



CROWN PROSECUTION SERVICE – SPECIALIST ADVOCATE PANEL SCHEME

SPECIALIST PANEL – EXTRADITION

SELECTION CRITERIA LEVEL 1

Introduction

1. This entry level is intended to be a testing ground for the identification of suitable counsel who are able to have conduct of extradition proceedings on behalf of the CPS.
2. The criteria for level 1 are intended to be less onerous than for other levels. If it were otherwise, substantial numbers of applicants would be denied the opportunity to gain experience as extradition advocates for the CPS, in order to progress to higher levels.
3. For entry to the Extradition Panel, Level 1 applicants must provide demonstrable evidence in respect of one of the following:
 - i. the ability to skillfully handle complex issues which frequently face prosecution advocates, including advice on charges, difficult disclosure issues, and vulnerable victim and witness handling in serious cases at the Magistrates', Youth or Crown Courts.
 - ii. Conduct of recent and regular extradition advocacy at Westminster Magistrates' Court
 - iii. Successful completion of the CPS Extradition Unit's fast track training course.
4. Prior to appointment to the Panel, applicants will also be required to complete 5 consecutive days shadowing with the CPS Extradition Unit at Westminster Magistrates' Court and then complete two observed full day court sessions. These court sessions will be observed by a Legal Manager from the CPS Extradition Unit.
5. The first observed court session will be in Court 3 where the applicant will be expected to deal with new extradition cases. The second observed session will assess the applicant's ability to cover a full day's list of contested extradition hearings. The Legal Manager must be provided with the applicant's "opening note" for all contested hearings before they commence.
6. Applicants must make themselves available to complete the two "observed" sessions within 6 weeks of shadowing the CPS Extradition Unit.



7. Applicants who have completed the CPS “Fast Track” extradition training will be exempt from shadowing the extradition unit for 5 days. However, they will still be subject to one observed court session before admission to the list.
8. Successful Level 1 applicants will be expected to cover a wide range of extradition work at Westminster Magistrates’ Court. This will involve initial hearings, video link remands, bail applications and case management reviews conducted with the general supervision and support of an experienced CPS prosecutor. Once they have successfully conducted a range of such hearings, successful applicants may progress to covering straightforward contested extradition hearings as part of their learning and development. Advocates may also be instructed to cover appeals against the grant of bail at the High Court.
9. By conducting this variety of hearings, it is envisaged that Level 1 advocates will develop their skills and experience, thus providing them with demonstrable evidence of their suitability to progress to Level 2 should they wish to apply for upgrade.

GRADE SPECIFIC SELECTION CRITERIA

10. The criteria for assessment will be:
 - Advocacy
 - Advisory Work
 - Other relevant knowledge, skills and experience (including relevant defence experience)
 - Appreciation of the CPS Advocate’s role in extradition proceedings.
11. Applicants for Level 1 will be expected to demonstrate the following:
 - Advocacy criteria**
 - Completion of pupillage with three or more years post qualification experience. Solicitors will be required to have three or more years post higher rights experience.
 - One of the following:
 - i. the ability to conduct complex prosecution advocacy with issues such as disclosure, vulnerable victims and witnesses or abuse of process arguments in serious Magistrates’, Youth or Crown Court cases.
 - ii. Conduct of recent and regular conduct of extradition advocacy at Westminster Magistrates’ Court.



- iii. Successful completion of the CPS “Fast Track” extradition training course along with the date of attendance.

Advisory Work

- The ability to conduct prosecution advisory work in respect of all serious Magistrates’, Youth or Crown Court cases. This must include providing advice on charges. It is also desirable if the same example/s touches upon one or all of the following:
 - Disclosure
 - Admissibility of evidence
 - Abuse of process
- Alternately, successful completion of the CPS “Fast Track” extradition training course along with the date of attendance.

Other Relevant Knowledge, Skills and Experience

- IT skills – including word processing, use of e-mail and / or secure email
- Compensating strength in other factors
- Relevant defence, regulatory or immigration work of an equivalent level, if any

Appreciation of the Role of CPS Panel Advocate

- A knowledge of ethical standards
- A knowledge of CPS Values
- A willingness to work as part of a prosecution team without compromising professional independence
- A clear and thorough understanding of the professional relationship between the CPS Extradition Unit, foreign governments and judicial authorities.
- A clear understanding of the fundamental differences between the work of the CPS in criminal cases and in extradition cases.



References

12. Applicants for level 1 should provide one reference. An appropriate referee might be a CPS lawyer, head of chambers or a chambers advocacy trainer who has seen the applicant perform advocacy.
13. With regard to the type of work Level 1 advocates will be expected to undertake, referees should be able to state:
 - a. The extent of their knowledge of the applicant's work
 - b. How they assess the applicant's suitability to conduct extradition advocacy on behalf of the CPS. This assessment must bear in mind that the CPS Extradition Unit represents foreign governments and judicial authorities with all the accompanying reputational and diplomatic risks that may follow.
 - c. How they assess the applicant's ability in respect of advocacy and advisory work.

