

Appellate Criminal Law Barrister Panel

New applicants seeking appointment to the panel must:

- Meet the [individual eligibility requirements](#);
- Complete the application form; and
- Attach two completed [referee reports](#), one from Senior Counsel and one from a member of the Bar Association.

Legal Aid NSW will not follow up the referee reports.

Applicants can provide the link to the referee reports to their nominated referees.

Applications submitted by applicants who do not meet the eligibility requirements and/or without the two reports from the prescribed referees will not be approved and the applicant will have to reapply.

To complete and submit the online panel application form go to the [Panels Application Website](#) and use your Grants Online username and password to log in.

SELECTION CRITERIA FOR NEW APPLICANTS

1. **What was your date of admission as a legal practitioner?**
2. **What was your date of admission as a barrister?**
3. **Do you have a current practising certificate?**

(Applicants are not required to provide a copy of their current practising certificate)
4. **Are there any non-standard conditions or undertakings on your practising certificate?**
5. **If yes, please provide concise submissions that address:**
 - i. What are the non-standard conditions or undertakings on your practicing certificate;
 - ii. When were they imposed and for how long;
 - iii. Why were they imposed; and

- iv. How LANSW can be confident that you meet the [Quality Standards](#).
- 6. Have you been denied appointment to any Legal Aid NSW panel within the last six (6) months?**
- 7. If yes, please provide concise submissions that address:**
- i. What reason did Legal Aid NSW provide as to why you were denied appointment?
 - ii. Legal Aid NSW will only consider your application if there has been a material change to the circumstances in your response at (i). Please outline the material change in circumstances relevant to your application.
- 8. Have you practised in criminal law as a solicitor?**
- 9. If yes, i) for how many years and ii) were you a Law Society Accredited Specialist in Criminal Law?**
- 10. Approximately what percentage of your practice over the last 12 months has been criminal law?**
- 11. Provide an outline of your experience in the practice of criminal law including three examples of matters involving complex issues of law and procedure in which you were the appellate/advocate counsel.**

When describing each matter, summarise:

- i. the charges on the indictment;
 - ii. the Crown case;
 - iii. the defence case;
 - iv. the significant legal, procedural and evidentiary issues in the case.
- 12. Provide an example of your written work in one of the following:**
- a) Merit advice (as Junior Counsel if necessary); or
 - b) submission on appeal from a higher court (as Junior Counsel if necessary); or
 - c) submission on a complex sentence matter.

You can attach the examples of your written work when submitting your application via the Panels Applications web site.

- 13. Provide an example that demonstrates how you applied your knowledge and understanding of the operation of the Court of Criminal Appeal, in particular Supreme Court Practice Note CCA 1.**

14. Indicate that you are aware of the [Legal Aid NSW Quality Standards](#) and will comply with those standards.
15. Indicate your capacity to comply with Legal Aid NSW reporting and administrative requirements including compliance with the [Terms and Conditions of Use of Grants Online](#).
16. Provide examples that show you have the ability to address legal issues and briefly describe how you would communicate with a client where the following issues arise;
 - a) mental illness
 - b) Cognitive and / or physical disabilities
 - c) domestic violence;
 - d) who are socially or economically disadvantaged;
 - e) from wide ranging culturally diverse backgrounds.

Address each issue separately. Give examples that show that you have the ability to address legal issues and briefly describe how you would communicate with a client where these issues arise. In addition give examples that show that you have the ability to identify these issues and briefly describe how you would represent a client where these issues arise.

ADDITIONAL INFORMATION AND DISCLOSURES

17. Have you been the subject of any complaint to the Office of the Legal Services Commissioner, the Law Society of NSW or the NSW Bar Association (or an equivalent body in another state) or any Tribunal which has resulted in:
 - you being cautioned
 - you being reprimanded
 - conditions being imposed on your practising certificate, or
 - proceedings being commenced against you for unsatisfactory professional conduct or professional misconduct.
18. If yes, please provide the following information:
 - i. Who was the complaint handled by, e.g. the OLSC, the Law Society of NSW, the NSW Bar Association, equivalent bodies in another State or a Tribunal?

- ii. Name of the practitioner at the law practice who was the subject of the complaint
 - iii. What was the nature of the complaint?
 - iv. What was the outcome of the complaint?
 - v. Provide concise submissions that address how, despite this disclosure, Legal Aid NSW can be confident that your law practice, and the listed legal practitioner/s employed at your law practice, meet the Legal Aid NSW Quality Standards
- 19. Are you named as a defendant in any pending proceedings relating to an apprehended domestic violence or apprehended personal violence order (or other state equivalent)? Are you named as a defendant in a final apprehended domestic violence or apprehended personal violence order (or other state equivalent)?**
- 20. If yes, please provide the following information:**
- i. Name of the practitioner at the law practice this relates to;
 - ii. What is their relationship to the person in need of protection?
 - iii. If the matter is pending:
 - a. When and where is it next listed?
 - b. If an interim order has been made what are the conditions of this order?
 - c. Are there any associated charges listed alongside the proceedings relating to the order? If yes, what are they?
 - iv. If the matter has finalised:
 - a. What are the conditions of the order and when does it expire?
 - b. Were there any associated charges listed alongside the proceedings relating to the order and what are the outcome of these?
 - v. Provide concise submissions that address how, despite this disclosure, LANSW can be confident that your law practice, and the listed legal practitioner/s employed at your law practice, meet the Quality Standards
- 21. Do you have any criminal convictions or pending criminal charges for any other offence (except in relation to minor traffic offences)?**
- 22. If yes, please provide the following information in the text box below:**
- i. Name of the practitioner at the law practice this relates to

- ii. What is the nature of the criminal conviction/s/pending criminal charge/s? When did the offences occur/allegedly occur?
- iii. If the charges are pending:
 - a. When and where is the matter next listed?
 - b. Are they subject to bail conditions and, if so, what are the bail conditions?
 - c. At this stage is the intention to plead guilty or not guilty to the charges?
- iv. In relation any criminal convictions:
 - a. When were they convicted of the offence/s and in which Court?
 - b. What was the penalty imposed?
 - c. Did they advise the Law Society of NSW or the NSW Bar Association of the conviction/s?
 - d. As a result of the conviction/s are they a registrable person pursuant to the *Child Protection (Offenders Registration) Act 2000*?
- v. Provide concise submissions that address how, despite this disclosure, LANSW can be confident that your law practice, and the listed legal practitioner/s employed at your law practice, meet the LANSW Quality Standards.

23. Have you ever been removed or suspended from any Legal Aid NSW panels?

24. If yes, please provide the following information:

- i. When were you removed or suspended from a LANSW panel/s?
- ii. Why were you removed or suspended from a LANSW panel/s?
- iii. Has there been a material change in circumstances since the removal or suspension?
- iv. Provide concise submissions that address how, despite this disclosure, LANSW can be confident that your law practice, and the listed legal practitioner/s employed at your law practice, meet the LANSW Quality Standards

25. Do you consent to the publication by Legal Aid NSW of your name, business address and telephone number in a list of members of the Panel?

This information will appear on the Legal Aid NSW website and in any other form that Legal Aid NSW considers necessary to assist in the administration of services provided by Legal Aid NSW.

26. CERTIFICATION

By checking "I agree" you acknowledge and certify the following:

- All information disclosed in this application is true and accurate at the time of submission
- The application is your own work
- You understand that Legal Aid NSW may check internal and/or publicly available records to verify the accuracy of information provided in the application or requested as part of the application process
- You understand that Legal Aid NSW may conduct further reference checks

27. DATE CERTIFIED