



Thank you for your interest in the Attorney General's Regional Panel of Junior Counsel to the Crown. This sheet provides essential information for all applicants.

PLEASE READ BEFORE COMPLETING THE APPLICATION FORM.

General Background

The Attorney General maintains (by means of an open advertisement and application process) four panels of junior Counsel to undertake civil and EU work for all Government departments. He has three London panels (A, B and C) and a Regional Panel.

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 we monitor both the volume of work Panel members receive and the quality of that work, as judged by instructing solicitors.

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. Advocates may not be a member of both the London and Regional panels. If you have a query about how these requirements may apply to you please contact the Government Legal Department, PanelCounsel@governmentlegal.gov.uk

Unlike the London Panel those applying to the Regional panel do **not** apply to an A, B or C panel only to a particular area. We are, however, looking for a range of counsel of various levels of experience to deal with a range of cases. Where junior counsel are selected, we will expect them to have the potential to develop in due course into panel counsel who can deal with more difficult cases.

Appointments will be for a period of five years but may be extended at the discretion of the Attorney General.

Existing panel members appointed in 2010 must apply successfully this year in order to remain on the panel. Existing panel members appointed in 2012 may **not** apply for appointment in this competition.

There is a particular need for advocates with experience in one or more of the following areas: personal injury, directors' disqualification, employment, VAT and duties, commercial (including construction and engineering) and public law.

The Government places great importance on information security. Those appointed to the panel will have to meet minimum standards regarding the safeguarding of material in their possession.

Eligibility

Applicants must have:

1. At least two years advocacy experience in actual practice **by 1 October 2015** (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 following areas of work: judicial review; employment; planning; personal injury; negligence; immigration; environmental; charity; social security; mental health; costs; freedom of information; commercial; property; companies; chancery; directors' disqualification; insolvency; tax; VAT and duties; regulatory; competition; EU; and Human Rights.
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 class of degree or above) or compensating strength on other factors included in the application.
7. Written/drafting ability to be evidenced by recent specimens of work (an opinion and a skeleton argument).
8. A willingness to work as part of a team with professionals from other disciplines without compromising professional independence.

Application

Applications must reach us no later than **noon** on **Friday 31st July 2015**.

Application Form

You must return the original copy of your application form and any attachments plus four copies (five in total) individually stapled or Treasury tagged in the top left-hand corner to the address provided at the end of the form.

Please type your application. Putting the answers in a different font from the questions can help too. When completing your electronic application form please be sure each heading (Advocacy, Advisory, Written ability, Government litigation etc) print out in full. **It would also help if you did print your application using the double sided printing option.** If you have difficulty in typing please contact Diane Macfarlane, Government Legal Department, on 020 7210 3440.

Equality and Diversity Monitoring Form

We would also be very grateful if you **could complete the attached equality and diversity monitoring form** (one copy only, as it will not be sent to the Selection Board, please keep it separate from the other papers).

Written work

Bearing in mind that the selection board will not conduct interviews, it is important that the examples of written work that you submit fully reflect your abilities. Recent examples of well structured written work dealing with difficult topics in a manner that the reader finds reasonably easy to understand are more likely to create a favourable impression than those which do not.

References

Please provide three references.

We do not interview so the choice of referees is very important. Each reference, if chosen well, provides an opportunity to submit new and objective examples of clear and compelling evidence of an applicant's abilities. Advocacy is a fundamental part of the role of Panel Counsel. We would therefore expect at least one referee to speak in detail to an applicant's advocacy skills and experience.

We are looking for you to provide referees that can give an objective view of your abilities. The more senior the candidate then the more we will expect at least one reference from a member of the judiciary. We recognise that for lawyers with limited post qualification experience, it may not be possible to find a judicial referee. Such individuals ought to do the best they can to find a referee who can write about their advocacy skills.

Judicial references are particularly important for two reasons. First, they give us information about an individual's performance as an advocate in a court or tribunal. Advocacy is an important part of the work of a panel member even in respect of Chancery work. A judicial reference is one of the best ways we have of gauging this.

Second, judicial references are generally considered to be more objective. We have had judicial references that have addressed an applicant's weaknesses but we have rarely received a reference from a Head of Chambers that has been less than glowing. For that reason we particularly value judicial references.

The gold standard is therefore a reference from a Judge or Tribunal Chairman who has seen you on a number of occasions in a court or tribunal. If you cannot get such a reference then get as close to it as you can. For example, you may be able to supply a reference from someone who has led you, appeared against you or otherwise seen you in court.

If you have done a significant amount of Government work at least one of the references should come from a lawyer who has instructed you but if, as may well be the case, you have not done a significant amount or any Government work and are therefore unable to supply such a reference, this will not affect your application adversely.

Points to bear in mind

Having 3 referees all from your own Chambers is not as good as having a range of referees.

A reference from your Head of Chambers who has not seen you recently in court is not as good as a reference from someone who has.

In the same vein, a reference from a Circuit Judge who has clear experience of your ability in court is of greater assistance to the Selection Board than a reference from a more senior judge who has not seen your advocacy skills in practice.

Given the choice, the Selection Board would value more highly a reference from a QC from a different set of Chambers who has led you than one from a QC in your own Chambers.

The Selection Board values a reference that can speak, in detail, to an applicant's skills, especially advocacy skills. For this reason, the Selection Board considers that obtaining a reference from a very junior Government lawyer, purely because they can speak to an applicant's government work, may be more problematic than not having a reference from a Government lawyer at all. All things being equal a reference from an experienced Government lawyer is valued more highly than one from an inexperienced one, simply because they will have a better idea of the standards expected from Panel Counsel. Generally speaking, it is preferable to obtain a reference from a higher grade lawyer, where possible. There is, however, no point in choosing a referee purely because of their seniority, if this means that they have not seen your work first hand or in detail.

Referee Proforma

You should give the referees' proforma to your referees. References from a single referee are better than composite references assembled by someone who does not know you. In general single word responses to the questions in the pro forma are not as helpful to the selection board as a more detailed explanation with examples as to why the referee considers the applicant to be "good" or "excellent".

It is your responsibility to ensure that your referees return the proformas by the deadline. Please stress to them the importance of doing so.

Selection

A Selection Board appointed by the Attorney General will consider applications. The Attorney General will appoint the advocates who appear to him to be best qualified regardless of ethnic origin, gender, marital status, sexual orientation, political affiliation, religion or disability. Women, members of ethnic minorities and those with disabilities are particularly encouraged to apply.

Further Information and mentoring

If you have any queries, please feel free to raise them in the first instance with Diane Macfarlane, Government Legal Department, email diane.macfarlane@governmentlegal.gov.uk or on 020 7210 3440.

We wish to encourage applications from a wide a range as possible of those eligible to apply. We will therefore endeavour to put lawyers, who have not previously been on the Panel and are considering applying 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 the one of the regional panels and want a mentor please contact Diane Macfarlane, Government Legal Department, on 020 7210 3440 or email: diane.macfarlane@governmentlegal.gov.uk **before Friday 10th July 2015.**

Those requesting a mentor will be informed as soon as possible. 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.

Frequently Asked Questions

Changes in the Panels

Why a single North East Region as opposed to separate regions based on Leeds and Newcastle?

We have found that barristers are increasingly working across this area. It makes sense to have single region. The majority of the responses to our consultation in 2010 favoured a reduction in the number of regions within the Regional panel.

Why is there no a formal A, B and C panel system as in London?

When we consulted in 2010 about moving to an A, B and C panel system the majority view was that we should not. We are therefore, for the time being at least, continuing with the existing system whereby applicants apply for a single area within the Regional panel without applying for an A, B or C panel within it. However given the need for a range of counsel willing and able to undertake a range of work appropriate to their abilities and experience, it may be that a junior counsel will be selected when a more senior counsel is not. This is not meant to be a reflection on the relative merits of the two counsel as between each other.

Existing Panel Members

I am an existing panel member should I reapply?

If you were appointed in 2010 then your appointment ends this year so you must apply successfully this year in order to remain on the panel. Those appointed in 2012 may not apply this year.

Which Region should I apply for?

There may be some advocates who, for example, practise from Chambers on the North Eastern Circuit and are a member of that circuit but who also have a practice on the Midlands Circuit. Such a person is probably best advised to apply to the North Eastern Area as that is the area to which they appear to have their greatest professional connection. Were they to apply for the Midland area then they would need to spell out in some detail why they consider themselves to have a professional connection with the Midland area. Of course once appointed a Panel Member in one area can also accept instructions to appear in other areas.

The Application Process

When will I hear about my application?

After the closing date we need to allow time for papers to be distributed to members of the selection board. The selection boards meet in September. Our target is to notify candidates of the outcome of their application by mid October 2015 at the latest. All candidates will receive a letter once the Attorney General has decided whom to appoint in the light of the selection board's recommendations.

If I have forgotten to put in 5 copies of my form will I be penalised?

No. Information such as this is not given to the Selection Boards. There are no trivial 'technical knockouts'. However, the board will take into account the amount of care that you appear to have given to completing your form.

What happens if one of my referees is late sending in their reference?

If reference forms have not arrived, staff at the Government Legal Department will ring the candidate and ask him or her to chase the referee. Equally, if we have received references but not an application form, we will get in touch with the candidate to check whether s/he sent one in.

Information contained in references is important to the selection board and if, after chasing, we do not receive forms, your application is very likely to be unsuccessful.

Who sits on the Selection Boards?

The selection boards are chaired by a senior lawyer at the Government Legal Department or another senior Government lawyer and consist of lawyers from various Government Departments and a nominee as an independent representative of the Bar Council.

Do I have to be a member of a particular set of chambers to get on the Panels?

No. Each candidate is considered on his/her individual merits – barristers are not considered on the basis of which chambers they practise in.

I did not get a 2.1. Will I be considered?

Candidates who did not get a 2.1 class in their degree will be judged on any compensating factors that they have set out in their application forms. The board will be looking for something over and above 'a successful career at the Bar' as a compensatory factor. A non-exhaustive list of factors that might be considered as compensating would include a postgraduate qualification, excellent results in Bar Finals or advocacy examination or other examples of corresponding intellectual achievement.

The application asks for details of advocacy work but my specialism rarely requires this. Can I still apply?

Yes. Most Panel Counsel will be expected to take on a range of cases that will invariably involve advocacy work, or at least an appreciation of how a case might play in court. However, where the selection panel is looking for specialist Counsel, e.g. tax or charities, it recognises that in certain cases extensive advocacy experience may be less relevant.

What are the hourly rates for regional panel counsel?

The hourly rate is divided into 3 bands equating to senior juniors, middle juniors and junior juniors. Ten years' or more experience £110 per hour. Five years' or more experience, but under ten £90. Under five years' experience £60. "Experience" is normally taken as commencing from end of 2nd six months' pupillage for barristers, end of training contract for solicitors.

If I am appointed to the panel in one Region can I work in other Regions?

Departments will generally use counsel from the area in which the court or tribunal is situated. However they may use counsel from another area particularly where the court in question is near two or more regions.

Checklist

- Will I have 2 years advocacy experience in actual practise by 1 October 2015 (starting from end of 2nd six months pupillage / end of training contract)?
- Do I have a substantial professional connection with the area (eg North, Midlands, North East, Wales or South West) I am applying for?
- Have I completed the application form fully and ensured that I am sending everything required including 5 copies in total (each including the list of cases of which I have had the conduct over the last year or so (to give a flavour of my practice) and examples of my written work)?
- Have I completed the information security section at the back of the application form?
- Have I completed my references?
- Have I completed the Equality and Diversity form?