



Which Panel to apply for:

Is it possible to apply for more than one level of Panel?

New applicants should determine which level of Panel they wish to apply for and apply for one Panel only. In choosing which of the panels to apply to, candidates must make a careful decision based on which best suits their level of expertise and experience.

The *Information for Candidates* that forms part of the Application Pack includes details of the different levels of Panel and the eligibility criteria.

I am a member of the Regional Panel, but my practise is national. Is it possible to apply for the London Panel as well?

Advocates may not be a member of both the London and Regional panels, so if you are on the Regional Panel and are appointed to the London Panel you must resign from the Regional Panel.

You may be a member of either the London or the Regional panels and also a member of the PIL Panel.

Eligibility:

I am an employed advocate, can I apply to become a member of Panel Counsel?

Yes, employed advocates can apply.

Membership of the Panels is open to both barristers and solicitors with the necessary qualifications. A solicitor must have a higher court advocacy qualification.

Those who do not benefit from clerking arrangements in Chambers must address the suitability of their administrative arrangements for panel counsel work in the 'additional information' section of the application form.

No one from my firm/set of chambers is on the Panel, is it worth my time applying?

Yes. Each candidate is considered on his/her individual merits – not on the basis of where they practise.

I am a criminal specialist, can I apply?

We do want applicants capable of advising departments on the interface of public and commercial law issues, and also where criminal issues arise in public law cases. Candidates should draw out any relevant experience and transferrable skills in their application.

I specialise in one area of law, can I apply?

Yes. We do need specialists who work in a single area where there is a high demand within Government. However, demonstrating ability, aptitude and willingness to work effectively in more than one area is extremely valuable.

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

Yes. Candidates who did not get a 2.1 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'. 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 another example of corresponding intellectual achievement.

Completing the form:

You ask for a case list, will a diary print-out suffice?

No. A diary print-out will not provide the information the Selection Board want to see.

They want to understand each candidate's current practice.

A short description of each of the key cases undertaken over the past 12 months detailing the areas of law covered; the courts appeared in; and, whether or not the candidate was led.

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 Board is looking for specialist Counsel e.g. tax or charities, it recognises that in certain cases extensive advocacy experience may be less relevant.

How detailed should my advocacy and advisory examples be?

The Selection Board want to see examples that showcase the range and complexity of each candidates' experience. Aim for half a page of A4 per example.

The need to anonymise examples is understood, but this should be done in such a way that the reader can still follow the narrative.

What do you mean by lessons learned?

The Selection Board want applicants to identify cases from which they have gained experience that they have been able to take away. Lessons should not be too basic or perfunctory i.e. the need to prepare for cross-examination. They should provide evidence of insight and self-reflection.

I do not have a recent skeleton argument to provide as a written work example, can I provide an alternative?

Where a candidate does not have any recent examples of written work, the board would find it helpful to understand why.

Bearing in mind that the Selection Board does not conduct interviews, it is important that the examples of written work submitted fully reflect each candidate's 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.

What if I go over the word count on the Government Litigation question?

We ask candidates to aim to use the full word count of 400 words and for the figure to be stated. If it goes over 400 the Selection Board will stop reading at 400. If it goes considerably over, then this might call into question the candidate's judgement and ability to follow instructions.

I have no experience of working with Government, what are you looking for in the response to the Government Litigation question?

The response to this question should indicate that the candidate has an appreciation for the special demands of working for Government: focussing on the challenges that face those acting for Government and how they would go about tackling those challenges in his or her area of specialism.

References:

How many referees will I need?

Those applying to the A Panel should provide five references, two of which should come from members of the judiciary.

Those applying to the C or B Panel should provide three references. We recommend that candidates provide at least one reference from a member of the judiciary.

I conduct little advocacy so not all my referees can comment on my advocacy skills.

Will this affect my chances of success?

For most of those on the C Panel advocacy is a fundamental part of the role of Panel Counsel. We would therefore expect at least one referee to speak in detail about an applicant's advocacy skills and experience. However it is recognised that this may not always be possible because of the nature of the litigation if the applicant is most regularly involved in areas such as: Procurement; Construction; IT; Contractual/Commercial disputes.

In such cases applicants may wish to consider submitting references from those who have observed them and can comment on their conduct during stages of the litigation process that do not involve advocacy.

Will my application still be considered if I do not have a judicial referee?

Yes. We recognise that for lawyers with limited post qualification experience, it may not be possible to find a judicial referee. However the greater the advocacy experience of the applicant for the C panel, the more the Selection Board might question why a judicial reference was not provided.

Is there a preference for a circuit judge or above instead of a coroner as a judicial referee?

The most valuable references are from those who have seen the candidates on their feet preferably on more than one occasion. A reference from a Circuit Judge or Coroner who has clear experience of a candidates ability in court is of greater assistance than a reference from a Supreme Court Judge who has not seen their advocacy skills in practice. A reference from an Arbitrator or Planning Inspector who has seen the candidate on his or her feet would serve the same purpose.

Can I use three judicial referees?

Three references from the Judiciary is perfectly acceptable.

We recommend that candidates for B or C Panel provide at least one reference from a member of the judiciary. Candidates for A Panel are asked to provide at least two references from a member of the judiciary.

Each reference, if chosen well, provides an opportunity to submit new and objective examples of clear and compelling evidence of an applicant's abilities.

Will my application still be considered if my referees do not include a Government lawyer?

Yes. If a candidate has not done any Government work and is therefore unable to supply such a reference, this will not affect the application adversely.

Where a candidate has done a significant amount of Government work at least one of the references should come from a lawyer who has instructed them. The board may think it odd that Government work features in either the case list or examples, but there is no reference from a Government lawyer. That said, the Selection Board considers 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. A reference from an experienced Government lawyer is better than one from an inexperienced one, simply because they will have a better idea of the standards expected from Panel Counsel.

I have approached more referees than are required, can they all be used to support my application?

No. If we receive more than the requested number of references (3 for C & B Panels; 5 for A Panel) we will contact the applicant and ask that they select the relevant number out of those available to support their application. The remaining references will not be seen by the Selection Board. If a preference is not offered, we will submit the first 3 or 5 received only.

One of my referees is on holiday and will not be able to submit a reference by the deadline. Will a late reference be accepted?

Please email PanelCounsel@governmentlegal.gov.uk if there will be a delay in the submission of a reference, and a member of the team will advise if it can still be included alongside the application.

One of my referees is now unable to provide a reference can I use another one?

Yes. Not having a full set of references will put candidates at a disadvantage, so please email PanelCounsel@governmentlegal.gov.uk if there is a need to identify an alternative referee.

Submitting an application:**I am having trouble logging on to the MoJ Portal, what should I do?**

Please email PanelCounsel@governmentlegal.gov.uk and a member of the team will make contact and offer assistance.

Can I submit my application by post?

No. All forms must be submitted electronically via the MoJ Portal.

Can the application form be uploaded in PDF format?

No. All forms must be submitted in Word format.

Can the written examples/case list be uploaded in PDF format?

No. All elements of the form must be submitted in Word format. If altering the format of one or any of the attachments from PDF to Word causes issues, then applicants should email PanelCounsel@governmentlegal.gov.uk and a member of the team will make contact with them and offer assistance.

How will I know my application has been received?

All applications submitted via the MoJ Portal will receive an automated message confirming receipt. If this message is not received, the application has not been submitted successfully and the candidate should go back through the submission process again.

An email providing detailed instructions on how to submit an application will be sent to all registered candidates prior to the deadline date. Even after completing the submission process, it is still possible to return to the application, delete, and upload revised documents at any time before the deadline.

I will struggle to meet the published deadline, can I submit a late application?

No. Unfortunately we are unable to accept late applications.

When will I hear about the outcome of my application?

Candidates should be notified of the outcome of their application in late January or early February 2019 at the latest.