

Jacqueline Fordyce

Year of Call: 2016

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Professional Career to date

Devil Masters: Morag Ross QC, Gavin MacColl QC, Susan Duff

June 2016: Admitted to the Faculty of Advocates

January – March 2016: Part-time Lecturer in Constitutional & Administrative Law, Edinburgh Napier University

2015 – 2016: Devil, Faculty of Advocates

2012 – 2015: Law Clerk to the Lord Justice Clerk (Lord Carloway), Scottish Courts & Tribunals Service

2012: Senior Solicitor, Litigation and Dispute Resolution, Tods Murray LLP, Edinburgh

2009 – 2012: Solicitor, Litigation and Dispute Resolution, Fyfe Ireland LLP, Edinburgh

2009 – 2010: Part-time Tutor, University of Edinburgh

2007 – 2009: Trainee Solicitor, Fyfe Ireland LLP, Edinburgh

Education & Professional Qualifications

International Human Rights Law (Distance Learning), University of Nottingham (2017-18)

Lord Reid Scholarship, Faculty of Advocates (2015-16)

LLM Advocacy (with Distinction), University of Strathclyde (2012-13)

Dip LP Diploma in Legal Practice, University of Edinburgh (2006-07)

LLB Law (Hons) (First Class), University of Edinburgh (2002-06)

Areas of Expertise

- Public Law, Judicial Review and Human Rights
- Commercial Contracts
- Media Law
- Professional Liability
- International

Professional Experience

Jacqueline called to the Bar in 2016, as the Lord Reid Scholar 2015-16, and has been involved in a variety of matters, including public law, judicial review and human rights proceedings; contractual disputes; professional liability and disciplinary proceedings; media law; public inquiry; and international law. She has appeared before the sheriff courts, Sheriff Appeal Court, Court of Session (Inner and Outer Houses), and United Kingdom Supreme Court.

She has a particular interest in public law, in both the domestic and international spheres. She has lectured in constitutional and administrative law in Scotland. She has undertaken in-depth studies in international human rights law, and has recently been appointed to the Equality and Human Rights Commission's panel of preferred counsel in Scotland. She has also provided regular pre-publication advice to a national newspaper in Scotland.

Jacqueline has recently worked as a Visiting Professional in the Appeals Chamber of the International Criminal Court (ICC) in The Hague, assigned to the President of the Court, Judge Eboe-Osuji, gaining experience of international criminal law, including questions of state immunity, and international administrative law matters.

Jacqueline further benefits from distinct quasi-judicial experience, having assisted both the current Lord President (Lord Carloway) and the current Lord Justice Clerk (Lady Dorrian) in the performance of their judicial functions, during two periods working as Law Clerk to the Lord Justice Clerk. She has thereby acquired broad experience of the work of the Inner House of the Court of Session and High Court of Justiciary Appeal Court, and developed a particular understanding of effective appellate advocacy and strength in opinion writing.

Jacqueline is a council member of The Stair Society and a past council member of The WS Society. She previously qualified and practised as a litigation solicitor in Edinburgh.

Recent Cases

The Prosecutor v Omar Hassan Ahmad Al Bashir, ICC-02/05-01/09 (as Visiting Professional in the Appeals Chamber of the ICC) (assisting in appeal proceedings by the Hashemite Kingdom of Jordan against Pre-Trial Chamber's finding of non-compliance with warrant for arrest and surrender of sitting President Al Bashir of Sudan and related referral to the UN Security Council)

Lyle v Webster & Anr [2019] SC DUN 2 (counsel for the defenders in respect of financial claims arising from cohabitation based on alleged breach of non-commercial agreements and unjust enrichment)

Ross Dickson, Petr [2018] CSOH 19 (junior counsel in judicial review of police disciplinary procedures)

Brown v The Parole Board for Scotland & Ors [2017] UKSC 69 (landmark decision on scope of duty under art. 5 ECHR to provide real opportunity for rehabilitation to prisoners serving extended sentences)

Kidd v Paull & Williamsons LLP & Anr [2017] CSOH 16 (junior counsel in defence of high value professional negligence and related claims against solicitors)

McDowall v G4S Care and Justice Services (UK) Limited [2016] SC EDIN 67 (claim for 'just satisfaction' damages in respect of alleged breach of prisoner's human rights under art. 3 and art. 8 ECHR)

Advocates Appointments & Memberships

April 2019 – present: Panel Counsel, Equality and Human Rights Commission

April 2019 – present: Council Member, The Stair Society

July 2018 – January 2019: Visiting Professional (Chambers), International Criminal Court, The Hague

January 2018 – July 2018: Law Clerk to the Lord Justice Clerk (Lady Dorrian), Scottish Courts & Tribunals Service (ad hoc appointment)

2017 – present: Law Reporter, Session Cases, Scottish Council of Law Reporting

2013 – 2016: Council Member, The WS Society

2011 – present: Writer to the Signet

Publications

The plight of the landlocked proprietor 2012 SLT 243
A complainer's right to litigate – observations on the courts' relationship with the Financial Ombudsman Service and Scottish Legal Complaints Commission 2011 SLT 287
Land Reform (Scotland) Act 2003 – pushing the boundaries 2010 JR 263
Diligence on the dependence – a return to the old regime? 2009 SLT 71

Advocates Additional Information

Jacqueline is a member of the Scottish Public Law Group (SPLG), The WS Society, and The Stair Society.