called for assessment at the next diet of assessment.

8. The examination of the advocate's advocacy skill shall comprise an oral advocacy exercise prescribed by or under arrangements approved by the QA Director. The advocate shall be entitled to choose whether to undertake a civil exercise or a criminal exercise.

9. All assessments will be recorded.

10. The assessment will be carried out by an assessor from a panel of assessors nominated by the Dean of Faculty: the assessor will decide whether the advocate's advocacy skills are effective or not effective.

11. The assessors will be trained by the Director of Training and Education and shall be required to have regard to such guidance and standards as shall be prescribed by the Director of Training and Education and QA Director each year.

12. If the advocate is not assessed as effective the advocate shall undertake another exercise before a different assessor who is unaware that the advocate has previously undertaken an assessment.

13. If the advocate is not assessed by the second assessor as effective the advocate will be required to undertake the full devil's assessment (as prescribed by the Faculty from time to time and fully set down in Appendix 5 of the Devil's Handbook) at the February diet the following year.

14. The advocate will, in that event, be assessed as if he or she were a devil undertaking the devil's assessment in terms of the Faculty's Scheme for Assessment and will have the same rights of reconsideration and/or appeal as would be allowed in the case of a devil undertaking the assessment.

15. If, having exercised any rights of reconsideration and/or appeal, the advocate is, assessed as not competent, in terms of the Scheme for Assessment the advocate will be treated as having failed to satisfy this Quality Assurance Programme for the purposes of the Faculty of Advocates CPD Regulations.

16. The Dean of Faculty shall appoint an external assessor who shall be issued with a copy of the assessment exercise in advance of any QA Assessment diet, and a copy of all completed assessment exercises and to make such comments or recommendations as he may consider appropriate for the Dean's consideration.