



Thank you for your interest in the Attorney General's Regional Panels of Junior Counsel to the Crown.

### **General Background**

The Attorney General maintains (by means of an open advertisement and application process) a number of panels of junior Counsel to undertake civil work for all Government departments. He has London Panels, Regional Panels, and Public International Law (PIL) Panels, each set up as follows:

- A Panel – this is for senior juniors with usually at least 10 years post pupillage advocacy experience at the point of appointment
- B Panel – this is for middle juniors who have usually at least 5 years post-pupillage advocacy experience
- C Panel – this is for juniors who have at least 2 years post-pupillage advocacy experience.

Note the years of experience are a minimum and many of those on the panel have considerably more experience than the minimum.

Members of the A Panel deal with the most complex Government cases in all kinds of courts and tribunals.

Members of the B Panel deal with substantial cases but not in general as complex as those handled by the A panel. They will generally be instructed where knowledge and experience of a particular field is required.

Members of the C Panel are likely to be instructed as sole advocates in County Court or Tribunal cases. They may be instructed as a junior to more senior Counsel.

The Attorney General's Regional Panel undertakes civil work outside London and the south east for all government departments. Membership is open to both barristers and solicitors with the necessary qualifications. Barristers must have a tenancy. Solicitors must have a higher court advocacy qualification. Those who do not benefit from the usual clerking arrangements in Chambers must address the suitability of their administrative arrangements for panel counsel work in the application form.

Candidates should apply for appointment to one of the following five areas:

- North (based on the Northern Circuit);
- Midland (based on the Midland Circuit);
- North East (based on the North Eastern Circuit)
- Wales (based on the Wales and Chester Circuit);
- South West (based on the Western Circuit).

The strength of the Regional Panel lies in its members having local knowledge of the area and its courts. Applicants will be expected to have a substantial professional connection with the area for which they apply e.g. be a member of the relevant circuit or have a principal practice address within the area. Applicants must apply for only one area. If you have a query about how these requirements may apply to you please contact [PanelCounsel@governmentlegal.gov.uk](mailto:PanelCounsel@governmentlegal.gov.uk)

The size of each panel is determined by need. Although appointment to any panel cannot be a guarantee that work will be available, we intend that each advocate appointed should be given at least a minimum amount of work, and monitor both the volume of work Panel members receive and the quality of that work, as judged by instructing solicitors.

As is the case every year, the Attorney General is looking for applicants with experience in **general public and administrative law; employment; or personal injury**. For the 2019 exercise, the Attorney is also looking to deepen the capacity of the panels by appointing specialists in the following areas:

- Admiralty
- Competition and State Aid
- Construction
- Contract / Commercial (including Digital Commercial skills)
- Corporate
- Costs
- Directors' Disqualification
- Education, including teacher regulation proceedings
- Energy/Utilities
- EU Law
- General Tax Work – Direct and Indirect, Personal and Business
- Human Rights
- Industrial Relations
- Information Law and Data Protection
- Inquests
- Insolvency
- Intellectual Property
- International Law
- Land and Planning/Environmental
- Mental Health/Mental Health Capacity Act 2005
- Offshore Oil and Gas
- Pensions
- Planning
- Procurement
- Property
- Rating and Valuation
- Social Security, including free movement, social justice and statutory payments
- Trade Law and International Trade
- VAT & Duties

The Attorney General is also looking to appoint applicants who are capable of advising departments on the interface of public and commercial law issues, and also where criminal or regulatory issues arise in public law cases.

Public International Law and Trade specialists are also eligible to apply for appointment to the Public International Law (PIL) panel, and there is no bar to being a member of both panels. The date for the next PIL panel competition is still under consideration so those with these specialisms are encouraged to apply in this competition.

#### **I am an existing panel member, do I have to re-apply this year?**

Appointments are for 5 years. There are very few appointments that end in 2019. There will be considerably more appointments that end in 2020. It is open to those appointed in 2015 to reapply this year or in 2020. Indeed it would be open to those appointed in 2018 to reapply this year but we think that would be unusual.

We have changed the time of year in which the Regional Competition is held. This means that the appointments of those appointed in 2015 (ending in October 2020) would end before the results of the 2020 competition became known thereby creating a gap. The Attorney General has therefore extended those 2015 appointments to the end of February 2021 to avoid that problem. Those appointed in 2015 can therefore apply either this year or in 2020 although we expect most people will want to wait until 2020. See further below.

#### **Which of A, B or C Panel to apply for?**

Applicants who are not already Panel Members can apply for whichever of the Panels A, B or C they consider most appropriate to their level of expertise and experience. However bear in mind that one reason the A, B and C panel system was set up was to create more opportunities for more junior Counsel successfully to apply for Panel membership. The Regional panels had become very top heavy on A Panel equivalents.

Please also be aware that if, for example, you apply to the B Panel and the Selection Board consider your application to be more appropriate for the C Panel they will not recommend you for appointment to the C Panel so it is very important that you take your time and decide which Panel is appropriate for you.

In this competition existing C and B Panel Members cannot reapply to join a Panel of which they are or have been a member. So a C Panellist must move up to B Panel and a B Panellist must move up to A Panel. There are some limited exceptions where we have written to the individuals concerned. This has affected one individual appointed in 2012, whose appointment was extended to 2019, who would otherwise lose the opportunity afforded to those appointed in 2012 of applying to whichever panel they chose. Another individual had only been on Regional B panel for a short period of time following a transfer from the London Panel. If anyone else thinks that they are a special case. Please contact [PanelCounsel@governmentlegal.gov.uk](mailto:PanelCounsel@governmentlegal.gov.uk)

If you apply for a higher panel and are unsuccessful this will **not** bring your current panel membership to an end. It will continue to the end of its term

For the sake of completeness and by way of advance information, we will be going out to consultation about a possible change in relation to the 2020 Regional competition. It has been suggested that we should allow anyone who is on the C or B Panel and who is coming to the end of their period of appointment to reapply for

same panel and for those already on the B or A Panel to reapply for a lower Panel. This is because of the nature and amount of work available in the Regions.

We will consult on this. It is by no means certain at the moment that the figures bear this proposition out. We will certainly be interested in your views. However any change will only take effect from the 2020 competition.

## Eligibility

Applicants must have:

1. At least two years advocacy experience in actual practice **by 31 October 2019** (starting from end of 2nd six months' pupillage for barristers, end of training contract for solicitors).
2. A substantial professional connection with the area in respect of which they apply.
3. Experience of both advocacy and advisory work in one or more of the areas of work covered by the panel. The areas are very extensive because the panel covers the wide range of public and private law in which central government is involved. It does not, however, deal with criminal prosecutions and involvement in litigation involving pure private client work is limited. Applicants with experience in those area will need to demonstrate the ability to work in other areas as well.
4. An appreciation of the special demands of government litigation.
5. Advocacy experience and ability as demonstrated by appearances before courts and tribunals.
6. Academic strength (2:1 or above) or compensating strength on other factors included in the application.
7. Written/drafting ability to be evidenced by a recent specimen of work (an opinion (or nearest equivalent)).
8. A willingness to work as part of a team with professionals from other disciplines without compromising professional independence.

## Application

All applicants are required to complete an application obtained via the Ministry of Justice Portal.

To obtain an application, please email [PanelCounsel@governmentlegal.gov.uk](mailto:PanelCounsel@governmentlegal.gov.uk) And ask to be registered to apply for the Regional A, B or C Panel. You will then be registered and sent a username and password to access the Ministry of Justice portal.

You can then complete the form in your own time, providing answers to questions set and providing evidence of your capability.

Once completed the form must be uploaded on to the Ministry of Justice portal – in Word format - no later than **midday on Thursday 31 October 2019**.

Applications submitted other than via the Ministry of Justice portal will not be accepted.

Competitions are by invitation only. Even if you have previously used the Ministry of Justice portal you will still have to ask to register and we will arrange to reactivate your account (and a new password will be required).

If you have difficulty in typing please contact the Panel Counsel Secretariat in the Government Legal Department on 020 7210 1506.

### **Equality and Diversity Monitoring Form**

The Attorney General panels of junior Counsel arrangements follow the fundamental principles of the Equality Act 2010. Accordingly, all applicants to join the Panel Counsel must complete an Equality Monitoring Questionnaire. Please **complete the form** and then upload it back on to portal (this can be in either Word or pdf format).

The Attorney General will appoint the advocates who appear to him to be best qualified regardless of age, disability, sex, gender reassignment, marital and civil partnership status, pregnancy and maternity, race, religion & belief, or sexual orientation. Women, members of ethnic minorities and those with disabilities are particularly encouraged to apply.

Completing the form will help us in our work to make the range of applications to the Panel truly reflective of all those who might be eligible to apply.

The information you provide will be treated in total confidence. The monitoring form will be kept separate from your application form and will not be seen by anyone involved in assessing your application or selecting the new panel members. The information will be used to compile anonymous statistics during the recruitment exercise, and retained only if you are appointed, again for statistical purposes regarding the composition of the Panels.

### **Selection**

The selection boards are chaired by a senior lawyer at the Government Legal Department and consist of lawyers from various Government Departments and a nominee representing the Bar Council. In addition, the First Treasury Counsel or another senior advocate with experience of government litigation often sits on the A Panel selection board. A member of a higher Panel often sits on the B Panel and C Panel selection boards.

Following consideration of all the applications, the selection boards will present their recommendations to the Law Officers. Appointments will be made by the Attorney General.

### **Mentoring**

We wish to encourage applications from as wide a range as possible of those eligible to apply. We will therefore endeavour to put lawyers, who are considering applying for the Panels for the first time and who want to discuss the application process, in touch with an established Panel member.

The mentor will discuss either by telephone or in a meeting the application process, the eligibility criteria and the presentation of relevant information on the application form.

If you are considering applying for one of the panels and want a mentor please contact the Panel Counsel Secretariat on 020 7210 1506 email: [PanelCounsel@governmentlegal.gov.uk](mailto:PanelCounsel@governmentlegal.gov.uk) on or before **Friday 11 October 2019**.

You may want to start to pull your application together before you speak to your mentor.

### **Information Security**

Those Government Departments that make use of the Panels take information security very seriously. Successful applicants will be expected to safeguard government information in their possession, to adhere to government information security requirements and to complete various questionnaires regarding compliance with those requirements during their membership of the panels.

### **Further Information**

We have produced a Frequently Asked Questions sheet which is available as a separate part of the application pack. If you cannot find the answer to your question on the FAQ sheet, please feel free to contact the Panel Counsel Secretariat in the Government Legal Department, on 020 7210 1506 or via email: [PanelCounsel@governmentlegal.gov.uk](mailto:PanelCounsel@governmentlegal.gov.uk)