

Headline changes in London: Please carefully review the definitions of practice areas concerning fraud, both civil and criminal. To reflect the nature of cases handled by the Bar, the civil fraud section has been merged into commercial litigation, and the sections previously known as “business and regulatory crime” and “fraud: crime” have been changed to “business crime: large corporates” and “fraud and white-collar crime” accordingly; there are substantive new and clearer definitions for these. Credit hire work has been added to the scope of personal injury. We also have added additional language to stress the dividing line between immigration law and administrative law and human rights.

London

Administrative law and human rights: This section covers disputes over the fundamental principles of the relations between individuals and the state, and the interaction between different layers of government, as well as generalised matters of public law not covered in other areas of the UK Bar guide, including matters as diverse as social welfare and prison law. Please be very selective as to who from chambers is included in this submission. In this section we proactively aim to avoid duplicating the research for other sections. In particular, please carefully note the definitions of immigration, social housing and planning – even though judicial review is an element of those areas, that does not mean that work is always relevant to this area. For stress, barristers only able to evidence work in the immigration context, noting the definition of immigration in this document, which includes immigration detention and migrants’ access to the benefits system, are not encouraged to submit for this section. European Court of Human Rights cases involving the UK as a party are relevant. The size of the section should be seen as a continued vote of confidence in the wealth of talent at the self-employed Bar, but this should not detract from the fact it is a highly competitive section, in which inclusion is highly selective even by the standards of Legal 500.

Agriculture: This section primarily revolves around planning, environmental and property work relating to farming, but also includes those with specific expertise in other areas of law with a specific focus on agricultural life in England and Wales. Key issues include rights of way, probate and estates, Village Green designations, and other farming-specific land rights. Leading barristers in this section have a broad range of expertise across key relevant areas, and are generally recognized as experts through

court appointments and roles such as Village Green Inspectors. We accept there is a degree of crossover between with property specialists in this area, however we are looking for clearly-demonstrated evidence of a commitment to work involving agriculture rather than specialists in those areas who handle farming work intermittently.

Art and cultural property: The art and cultural property section covers the a range of litigation in this area, such as disputes over the sale, provenance and finance backed on art work and antiquities/cultural property. We welcome views as to if we should broaden this section to include more recently-produced high-value collectible properties that would not fall within traditional understandings of the visual arts but are traded in a similar manner, such as highly-collectible classic cars, luxury watches, ultra-fine wines and similar.

Aviation and travel: This section covers the full gamut of work relating to the aviation industry, including regulatory and commercial disputes work for airlines, airports, insurers and financiers. It also includes representation of travel sector clients such as tour operators, airlines, travel agents and operators concerning the regulation of their industry and sector-specific consumer protection legislation. Cross-border personal injury work is not included in this section and should be submitted as personal injury.

Banking and finance (including consumer credit): This section covers the full spectrum of technical banking and finance disputes, from investment banking and capital markets matters through to retail products aimed at the general public. It does not cover regulatory or criminal work (among other specialisms covered separately), and please note that insolvency work is covered elsewhere too: while we acknowledge the overlap between banking and insolvency work, particularly for those representing the banks, submissions for this area should not focus on insolvency related disputes. Submitters for this area may be interested in the “Crypto and blockchain assets” practice area too.

Looking for Business and Regulatory Crime? See the new “Business crime: large corporates”

Business crime: large corporates (renamed and scope amended): This section is for corporate crime cases – such as bribery and similar – involving large businesses – FTSE350 companies or businesses/organisations of an equivalent size, their senior

employees, and those prosecuting them. This is broadly a replacement for the business and regulatory crime section, but this definition will reduce the scope to clarify it on serious cases for large corporates, rather than having a focus on the exact nature of the charge.

Charities: This section covers work around the governance, registration, formation and regulation of charities of all sizes. This also includes religious charities as well as secular ones; ecclesiastical law practitioners are particularly welcome to submit for this area.

Clinical negligence: In this section, we are looking for practices demonstrating ability in the highest-value cases (including brain injury, birth injury, wrongful birth claims, paralysis, failure or delay in diagnosis of medical conditions, fatal claims), and those which feature novel issues which have a realistic chance of generating case law. The complexity of injuries is a factor, as is the typical value of the claims handled. This section only covers human patients; veterinary negligence matters are covered in professional negligence.

Commercial litigation (scope changed to include civil fraud): For this section, we are ranking barristers for their work advising corporates, or potentially high net worth individuals, on genuine litigation stemming from commercial contracts. This could include disputes involving M&A-related litigation, outsourcing agreements, and breach of contract matters. Civil fraud is no longer a separate practice area, and increased focus will be placed on work involving allegations of fraud. Please be very selective as to who from chambers is included in this submission. In this section we proactively aim to not duplicate the research for other sections. In particular, other areas such international arbitration, competition, tax, banking litigation, professional negligence, construction, corporate crime, property litigation, intellectual property and employment are covered separately and specialists in one of these particular areas will not be ranked in this table, however elite level their practice. The size of the section should be seen as a continued vote of confidence in the wealth of talent at the self-employed Bar, but this should not detract from the fact it is a highly competitive section, in which inclusion is highly selective even by the standards of Legal 500.

Commodities: The highest ranked counsel in this section will be handling a diverse range of work, usually encompassing GAFTA/FOSFA and other types of commodity arbitration, as well as taking

significant roles in other related disputes, which might include those arising from commodity or trade finance transactions. The key is to be regularly involved in these matters and to be handling the highest-value and most complex disputes across a range of different commodity markets. For the avoidance of doubt, commodities includes “soft” and “hard” commodities. This section does not aim to be a duplication of the shipping section, however it is envisaged that commodities in this section would generally be transported between continents on ships – we do not consider cryptoassets, which are covered in their own section, to be commodities.

Company: This section includes contentious and non-contentious matters focussing on the most intricate points of company law and corporate governance. Much litigation will concern directors duties, company valuation litigation and similar. Please note that

Competition: Work covered here includes litigation concerning cartel investigations, merger control, abuse of dominance, follow-on damages claims and state aid matters.

Construction: This includes work for all participants in the industry, including employers, contractors and subcontractors, handling litigation, arbitration, adjudication and mediation, encompassing claims relating to breach of contract, defects, delay and design liability. This is a section where elite practitioners will have a global focus, and the highest ranked barristers will regularly appear in international arbitrations abroad on the sorts of megaprojects that are larger than almost all domestic projects (such as major rail developments, new airports and similar). That said, we envisage that TCC litigation will be disproportionately mentioned in editorial owing to the confidentiality in arbitrations.

Costs and litigation funding: This section covers costs disputes in the wake of the full range of litigation and ADR. This includes all aspects of how litigation is paid for, such as disputes as to CFAs, and post-litigation matters between clients and their representatives over bills.

Court of Protection: health and welfare: This section includes the full spectrum of the type of issues which constitute the Court of Protection’s docket concerning the welfare of people who do or may lack capacity in the health and welfare context. It also includes work concerning adult social care which cannot be categorised anywhere else (“administrative law and human rights” being of note for more macro-level work regarding funding and related

policies). Issues of childrens’ social services in family law fora should be submitted for “family: children and domestic abuse”, although work concerning medical treatment of children before the Court of Protection should be continue to be submitted here. Please note the “private wealth and probate” section, which covers property and affairs work.

Crime: The Crime section covers criminal work that would typically come under the banner of violent and sexual offences, such as murder and rape at the most serious end, but also covers all manner of non-financial offending, such as modern slavery offences, the full range of terrorism offences, and organized crime matters. This covers work for the prosecution, primarily for the CPS but also including private prosecutions, and defence work, legally aided or not. It does not cover criminal fraud or corruption and sanctions-type offences: please see the Crime: fraud and Business and regulatory crime sections for coverage of those specialisms. International crime and extradition and POCA and asset forfeiture are also covered separately. That said, many barristers are likely to have practices that do not neatly fit within these boxes and so may be ranked in more than one practice area. The size of the section should be seen as a continued vote of confidence in the wealth of talent at the self-employed Bar, noting the relative size of the criminal Bar compared to other specialisms, but this should not detract from the fact it is a highly competitive section, in which inclusion is highly selective even by the standards of Legal 500.

Crypto and blockchain assets: This section covers the full range of civil disputes concerning assets using distributed ledger technology and related Web3 technologies. This would including commercial disputes, regulatory, asset tracing, and civil fraud matters involving all cryptocurrencies, non-fungible tokens (NFTs), central bank digital currencies and related assets. Cases regarding smart contracts and decentralised autonomous organisations (DAOs) are likely to be relevant to this section. Family litigation is only relevant to this area if it concerns the specific legal treatment of cryptoassets.

Data protection: This section includes fully contentious and specialist advisory work, primarily focussing on compliance and investigations within this field, as well as litigation on the subject of data breaches, including cases brought by claimants under group litigation orders. Privacy claims in a media or journalistic context, or concerning individual statements on social media, will not be considered in this section: please submit it for “defamation and privacy” (on the other hand, for instance, a claim against a

social media platform for a breach of user data would be a prime example of work in this section).

Defamation and privacy: This section includes defamation work in the traditional sense, however also includes data protection and misuse of private information claims within a journalistic, social media or similar context; data protection work concerning data breaches and similar are better suited to the “data protection” section. Please do not include defamation work in submissions for “media and entertainment”.

Education: This section includes advice to parents, students, academics and institutions at both school and university level. This will include disputes touching on themes such as – non-exhaustively – academic freedom, expulsions, selection policies, litigation over results and grading, mergers of institutions, discrimination, special educational needs and similar.

Elections: This section covers elections to national, devolved and local government offices, including challenges to their result and litigation concerning the regulation of campaigns. Trade union and other organisational elections are not the primary focus of this section.

Employment: This section includes the full range of employment work for employers, trade unions and individual employees. The top barristers will be involved in heavyweight appeals, alongside Employment Tribunal and Employment Appeal Tribunal work, with typical cases concern unfair dismissal, harassment and discrimination, injunctions related to individual and team moves, whistle-blowing matters, and the enforcement of restrictive covenants, internal investigation and worker status, trade union relations and similar. Health and safety and pensions are covered separately.

Energy: This section includes disputes over energy-related disputes and regulatory matters. Much work will concern power projects, including in international arbitrations.

European Union relations: While in the past we would have typically expected counsel in this section to be active in cases before the Luxembourg court system as well as EU/retained law matters in London, owing to the runoff of British ECJ cases and the loss of rights of audience, realistically this section will be more focussed on London work concerning the interpretation of retained EU law in the British courts. However, it does continue

to include work done by London counsel in the EU institutions, including when done on an Irish (or other EU) practicing certificate.

Extradition: This section the full range of extradition work, for both requested persons and states, as well as similar matters concerning international arrest warrants, mutual legal assistance, INTERPOL Red Notices and other tools of cross-border law enforcement. international criminal law work – including ICJ cases turning on allegations of breaches of international criminal law – is covered in the “international human rights and criminal law” section.

Family: children and domestic abuse: This section covers the full range of private and public law child work before the family courts. More complex matters, such as ones with international elements (such as international child abduction) and multiple parties, will be of particular interest. Surrogacy and related matters are germane in this practice area as well. In addition, this section explicitly includes the full spectrum of domestic abuse, including coercive control order-related litigation, whether children feature in the family or not.

Family: divorce and financial remedy: This section focusses on financial provision after divorce/dissolution of civil partnerships. Tax counsel who handle tax points in HNW family cases are encouraged in the strongest possible terms to submit it for “tax: personal”, but it will not be considered here. Domestic violence work should be submitted in “Family: children and domestic abuse”.

Family: private FDR judges and arbitrators: This section covers those who sit as family arbitrators, and as judges in private FDRs, either full-time or part-time.

Financial services and fintech regulation: This ranking covers investigations by the FCA and PRA into fintech companies, banks, building societies, credit unions, fintech companies, insurers and major investment firms. We would expect submissions to include internal investigations, as well as external investigations, into allegations of market misconduct and corruption such as money-laundering, as well as advice on regulation before disputes arise. This section is roughly analogous to the financial services: contentious ranking in our solicitors coverage; the division between this and licencing for higher risk CFD/spread betting products is that this section covers those regulated by

the FCA; anything covered by gambling regulators is probably better considered in licensing. Please also note the “crypto and blockchain assets” section.

Looking for fraud: civil? This section has been merged into commercial litigation.

Fraud and white-collar crime (renamed and scope amended): Work taken into account in this section includes a broad spectrum of fraud and white-collar crime, including criminal prosecutions of Ponzi schemes, VAT frauds, boiler room frauds, and bribery offences not involving large corporates, among others. Please note the separate changes to the business crime: large corporates section- this section is generally for those where the defendants are not FTS350-scale companies or their agents. POCA and asset forfeiture expertise is also ranked separately, as is violent crime, which is covered in the Crime: general section. That said, many barristers have practices that do not neatly fit within these boxes and so may be ranked in more than one practice area but submissions should clearly relate to this area. This is broadly a replacement for the fraud: crime section, but this definition is amended to make the boundary lines clearer.

Looking for “fraud: crime”? This has been replaced with “fraud and white-collar crime”.

Group litigation: This section covers group litigation order cases and representative actions; in other words work that would be referred to as “class actions” in a number of foreign jurisdictions. Work in this section should primarily focus the mechanics of bringing cases on a collective basis, including relevant jurisdictional, civil procedure and costs issues.

Health and safety: This section covers criminal health and safety prosecutions in the criminal courts, whether prosecuted by the HSE, local authorities or the CPS. Inquests and inquiries are covered separately, as are various the potential civil claims arising from the underlying facts of a criminal health and safety prosecution.

Immigration (scope clarified regarding interaction with administrative law and human rights): This section includes the full range of interaction with the British borders and citizenship system, for the Home Office and claimants from all walks of life (from refugees and asylum seekers whose representation is funded by legal aid through to HNWIs paying independently). Asylum

claims and visa related matters will make up the bulk of the work in this area, however to be clear matters concerning immigration detention (including conditions in it and bail from it), migrants' access to the British welfare state, and other matters turning on the distinction between citizens and non-citizens are relevant here. Please note that this section includes a large amount of work which is centred on judicial review; work on cases in the immigration context is more relevant to this section than to administrative law and human rights.

Inquests and inquiries: This section includes work concerning statutory and similar inquiries and the representation of parties at inquests, as well as judicial reviews of inquests and inquiries. What it does not include, however, is other matters such as clinical negligence claims which run in parallel to inquests but are not themselves germane to this section.

Insolvency: This section covers the full spectrum of personal and business insolvency work.

Insurance and reinsurance: This section covers litigation which concerns insurance policies as insurance policies – coverage disputes, for instance – as well as disputes concerning re-insurance. What is not relevant in this section is other areas of work – professional negligence or personal injury for instance – where the insurance is not the substantive issue in dispute, but the activity of a party or part of a party's funding arrangements.

Intellectual property: All work of the Bar concerning copyright, trade marks, and patents (including standard essential patents), as well as the full gamut of more exotic forms of IP including plant breeding rights and similar are covered here. Cases concerning purely editorial content can be can also be relevant to “media and entertainment”, barristers who submit for both are encouraged to send in distinctive submissions for each if possible.

International arbitration: arbitrators: This section covers those who sit as arbitrators in international disputes, including mainstream commercial arbitrations, ones concerning construction, and investor-state arbitration. Work specifically as a sport arbitrator is not included. Full-time arbitrators and those who also have counsel practices will now be ranked in one table.

International arbitration: counsel: This section covers counsel in international arbitrations, across the full spectrum of the arena. It includes work that would also be covered as shipping and similar,

but is not a duplicate of these rankings and counsel seeking to be ranked should seek to demonstrate their identity as arbitration practitioners. Practitioners exclusively handling sports law arbitrations should submit for “sport”.

International human rights and criminal law: The criminal prong of this section includes work before international criminal tribunals and the application of these expertise in universal jurisdiction cases, as well as English crown court cases concerning International Criminal Court Act offences. Not included are more general criminal cases before the English courts, even if they involved cross-border investigations, or criminal appeals from other jurisdictions to the Privy Council within the ambit of the general crime section. The international human rights prong includes all manners of international and supranational court cases touching on human rights issues, although cases against the United Kingdom in the European Court of Human Rights should be submitted as “administrative law and human rights”; a natural home for Privy Council cases from the Caribbean touching on human rights issues is “Other Expertise” in “The English Bar Offshore”. The two elements of these cases are straddled by cases in which international bodies are being asked to find violations of international criminal law through the enforcement of other treaties (e.g. the Gambia v Myanmar and Ukraine v Russia cases).

IT and telecoms: projects and services: This section covers disputes primarily concerning IT outsourcing and projects of a type in which there will be a heavy degree of cross-over with construction and outsourcing-related work. Telecoms regulation is covered separately, noting that Telecoms Code work concerning land law and physical telecoms infrastructure is considered regulatory. Work which concerns standard essential patents should be submitted for “intellectual property”.

Licensing: This section includes the full range of licencing activity, mostly governed by local authorities. Most of this will concern the hospitality trade, including alcohol sales, late-night refreshment, sexual entertainment venues, casinos and similar, but it also includes taxi licensing. Please note that this is not a betting and gaming section, and generalised litigation involving bookmakers and casinos (as distinct from their regulation) is not included in this section.

Media and entertainment (excluding defamation): This section covers disputes in the media and cultural sphere, including over disputes over authorship, finance, copyright and broadcast

regulatory matters (such as compliance with the Ofcom broadcasting code). Defamation work is outside this section, and should be submitted for “defamation and privacy”. This section now includes the full range of cultural matters, with the exception of the art market, which are now in a fully separate “art and cultural property” section. Intellectual property matters sitting squarely within the arts and culture space are within the scope of this section, however this section will not duplicate the intellectual property rankings by including more general trade mark and copyright work that does not concern editorial content.

Partnership: This section covers both contentious and non-contentious matters. This ranking will be focussed on partnership practitioners advising on the mechanics of partnerships, as opposed to employment-focused lawyers who also handle some partnership work. Key areas of focus include work relating to partner investigations and allegations of wrongdoing, partner and team moves and work around restrictive covenants, and advice to clients reviewing their partnership constitutions. Many of these disputes will be resolved by arbitration.

Pensions: The Pensions section covers all manner of pension-related disputes typical for the practice area; typical work in this section includes Environmental, Social, and Government (ESG), Guaranteed Minimum Pension (GMP) Equalisation, and Master Trusts issues. Court work is a focus of this section, but it will also include some advisory matters as well. It does not include criminal matters brought forward in light of the Pensions Schemes Act 2021 – these fit in the relevant sections relating to white-collar and corporate crime.

Personal injury (scope now includes credit hire): This section covers the gamut of personal injury work, including industrial disease, international cases (including those who focus on those areas of work, some of who may not necessarily describe themselves as personal injury barristers) and matters where fraud is alleged. As this section includes a significant amount of motor vehicle collision litigation, credit hire is now in the scope of this section.

Planning: The planning section includes work for all stakeholders in this space. It includes work concerning both infrastructure projects (airports for instance) and large residential developments, as well as smaller disputes of the variety that can often be of particular importance to individual private clients.

Police law: claimant: This section covers the full gamut of civil litigation against the police for victims of crime, suspects, offenders and the broader public. Work for constables against forces should still be submitted in “police law (forces and constables)”. “Law enforcement bodies” as mentioned earlier generally means the police, but would also include, among others, the National Crime Agency and HMRC.

Police law: forces and constables: This section focusses on work for law enforcement bodies and officers in areas including the defence of civil claims and disciplinary matters – in the latter, it includes representation of forces and officers of all ranks. Some weight will also be given to representation of forces and officers in personal injury and employment tribunal claims in the policing context.

Private wealth and probate: This section focusses on work in the English courts, covering UK trusts, contentious probate and private client disputes including property and affairs disputes before the Court of Protection. Please submit offshore trusts work for The English Bar Offshore later in the year.

Proceeds of crime (POCA) and asset forfeiture: This section has a particular focus on individual lawyers who specialise in post-conviction litigation. In addition, it includes other asset forfeiture proceedings, unexplained wealth orders, and other criminal finances issues. That said, many barristers are likely to have practices that do not neatly fit within these boxes and so may be ranked in more than one practice area.

Product liability: This section covers work concerning liability for defective products, spanning from pharmaceuticals and medical devices through to consumer goods.

Professional disciplinary and regulatory law: This section covers all types of professional disciplinary work, including in the medical, veterinary, audit, teaching and the full range of professions supervised by an independent regulator. Work for both regulators and the regulated is covered. Advice to solicitors on fee arrangements is best covered in costs. Please do not submit financial services regulation or police law cases in this section, they should be considered for financial services regulation or police law: forces and constables.

Professional negligence: This section covers all types of professional negligence work, including in the construction, legal,

financial, pensions, veterinary and tax contexts. The rankings include both claimant and defendant work. Clinical negligence and professional disciplinary work are covered separately.

Property litigation: This section covers the full range of property-related disputes, excluding social housing, ranging from landlord-tenant (1954 Act) disputes, to real property work, including easements, restrictive covenants, transactional disputes, rights to light, right of way, and development issues. Other notable legislation includes Land Registration Act 2002, 1989 Laws of Property Act, Trusts of Land Act 1996. Ranked barristers in this section are regularly trusted in major precedent-setting or high value cases and display a clear specialism in several areas of property law. Social housing – a section for work concerning the social rented sector – is covered separately, but the avoidance of doubt the full range of work in the private rented sector should be considered here, including rent repayment orders.

Public international law: Public international law covers a wide variety of disciplines, but for the purpose of this section, the rankings are primarily identifying those barristers with a strong focus on investment treaty arbitration, state immunity issues and state versus state disputes not focussed on human rights issues. That said, those active in state versus state disputes in which states are alleging human rights abuses should submit for “international crime and human rights”, as should those handling supranational human rights court work. We are also aware that there are many cases where there is not a fully clear dividing line between what is and is not a human rights case.

Public procurement: Public procurement work includes the full range of matters concerning the procurement of goods and services by local, devolved and national governments.

Rating and valuation: This section covers disputes around business rates and compulsory purchase valuations.

Sanctions: This section covers behind-the-scenes advice on compliance with sanctions, challenges to designations on the sanctions list, and commercial disputes turning on sanctions issues. Criminal jury trials concerning sanctions offences should be submitted in the relevant crime sections.

Shipping: Work covered by this section includes claims concerning collisions, damage, loss and cargo, charterparty and bills of lading disputes, as well as shipbuilding, and ship sale and purchase.

Shipping finance disputes are covered owing to the specialist nature of the shipping industry. Work will include matters related to casualties, ship arrests, sanctions and insurance claims, with lay clients including shipping companies and P&I clubs.

Social housing: Work in this section includes possession claims, anti-social behaviour matters, housing allocation and disrepair claims and similar, specifically within the social housing sector. Work elsewhere in the housing market – including rent repayment orders, and the full range of landlord and tenant matters in the private rented sector – is a part of the property litigation section.

Sport: This section covers a broad range of work concerning sport at the professional/elite level, including regulatory, disciplinary, anti-doping, governance and safeguarding matters, as well as commercial disputes firmly embedded in the context of elite sport. Personal injury matters involving recreational sport are not covered in this section, but cases involving professional athletes will be considered to the extent that there are specific issues of liability and quantum in that context. Most sports would be likely to fall under the established systems of governance and doping control, and note that we include sports involving animals such as horse and greyhound racing, and elite level e-sports (as distinct from video games as entertainment products, or most streamers on platforms like Twitch). Matters concerning hunting and field sports (as distinct from, for instance, British Shooting's events) are better considered as agriculture and estates, and injuries inflicted by race horses are better suited to personal injury (unless the victim is a professional jockey).

Tax: corporate: This section concerns the full range of contentious tax matters outside the private client and VAT/excise context for both taxpayers and HMRC. Corporation tax matters will constitute a large proportion of work in this space. This section will involve a degree of public law expertise, including relevant judicial reviews, but submissions should not be based on public law cases with secondary connections to tax.

Tax: personal: This section covers advice to individuals and families on the UK's system of personal taxation. It is anticipated that a lot of this work will be advisory rather than contentious matters that reach trial, although work that involves fully-formed litigation against HMRC is most welcome. Tax advice and representation in the context of family litigation should be submitted in this section.

Tax: VAT and excise: This section covers the representation of HMRC and taxpayers in disputes concerning the VAT, excise duties and customs duties. Tax tribunal cases in which HMRC alleges MTIC fraud may be submitted here.

Telecoms regulation: This section primarily concerns the regulation of telecommunications services, which includes telecommunications code matters concerning the physical siting of infrastructure governed by the Telecommunications Code.

Regional (England and Wales circuits)

Please note that, in the case of the Welsh circuit, an additional degree of flexibility on the geography of work highlights will be given to practitioners based outside Wales who can demonstrate advocacy work in the Welsh language.

Administrative law and human rights: This section covers the same work as in London in this area, and other public law specialisms not specifically covered, including European Union law.

Agriculture: Same definition as in London.

Business and regulatory crime (including health and safety): This section a broad definition of business crime, including work for smaller businesses than the “business crime: large corporates” section in London, and also includes work that would be categorised in London as “health and safety”.

Clinical negligence: This includes all work that would be considered in this section in London, plus product liability work that concerns medical products.

Commercial litigation: A considerably broader definition on this work is taken on circuit, including anything that could more broadly be defined as a commercial dispute that does not fit in to one of the specific other circuit-by-circuit practice areas, such as banking litigation, shipping, competition law and international arbitration.

Company and insolvency: This includes matters considered as “company” or “insolvency” in the London definitions.

Costs and litigation funding: Same definition as in London.

Court of Protection: health and welfare: This section includes all work concerning community care and the court of protection, including both health and welfare and property and affairs work.

Crime (general and fraud): This section includes work that fits the London taxonomy as “crime: general”, “extradition”, “Proceeds of crime (POCA)” and other criminal areas in London, as well as much of the work that fits in “fraud and white-collar crime”.
Education: Same definition as in London.

Employment: Same definition as in London.

Family: children and domestic abuse: Same definition as in London, with the addition of work as arbitrator concerning children.

Family: divorce and financial remedy: Same definition as in London, with the addition of work as arbitrator, mediator or private FDR judge concerning financial remedies.

Immigration: Same definition as in London.

Inquests and inquiries: Same definition as in London.

Intellectual property: Same definition as in London.

IT, telecoms and data protection: This includes all work considered in London as “IT and Telecoms” or “data protection”.

Licensing: Same definition as in London.

Media, entertainment and defamation: This includes all work considered in London as “media and entertainment” or “defamation and privacy”.

Personal injury: Same definition as in London.

Planning: Same definition as in London.

Private wealth, probate and tax: This section covers all tax work, as well as work that would be considered in London as “private client: trusts and probate”. Please note this is not a “chancery” section and company work is covered separately.

Professional disciplinary law: Same definition as in London, with the addition of police discipline law.

Professional negligence: Same definition as in London.

Property and construction: This covers work that in London would be characterized as “property litigation” or “construction”.

Social housing: Same definition as in London.

Sport: Same definition as in London.

Scottish Bar

We understand Scottish Advocates come to the Bar after training with solicitors’ practices, and in most cases after practice as a solicitor. The standard definition of Rising Stars in Legal 500’s Bar coverage applies in Scotland, that is to say treating the first year of admission in any jurisdiction and of any type as year of call in determining who is under eight years of call. Therefore, while there are likely to be fewer Rising Stars in our coverage of Scottish Advocates, we are keen to see submissions from advocates as soon as they finish devilling.

Commercial disputes: This section includes commercial disputes in the broadest sense of the term. This would include all manner of commercial litigation, including intellectual property, technology, shipping, media law and other matters, company law work, professional negligence, international arbitration, competition law and much more.

Crime, regulatory and inquiries: This section includes the full range of criminal and quasi-criminal work. This includes everything from both violent and white-collar criminal law work, health and safety offenses and criminal fraud, as well as professional regulation and contentious financial services regulation. It also includes work concerning inquiries, such as fatal accident inquiries.

Employment: This section includes the full range of employment work for employers, trade unions and individual employees. The top advocates will be involved in heavyweight appeals, alongside Employment Tribunal and Employment Appeal Tribunal work, with typical cases concern unfair dismissal, workplace harassment and

discrimination, injunctions related to individual and team moves, whistle-blowing matters, and the enforcement of restrictive covenants, internal investigation and worker status, with the application of data protection law to the workplace a notable emerging area and disputes over pay, bonuses, and the National Minimum Wage also germane. Please note that this section covers Scottish Advocates handling work before English tribunals, but not non-dual-qualified English counsel appearing north of the border.

Family and private client: This includes the full range of family law, both financial remedy and child law, matters concerning the Public Guardian (the sort of work that in England would be considered Court of Protection), trusts matters, confirmation disputes (work along the lines of what would be referred to as “contentious probate” in England and Wales) and similar.

Medical negligence and personal injury: In this section, we are looking for practices demonstrating ability in the most high-value cases (including brain injury, birth injury, wrongful birth claims, paralysis, failure or delay in diagnosis of medical conditions, fatal claims). Unlike in England and Wales, product liability cases concerning drugs and medical devices, or any other product which is alleged to have caused physical injuries to its users, is best categorized in this area. Counsel practicing in both areas may wish to include more than the typical five highlights; de-merging medical negligence from personal injury work is something we may consider in future.

Property, construction and planning: This section covers all manner of work concerning the use of land, from the planning process through building to the full spectrum of disputes around the use of buildings. Work concerning agricultural land should be included here.

Public law: This section includes a very broad range of work involving the relationship between individuals and elements of the state. A deliberately broader scope in this area is taken than in England and Wales – notably, those in tax, immigration, social housing, public international law, EU law, professional regulation and civil actions against the police to name but a few would be included here, on top of the full range of work for local, devolved and Westminster government. Planning, however, is covered in “property, construction and planning”.