

JUSTICE AND SECURITY ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Disclosure of sensitive material

Section 9: Appointment of special advocate

92. **Section 9** deals with the appointment of a special advocate to represent the interests of an excluded party in closed material proceedings. This person would be a security cleared lawyer. This is in line with procedures adopted in respect of other closed material procedures such as those before the Special Immigration Appeals Commission (SIAC).
93. The section states that special advocates are, depending on the jurisdiction concerned, to be appointed by the Attorney General, the Advocate General for Scotland or the Advocate General for Northern Ireland. The special advocate is not responsible to the person whose interests they represent. A person may only be appointed as a special advocate if they have the qualifications set out at *subsection (5)*.