



CPS Advocate Specialist Panel Scheme 2018 - 2022

## **CROWN PROSECUTION SERVICE – SPECIALIST ADVOCATE PANEL SCHEME 2018 - 2022**

### **APPLICATION / UPGRADE PROCESS (Updated September 2020)**

1. This document describes the separate **CPS Specialist Advocate Panels** processes which applicants must follow in respect of:
  - A) **Permanent membership** – applications to join the five Specialist Panels
  - B) **Upgrading** – applications from existing members to upgrade their level on the Specialist Panels
  - C) **Further information** – in respect of the following:
    - References
    - Submission of applications
    - Equalities Monitoring
2. This document does **not** relate to the **CPS Advocate Panel for General Crime and Rape and Serious Sexual Offences List** for which separate arrangements are in place. For further information, please visit the [CPS website](#).

#### **Introduction**

3. All advocates applying to join a Specialist Panel or upgrade their level must meet the selection criteria relevant to each of the five Specialist Panels.
4. All applicants appointed to the Panel must agree to abide by the Advocate Panel Members' Commitment.
5. Applicants who join will be appointed for the duration of the Panel. The 2018 Specialist Panel is expected to run for four years to 2022. CPS has discretion to amend the duration but will only do so in consultation with the Bar Council and Law Society.
6. An annual application/upgrade window will be open in September each year. The CPS can hold the window at another period at its discretion.
7. The application process will be open and transparent and provide equal opportunity for all applicants. There will be no quotas in respect of gender, ethnicity, sexuality, age or disability for candidates being appointed onto the Panel.

#### **A) Membership – Applications to join the Specialist Panels**

8. Applicants applying to join one or more Specialist Panel must complete and submit a separate online application for each, relevant to the corresponding selection criteria. There are five Specialist Panels, as follows:
  - Counter Terrorism Panel – levels 3 and 4 only
  - Extradition Panel – levels 1, 2, 3 and 4
  - Fraud Panel (including fiscal fraud) – level 2, 3 and 4
  - Proceeds of Crime Panel – levels 2, 3 and 4



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- Serious Crime Group Panel – levels 2, 3 and 4
9. New applicants must determine for each application which level they wish to apply for and apply for one level only. Where there is a level below, the application will automatically be considered for the next level down if it is unsuccessful at the level applied for.
  10. Applicants must carefully consider which level to apply for based on their own assessment of their ability and experience.
  11. Applications will be assessed on the content of the application form, examples of work and written references. There will be no interview or other test as part of the assessment process.
  12. It is important that applicants take time and care when completing their application form. In doing so, applicants should refer to all of the available guidance.
  13. Please note:
    - Incomplete or late applications will not be assessed
    - Paper submissions are not acceptable
    - Email submissions will not be accepted.
    - Word limits must be observed
    - Sensitive identifying case information must not be included. Where sensitive information is contained in a supporting document it must be redacted. If sensitive information is included, the applicant will score zero for the relevant section
  14. Each applicant applying to join the Specialist Panels must submit, via the application portal, an application together with supporting material, where required, and ensure the application is complete with the required number of completed references. A separate application is required for each Specialist Panel. As part of the application process, applicants must also complete equalities monitoring questions.
  15. All successful applicants must sign-up to use secure email as a condition of being appointed to the Panel. CJSM accounts should be accessed regularly to ensure they are not disabled allowing for communications from the CPS to be received.
- Pre-Qualification Questions
16. All new applicants must answer pre-qualification questions as part of the application process. Further details can be found on the pre-qualification section of the website.

### Applications to join the Extradition Panel at level 1

17. Applications to join the current Extradition Panel at level 1 can be submitted any time, provided the applicant meets the relevant selection criteria.
18. An application to join the Advocate Panel at Level 1 consists of the following:



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- ✓ Completed Level 1 Extradition Panel online application form including equalities monitoring questions (not part of the assessment but must be completed)
  - ✓ A reference from an appropriate referee using the online system
19. Applicants for level 1 should have one reference. An appropriate referee might be a head of chambers, chambers advocacy trainer or a CPS lawyer who has seen the applicant perform advocacy.
- Applications to join the Specialist Panels at Level 2, 3 and 4
20. New applicants can apply to join the current Specialist Panel at levels 2, 3 or 4 during the annual application window each September using the online Application portal.
21. **Level 2** – an application to join any of the Specialist Panels for the first time at Level 2 consists of the following:
- ✓ Completed Level 2, 3 or 4 online application including equalities monitoring questions (not part of the assessment but must be completed)
  - ✓ References from two (2) appropriate referees using the application portal
  - ✓ One (1) recent example of drafting e.g. skeleton argument, advice (maximum of five (5) pages) to be attached to online application
22. Level 2 applicants should have two references. There is no requirement to submit a judicial reference in support of applications to join at Level 2. Please see the requirements below regarding upgrade applications.
23. Level 2 applications are not accepted in respect of the Counter Terrorism Specialist Panel
24. **Level 3** – An application to join any of the Specialist Panels at Level 3 consists of the following:
- ✓ Completed Level 2, 3 or 4 application form including equalities monitoring questions (not part of the assessment but must be completed)
  - ✓ References from two (2) appropriate referees using application portal
  - ✓ One (1) recent example of drafting e.g. skeleton argument, advice (maximum of five (5) pages) to be attached to online application
25. Level 3 applicants should have two references with at least one from a member of the full-time judiciary.
26. **Level 4** – an application to join any of the Specialist Panels for the first time at Level 4 consists of the following documents:
- ✓ Completed Level 2, 3 or 4 application form including equalities monitoring questions (not part of the assessment but must be completed)
  - ✓ References from three (3) appropriate referees using application portal



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- ✓ Two (2) recent examples of drafting e.g. skeleton argument, advice (maximum of five (5) pages) to be attached to online application

27. Level 4 applicants should have three references. At least one reference, but no more than two, should be from members of the full-time judiciary. Applicants with significant prosecuting experience should provide at least one reference from an instructing lawyer. However, if you have not undertaken a significant amount of prosecuting work and are unable to supply such a reference, this does not prevent you from applying. Please see the requirements below regarding upgrade applications.

### **B) Upgrading – Applications for upgrading to levels 2, 3 or 4**

28. Members of a Specialist Panel can apply to be upgraded to level 3 or 4 during the annual window by submitting an online upgrade application form.

29. Applicants who are successful in their upgrade applications will be permitted to apply to upgrade their level again during the next application window if they feel they meet the selection criteria for the level to which they wish to upgrade.

30. An application to upgrade to Level 2 (Extradition Panel Only), Level 3 or 4 consists of the following:

- ✓ Completed and submitted online upgrade application
- ✓ One (1) recent example of drafting e.g. skeleton argument, advice (maximum of five (5) pages) to be attached to online application
- ✓ Level 4 only - one (1) optional reference using the online portal

31. The online form has sections in relation to the five selection criteria and maximum words counts will apply.

32. The process for upgrading requires applicants to provide demonstrable evidence of improvement since being appointed to their current level and how they now meet the selection criteria for the level applied for in relation to:

- Advocacy
- Advisory work
- Experience of dealing with PII issues and Disclosure of unused material
- Other relevant knowledge, skills and experience
- Appreciation of the role of a Panel advocate

33. Since applicants for upgrading will have met the application requirements for their existing level, an abbreviated application process will apply for the upgrade exercise. This removes the need for applicants to provide details of pre-qualification issues and reduces the requirement for references in support of the application.



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### C) Further Information

#### References

34. New applicants should secure referees in accordance with the guidance. Although not an exhaustive list, the table below provides examples of appropriate referees at each level.

Level 1	Level 2	Levels 3 and 4
<ul style="list-style-type: none"><li>• Pupil Supervisor</li><li>• Heads of Chambers</li><li>• Chambers Advocacy Trainers</li><li>• CPS Lawyer</li></ul>	<ul style="list-style-type: none"><li>• Heads of Chambers</li><li>• Chambers Advocacy Trainer</li><li>• Instructing Solicitors</li><li>• Leading or opposing Advocates</li><li>• Instructing members of the CPS or other prosecuting authorities</li><li>• Advocacy Assessors</li></ul>	<ul style="list-style-type: none"><li>• Current or retired members of the full-time judiciary</li><li>• Members of the part-time judiciary</li><li>• Heads of Chambers</li><li>• Instructing Solicitors</li><li>• Leading or Opposing Advocates</li><li>• Instructing members of the CPS or other prosecuting authorities</li><li>• Advocacy Assessors</li></ul>

35. **PLEASE NOTE: It is the applicant's responsibility to ensure that all references are submitted to the CPS in accordance with the guidance no later than the deadline date.** The Advocate Panel team will not contact referees to request or chase references on behalf of the applicant. Accordingly, applicants should ensure that potential referees are given sufficient notice (28 days) of what they are required to provide and the date the applicant requires the reference.
36. An instructing member of the CPS may compose a reference for an Advocate Panel applicant. However, any reference provided by an instructing member of the CPS will be considered an organisational reference, and not a personal one. The draft reference must be referred to either the local Area CCP, or someone delegated by the CCP, for approval. Applicants should confirm with the CPS member of staff that they have submitted the reference.
37. Information for referees can be found in the Explanatory Note to Referees.

#### Submission of applications

38. The application form and all supporting documentation, including references, should be submitted using the application portal.