



GUIDANCE NOTES FOR WITNESSES

Appearing before the Scottish Solicitors Discipline Tribunal

The Tribunal hearings are usually held in Edinburgh. When you arrive you will be met by a bar officer who will show you to a witness room where you can wait prior to giving evidence. The bar officer will answer any queries you may have. You may have to wait some time as it is difficult to tell in advance how long the proceedings will take.

The Tribunal sits with two solicitor members and two lay members. The Tribunal Clerk is present during the hearing to advise the members but not to take part in the decision. The Tribunal hearings are held in public unless either party has asked for a hearing in private prior to the date of the hearing and this has been agreed by the Tribunal.

Evidence is usually given on oath. If you do not wish to swear on oath it is possible to affirm that you are telling the truth. The Chairman of the Tribunal will ask you to repeat the oath or affirmation after him. When you give your evidence you will be asked questions by the person who asked you to come to the hearing or their representative. You may then be asked questions by the other side's representative and the Tribunal members. After your evidence has been given you are welcome to stay to hear the rest of the case if the hearing is being held in public or you may be excused and be able to leave.

The Tribunal usually issues an oral decision on the day with a written decision giving reasons being issued approximately six weeks after the Tribunal hearing. Three weeks are then allowed during which an appeal may be lodged. If no appeal is lodged the Tribunal decision becomes final and publicity is usually given to the decision.

An information sheet on the Tribunal is available. Further details with regard to the workings of the Tribunal and past decisions of the Tribunal are available on the Tribunal website at www.ssdt.org.uk.