
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 313

Act of Sederunt (Sheriff Court Bankruptcy Rules) 2016

CHAPTER 4

REPRESENTATION AND SUPPORT

Lay support

4.6.—(1) A party litigant may apply to the sheriff for permission for a named person to assist the party litigant in the conduct of proceedings, and such a person is to be known as a lay supporter.

(2) The sheriff may refuse an application only if the sheriff is of the opinion that—

- (a) the named person is an unsuitable person to act as a lay supporter; or
- (b) it would be contrary to the efficient administration of justice to grant it.

(3) The sheriff, if satisfied that it would be contrary to the efficient administration of justice for permission to continue, may withdraw permission.

(4) A lay supporter may assist a party by accompanying the party at hearings.

(5) A lay supporter may, if authorised by the party, assist the party by—

- (a) providing moral support;
- (b) helping to manage court documents and other papers;
- (c) taking notes of the proceedings;
- (d) quietly advising on—
 - (i) points of law and procedure;
 - (ii) issues which the party litigant might want to raise with the court.

(6) A party may show any document (including a court document) or communicate any information about the proceedings to that party's lay supporter without contravening any prohibition or restriction on disclosure of the document or information.

(7) Where a document or information is disclosed under paragraph (6), the lay supporter is subject to any prohibition or restriction on disclosure in the same way as the party is.

(8) A lay supporter must not receive directly or indirectly from the party any remuneration or other reward for assisting the party.