



CROWN PROSECUTION SERVICE – ADVOCATE PANEL SCHEME

APPEAL PROCESS OVERVIEW (UPDATED JULY 2018)

Aim

1. This paper provides an overview of the Advocate Panel appeal process.
2. The paper explains the scope for appealing against the Advocate Panel outcome and the process for submitting an appeal.

General Enquiries

3. Enquiries from applicants regarding the appeal process should be directed by email to the following address: advocate.panels@cps.gov.uk

Scope for Appeal

Decision at pre-qualification stage not to accept application into the process	No appeal.
Unsuccessful at the level applied for but successful at the next level down	Appeal against the unsuccessful higher level assessment
Unsuccessful at the level applied for and unsuccessful at the next level down	A single appeal can be submitted against both unsuccessful assessments or just against the lower level assessment.
Successful for general crime but unsuccessful in relation to the 'Rape List'	Applicants can appeal against non-appointment to the 'Rape List' – but there will also be an option to make representations to the Circuit Advocate Liaison Committee (CALC) to be added to the local 'Rape List' at a later stage e.g. after required training completed.
Unsuccessful application to upgrade	Appeal against the decision not to upgrade
Unsuccessful application for temporary membership	No appeal.
Application to join second Circuit not granted	Appeal against the decision.

Submitting an Appeal

4. Applicants who have received the outcome of their application will have been advised whether they were successful or unsuccessful for the level applied



for. Where the applicant was unsuccessful for either the level applied for or the next level down they may appeal.

5. Where an applicant is unsuccessful they will be informed of each selection criteria where the assessment panel considered the application failed to meet the acceptable standard. This will help applicants to focus their appeal on the selection criteria which let down their application most.
6. If an applicant wishes to appeal they will have the opportunity to provide reasons for the appeal and any additional evidence using the appeal form. Any written submission must be restricted to the word count on the appeal form.
7. Applicants may submit one new additional supporting document with their appeal form. The document must be submitted by the appellant with their appeal form and must only be a single document from one author e.g. a letter of support, an example of written work, a reference etc, but it must not be a compendium of documents.
8. Applicants who wish to appeal are advised to review their original application form against the original guidance on the selection criteria and to address gaps and weaknesses in their appeal form.
9. All appeals at level 1 will be considered by a single member of CPS staff, who has not previously been involved in the assessment of the appellant's application.
10. All appeals 2, 3 and 4 will be considered by the Appeal panel for their first choice circuit. Appeal Boards will consist of a minimum of three members and comprise of CPS staff. Assessment Boards will proceed with two members where, due to a conflict of interest, a member has to excuse themselves from the assessment process. The Chair for the Appeal Panel must be either a Chief Crown Prosecutor or Deputy Chief Crown Prosecutor. The process will allow original applications to be re-assessed along with the additional information in the appeal form. Any revised score resulting from the appeal will also apply to the applicant's second choice circuit.
11. All appeal forms should be submitted by the applicant, electronically, to advocate.panels@cps.gov.uk.
12. All appeal forms must be submitted within 28 days of being informed of the result of the application. There is limited scope for applicants to submit a late appeal. Any appeals received after the closing date will not be accepted unless it is for good reason and by prior agreement, for example for reasons of pregnancy, maternity or extended paternity leave.



Result Notification

13. Applicants will receive the outcome of their appeal, via email. This marks the end of the appeal process. There is no further avenue of appeal.
14. If the appeal is unsuccessful for a new joiner application at levels 2, 3 or 4, applicants will not be permitted to apply again at that level for 3 years. Applications for level 1 are accepted at any time throughout the year.
15. If the appeal is unsuccessful for an upgrade application, the applicant will be required to wait three years from the date of the unsuccessful application before submitting a further application to upgrade their level.