



Justice and Security Act 2013

2013 CHAPTER 18

PART 2

DISCLOSURE OF SENSITIVE MATERIAL

Closed material procedure: general

9 Appointment of special advocate

- (1) The appropriate law officer may appoint a person to represent the interests of a party in any section 6 proceedings from which the party (and any legal representative of the party) is excluded.
- (2) A person appointed under subsection (1) is referred to in this section as appointed as a “special advocate”.
- (3) The “appropriate law officer” is—
 - (a) in relation to proceedings in England and Wales, the Attorney General,
 - (b) in relation to proceedings in Scotland, the Advocate General for Scotland, and
 - (c) in relation to proceedings in Northern Ireland, the Advocate General for Northern Ireland.
- (4) A person appointed as a special advocate is not responsible to the party to the proceedings whose interests the person is appointed to represent.
- (5) A person may be appointed as a special advocate only if—
 - (a) in the case of an appointment by the Attorney General, the person has a general qualification for the purposes of section 71 of the Courts and Legal Services Act 1990,
 - (b) in the case of an appointment by the Advocate General for Scotland, the person is an advocate or a solicitor who has rights of audience in the Court of Session or the High Court of Justiciary by virtue of section 25A of the Solicitors (Scotland) Act 1980, and

Changes to legislation: Justice and Security Act 2013, Section 9 is up to date with all changes known to be in force on or before 22 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (c) in the case of an appointment by the Advocate General for Northern Ireland, the person is a member of the Bar of Northern Ireland.

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Commencement Information

II S. 9 in force at 25.6.2013 by S.I. 2013/1482, art. 2 (with arts. 3, 4)

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Changes and effects yet to be applied to :

- s. 8-14 applied (with modifications) by [2023 c. 41 Sch. 6 para. 12](#)