

VACANCY NOTICE
INSOLVENCY SERVICE
PROSECUTION LAWYERS
JUNE 2017

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HEADLINE INFORMATION

JOB TITLE:	Prosecution Lawyers
DEPARTMENT:	Insolvency Service (an Executive Agency of the Department for Business, Energy and Industrial Strategy)
DIVISION:	Criminal Enforcement Teams – Legal and Prosecutions
LOCATION:	1 Victoria Street, London (soon to move to Abbey Orchard Street)
CLOSING DATE & TIME	Wednesday 19 July 2017 12 pm (midday)
INTERVIEW DATES:	Week beginning 7 th August 2017 (provisional)
WORKING ARRANGEMENT:	Full time / Part time / Job share
APPOINTMENT TERM:	Permanent and temporary posts (fixed term contract or secondment /loan)
NUMBER OF POSTS:	Up to 4
SALARY RANGE:	£48,483 (min) - £56,370 (max) depending on PQE
SALARY DETAILS:	In addition there is a pay enhancement of £2,500 per annum
TRAVEL REQUIRED:	Sometimes
CRB REQUIRED:	Yes
GUARANTEED INTERVIEW SCHEME:	Yes
RESERVED/NON-RESERVED	Non-reserved

VACANCY DESCRIPTION

We are looking for experienced prosecutors who will be able to deal with the full range of cases and provide operational advice across a range of criminal justice and related areas.

Key responsibilities and activities will be:

- To manage a full caseload from investigation through to confiscation/enforcement proceedings including some more complex and substantial cases; giving clear, accurate and timely advice where required on the conduct of investigations; and dealing fairly, efficiently and effectively when conducting prosecutions, instructing Counsel or agent solicitors where appropriate
- To develop effective working relationships with all those involved in our enforcement work, particularly with our investigators to develop and pursue focused case strategies
- To undertake advocacy as appropriate
- To travel to court and regional offices as required

- To make a contribution to the operation of the Criminal Enforcement Team and the Insolvency Service more widely through acting as a role model for others and maintaining high professional standards; providing support and assistance to colleagues as required
- To make a positive contribution to the GLS, for example in cross-Whitehall initiatives relating to the wider prosecutorial family
- Experience of asset recovery work is also desirable.

WORK OF THE DEPARTMENT – THE INSOLVENCY SERVICE

The Insolvency Service is a government agency that delivers economic confidence by supporting those in financial distress, tackling financial wrongdoing and maximising returns to creditors.

We are an Executive Agency of the Department for Business, Energy and Industrial Strategy (BEIS) with headquarters in London. We have around 1,700 staff operating from 22 locations across Great Britain.

Our responsibilities are to:

- act as trustee/liquidator where no private sector insolvency practitioner is in place
- administer bankruptcies and debt relief orders, including dealing with bankruptcy and debt relief restrictions orders and undertakings
- look into the affairs of companies in liquidation, making reports of any director misconduct and disqualify where appropriate
- investigate trading companies and take action to wind them up and/or disqualify the directors if there is evidence of misconduct
- ensure that criminal behaviour in connection with personal or corporate insolvency is properly addressed
- issue redundancy payments from the National Insurance Fund
- act as an impartial source of information for the public on insolvency and redundancy matters
- advise BEIS ministers and other government departments and agencies on insolvency and redundancy related issues.

CRIMINAL ENFORCEMENT TEAM

The Criminal Enforcement Team investigates and prosecutes a range of cases arising from individual and corporate insolvency proceedings and associated corporate fraud. We also prosecute other matters arising from BEIS' regulatory functions, such as Employment Agency Standards Inspectorate and Companies House. The Criminal Enforcement Team plays a vital role in the wider enforcement landscape with regards to tackling economic crime.

The offences we deal with range from fraudulent removal of assets and failure to comply with requirements under the insolvency regimes to complex fraudulent trading matters. We also provide a range of operational advice on statutory investigations and those under the Company Directors Disqualification Act 1986 and provide advice on the drafting of new criminal offences

and enforcement strategies. The diet of casework is wide from the most simple to complex and challenging fraud cases, and we vigorously pursue confiscation in appropriate cases.

The enforcement team comprises around 15 lawyers in 2 teams (based in London) and around 65 investigative staff (based in four regional offices in Watford, Cardiff, Nottingham and Manchester) as well as a team of 13 law clerks. Close and constructive working relations between the lawyers, investigators and law clerks is crucial to the Team's success. We also use solicitor agents to deal with court appearances in cases which are outside London. The Legal Teams have a strong training and development ethos and we are also fully committed to flexible working.

Having recently joined the Insolvency Service from the Legal Services Group in the Department for BEIS, this is an exciting time for the team as we integrate into the wider work of the Insolvency Service and maximise the opportunity to maximise use of the civil and criminal enforcement functions of the Insolvency Service.

PERSON SPECIFICATION

We are looking for intellectually capable, highly motivated experienced prosecution lawyers with powerful communication skills. You need to have good self-awareness and a commitment to using feedback to learn and develop as a professional. In addition, the application and interview process will seek evidence of the following competencies:

- Legal Professional Skills - high levels of academic and/or professional qualifications with a sound knowledge of criminal law including the rules on disclosure.
- Making Effective Decisions - excellent analytical skills and judgement. Being objective, using that sound judgement, evidence and knowledge to provide accurate, expert and professional advice.
- Collaborating and Partnering - creating and maintaining positive, professional and trusting working relationships with others; and demonstrating self-awareness and the ability to use feedback to learn and develop.
- Managing a Quality Service for Clients - strong interpersonal skills, and a proven ability to work flexibly, effectively and across teams and to establish good relations with colleagues and other participants in the criminal justice system.
- Delivering at Pace - having a focus on delivering timely performance with energy and taking responsibility and accountability for quality outcomes. An ability to assimilate new areas of law quickly and to take on new cases or projects at short notice.
- Motivational Fit - having aspirations that match those of The Insolvency Service and its Prosecution Teams

Candidates should also have strong written and oral communication skills, with an ability to explain and deal clearly and concisely with complex legal issues; and effective leadership, in particular the confidence to take the lead on high profile cases and to take the initiative and

engage in wider corporate activity. They should furthermore be able to demonstrate resilience to work in a changing environment

In addition, it would be **desirable** for applicants to have:

- Experience of confiscation work

When completing your application/at interview you will be asked to provide examples of how you have demonstrated the competencies listed above.

CRITICAL REASONING TEST

Please note that as part of this process you will be required to complete an Online Critical Reasoning Test. You will receive an invitation to take the test on **Thursday 20 July 2017**, with the deadline for completion by **Tuesday 25 July at Midday**.

DEPARTMENTAL CONTACT POINT

If you would like to discuss this post further with someone in the department, or would like to be put in touch with a lawyer working in the team please contact:

Name: GLS Recruitment Team
Telephone: 0845 3000 793 or 0117 923 4417
Email: glsqualified@tmpw.co.uk

GLS MINIMUM ELIGIBILITY CRITERIA

Professional Qualifications

The recruiting department has specified this as: Applicants must be (or about to become) qualified to practise as a Solicitor or Barrister in England and Wales. You must have completed a training contract or pupillage, or, have been exempted from this by the Law Society or, the Bar Council. Applicants qualified in a jurisdiction outside England and Wales will be subject to the rules of the professional bodies.

Note: Following consultation with CILEx, it has been agreed that - due to the nature of work associated with the advertised Prosecution lawyer roles - Chartered Legal Executive lawyers will **not** be eligible to apply for these vacancies.

Academic

Applicants **should** have a minimum of a 2:1 degree in their first degree (in any subject). Where an applicant holds an overseas degree qualification this should be equivalent to a 2.1 degree. However, this Department will consider applicants who do not have a 2.1 degree (or above) (e.g. where a lower degree classification is held, or, where applicants have (under the rules of the professional bodies) qualified as a Solicitor or Barrister without a degree), but only where satisfactory evidence of equivalent high level academic and/or professional achievement can be

provided (e.g. via relevant experience and results achieved for the Graduate Diploma in Law (GDL)/CPE, Legal Practice Course (LPC), Bar Professional Training Course (BPTC)).

Nationality

The GLS is part of the wider Civil Service and therefore the [Civil Service nationality rules apply](#). If a post is described as 'reserved', then only UK nationals will be eligible to be able to apply. If a post is advertised as a 'non-reserved' post, as our posts generally are, those listed below will be eligible to apply:

- UK Nationals (and British Protected Persons);
- Commonwealth citizens and nationals of the European Economic Area (EEA);
- Individuals with dual nationality where one part is British; and
- Certain family members of EEA, Swiss and Turkish nationals (as set out in the Civil Service nationality rules).

Please note that it is possible to meet the above nationality requirements and still not be legally entitled to work in the UK. [UK Visas and Immigration](#) operates a points-based immigration policy which applies to the migrants from outside the European Economic Area, Switzerland and Turkey.

It is the applicant's responsibility to check whether this policy applies to them. When applying, applicants will be asked about their nationality at birth, whether they are subject to immigration control, whether there are any restrictions on your continued residence or employment in the UK etc. Detailed document checks will be made prior to employment.

Applications will be accepted from those applicants who may require sponsorship for a work permit under the UK Border Agency's points-based immigration policy. Applications which require sponsorship will, however, only be considered if no suitable settled worker is identified for the position.

GUARANTEED INTERVIEW SCHEME

Some GLS departments have signed up to the Positive about Disabled People Commitment and will guarantee an interview to any disabled applicant who meets the minimum criteria. The Equality Act 2010 defines a disabled person as someone who has a physical or mental impairment which has a substantial and adverse long-term effect on his or her ability to carry out normal day-to-day activities.

To meet the minimum criteria, candidates applying under the terms of the Guaranteed Interview Scheme (GIS) must:

- Meet all aspects of the stated minimum eligibility criteria (i.e. academic, nationality, and professional criteria);

- Meet the standard set for the Critical Reasoning Test (where used); and
- Obtain a minimum score for (i) the GLS core competencies being assessed at the application stage and (ii) against any job specific criteria specified.

Candidates applying under the terms of the GIS, who meet the minimum criteria outlined above, will be invited to attend an interview.

PRE-EMPLOYMENT CHECKS

All government departments are required to ensure that any personnel employed by them comply with the Baseline Personnel Security Standard (BPSS) before they take up employment.

This standard involves verification of identity; nationality and immigration status (including an entitlement to undertake the work in question); employment history (past 3 years) and criminal record (unspent convictions).

You will be asked to produce original documents when attending interview to enable us to verify the above if you are successful. The information which you provide will be treated in the strictest confidence by the GLS and its authorised representative (TMP Worldwide).

Supplying false information or failing to disclose relevant information could be grounds for rejection of your application, or, dismissal and could amount to a criminal offence.

Your referees will not be approached until your permission has been obtained following success at interview.

Regarding criminal record checks (i.e. DBS checks), a basic disclosure will normally be required (covering convictions considered unspent under the Rehabilitation of Offenders Act 1974). This will apply to successful candidates only and your permission will be required before checks are undertaken.

DATA PROTECTION

The information which you provide will be protected and processed for the purpose of successful completion of the Baseline Personnel Security Standard, in accordance with the requirements of the Data Protection Act (1998).

If you have any concerns about any of the questions which you are asked to complete or what we will do with the information you provide, you should discuss these with the GLS Recruitment Team.



COMPLAINTS PROCEDURE

GLS Departments' processes are underpinned by the principle of selection for appointment on merit on the basis of fair and open competition as outlined in the Civil Service Commission's Recruitment Principles which can be found at <http://civilservicecommission.independent.gov.uk>

If you feel your application has not been treated in accordance with these Principles and you wish to make a complaint, please contact Katy Shrimplin by telephone on 020 7215 3203 or by email at Katy.Shrimplin@insolvency.gov.uk in the first instance. If you are not satisfied with the response you receive from the Department, you can contact the Civil Service Commission.