

## **ANNEX 21 ASSOCIATE PROSECUTOR LEVEL 1 SELECTION CASE STUDY**

The case study appears in the PDF form.

### **Candidate Brief**

Please follow these instructions whilst the administrator reads them aloud:

For the purpose of this exercise you are to assume the role of Associate Prosecutor.

You will be presented with a case study of the nature that you are likely meet in your daily work.

Please read the case study and prepare the case as if it were to appear in your court list that day, for which you should consider the following: -

- 1. The accuracy of the charge.**
- 2. Any application you would need to make to the magistrates.**
- 3. What further information you would wish to have before you go to court.**
- 4. At court, the defence solicitor approaches you to say that his client intends to plead guilty to the charge accepting fully her actions were “over the top”.**
- 5. You will be asked to present the case to the panel as a guilty plea as if they were a bench of magistrates. You will have a maximum of 5 minutes for the presentation and you may be asked questions in relation to your presentation.**
- 6. What other applications will be appropriate to make to the court?**

You will have 30 minutes to prepare the guilty plea. You will need to manage your time carefully as no time warnings will be given during either the preparation time or the presentation.

Paper and pens are provided for you to make notes.

If you have any questions please ask the administrator now. Otherwise please begin the exercise immediately.

## **Notes for Assessors**

### **Associate Prosecutor Case Study R v D**

**As an assessor for this exercise, please familiarise yourself with the candidate brief and case study. Below are suggested discussion points for candidate questioning after their presentation of the guilty plea:**

The charge would need amending slightly in that the name of the complainant is slightly misspelt.

Can the AP amend a charge? – Yes, this is within the remit of an AP.

The MG6 says that there are still photographs of C's injuries outstanding. The CCTV is on file and has been served on the defence and the court. It is in accordance with the description on the MG3 by the officer.

There is no medical evidence, though there is a description of the injuries in the officer's statement.

The candidate should be able to identify these aspects as needing attention, if the matter were to be adjourned, but they would not prevent a guilty plea being tendered and accepted on the remaining evidence.

How does the candidate deal with the facts of the case, especially as regards the aggressiveness of the complainant as shown by the description of the CCTV by the officer in the MG3 and by the defendant in interview?

Is it necessary for the candidate to disclose to the defence the information that the complainant was being a nuisance in the hospital according to the MG3 notes by the charging lawyer? – Not at guilty plea stage. The credibility of the complainant is not in issue as this is a guilty plea. It may be relevant if the case were to go to trial.

Other applications: -

Costs should be applied for if the case is dealt with.

There should be an application for compensation for the injuries to the complainant.

D has a previous caution for S47, which should be brought to the attention of the court. This is also a reason why a caution was not appropriate in this case.

The charge is one of S47 – what does the candidate know about charging standards in relation to offences of violence?

**ANNEX 22      ASSOCIATE PROSECUTOR LEVEL 1  
PRECOURSE MANUAL OUTLINE**

Chapter 1	The Role of the Associate Prosecutor.
Chapter 2	File Review and the Decision to Prosecute.
Chapter 3	Practice and Procedure.
Chapter 4	Bail Act.
Chapter 5	Sentencing.
Chapter 6	Definitions of Racial and Religious Offending and Other Hate Crimes.
Chapter 7	Offences Against the Person.
Chapter 8	Public Order and Related Offences.
Chapter 9	Protection from Harassment.
Chapter 10	Criminal Damage.
Chapter 11	Football Offences.
Chapter 12	Public Justice Offences.
Chapter 13	Offensive Weapons and Firearms.
Chapter 14	Drugs Offences.
Chapter 15	Road Traffic Offences.
Chapter 16	Excess Alcohol Offences.
Chapter 17	Offences of Dishonesty.
Chapter 18	Sexual Offences and Prostitution.
Chapter 19	Dangerous Dogs.
Chapter 20	Youths.
Chapter 21	Miscellaneous Offences.

## **ANNEX 23 ASSOCIATE PROSECUTOR LEVEL 1 FOUNDATION COURSE OUTLINE**

### **AIM OF COURSE**

The aim of this course is to provide candidates with the legal and procedural knowledge in relation to the prosecution of cases within their criteria in the Magistrates Court

### **COURSE OBJECTIVES**

The course objectives are that by the end of the course candidates will have developed:-

- Knowledge and understanding of their duties and responsibilities as a court advocate including the relevant rules of professional conduct and ethics.
- Knowledge and understanding of the extent of their powers and responsibilities as an Associate Prosecutor.
- Knowledge and understanding of the different sources of evidence; admitting exhibits into evidence, preparing admissions of fact; bad character evidence and the principles of competence and compellability.
- Knowledge and understanding of the law in relation to offences that they are likely to prosecute in the Magistrates Court, including Criminal Damage, Dishonesty offences, Harassment, Hate Crimes, Offences Against the Person, Public Order, Road Traffic and Sexual Offences.
- Knowledge and understanding of the procedure for dealing with all non-contested cases within their powers in the Magistrates' Court including Prior to Plea, After Plea, Committals, Sendings, Preventative Civil Orders, Sentencing and Youths..

## **Associate Prosecutor Foundation Course**

### **DAY ONE**

10.45	Registration.
11.00-11.30	Welcome, Introductions and Domestics.
11.30-12.30	The role of the AP and Their Remit.
12.30- 13.15	Lunch.
13.15- 14.45	File Review and the Decision to Prosecute. The Evidential Test.
14.45-15.30	The Public Interest Test.
15.30-15.45	Tea and Coffee Break.
15.45-17.00	Misuse of Drugs.

### **DAY TWO**

9.00-10.15	The Law and Policy in Relation to Hate Crimes.
10.15-10.45	Offences against Public Order.
10.45-11.00	Tea and Coffee Break.
11.00- 12.30	Offences against Public Order continued.
12.30-13.00	Lunch.
13.00-14.30	Offences Against the Person
14.30- 15.00	Protection from Harassment
15.00-15.15	Tea or Coffee Break

15.15-16.15 Criminal Damage

### **DAY THREE**

9.00- 9.30 Road Traffic Definitions

9.30- 10.45 NIPs, Dangerous and Careless Driving, and FTS & FTR.

10.45- 11.00 Tea or Coffee Break

11.00-11.45 Disqualified Driving

11:45- 13.00 Excess Alcohol

13.00- 13.45 Lunch

13.45- 15.00 Exceptional Hardship& Driving Licence Restoration

15:00-15:15 Coffee and Tea Break

15:15- 16:00 Speeding and S 172 Cases.

16:00- 16:30 Construction and Use and Document Offences.

### **DAY FOUR**

9:00- 9:45 Sexual Offences

9:45- 11:00 Dishonesty Offences

11:00-11:15 Coffee and Tea Break

11:15- 12:45 Practice and Procedure Part 1. Prior to Plea

12:45-13:30	Lunch
13:30-14:30	Practice and Procedure Part 2. After Plea
14:30-15:15	Practice and Procedure Part 3: Committals.
15:15-15:30	Coffee and Tea Break.
15:30- 16:15	Practice and Procedure Part 4: Sendings.
16:15-16:45	Practice and Procedure Part 5: Case Studies

## **DAY FIVE**

9:00-10:00	Sentencing
10:00-11:00	Preventative Civil Orders
11:00-11:15	Coffee and Tea Break
11:15- 12:45	Youths
12:45-13:30	Lunch
13:30-14:30	Multiple Choice Quiz
14:30-15:30	Delegate Presentations
15:30-16:00	Final Session

## **ANNEX 24      ASSOCIATE PROSECUTOR LEVEL 1 TRIAL PREPARATION COURSE OUTLINE**

### **TRAINING PROGRAMME OUTLINE**

The purpose of this training is to give delegates the skills and knowledge that would be required to undertake summary trial preparation and all the decisions attached thereto, as well as extended review decisions, such as the amendment and alteration of charges and the discontinuance of proceedings.

### **AIMS OF COURSE**

- To provide delegates with the practical knowledge and skills required to conduct summary trial preparation in relation to cases within criteria set by the Director.
- To provide delegates with the practical skills and knowledge to review and assess charges and summonses and to decide upon and draft amendments thereto.

To provide delegates with the practical knowledge and skills required to enable them to review charges and take decisions as to discontinuance within any strictures imposed upon that decision making process, drafting the appropriate documents

### **COURSE OBJECTIVES**

By the end of the course, delegates will have developed knowledge and understanding to carry out the following:

1. Check the full file / trial pack for completeness chase any outstanding evidence and flag up potential issues for resolution.
2. Deal with relevant evidential issues, such as which witnesses should be called to give oral evidence, which should be served S9 and which should be tendered and evidence which can be adduced by way of a S10 Admission, and drafting such admissions.
3. Decide upon the correctness of existing charges and decide whether there should be amendments, replacements or discontinuance.
4. Decide the appropriateness of pleas and bases of plea.
5. Decide whether Civil Preventative Orders should be applied for or varied if in existence.

6. Determine the requirement for a notice to introduce hearsay evidence, and draft the notice.
7. Determine the requirement for a notice to adduce bad character evidence, and draft the notice.
8. Determine the requirement for an application for special measures, and draft the application.
9. Identify unused material, state the test for disclosure and deal with ongoing disclosure issues.

## **COURSE OUTLINE**

**Session 1** Introductions and Domesticity.

**Session 2** Case Review. This session will cover a revisiting of the review process, to include consideration as to the appropriateness of any charges. It will also cover the appropriateness of existing charges and the selection of alternatives or amendments where appropriate. Where charges are no longer appropriate the session will cover discontinuance.  
It will consider the decision as to venue and how appropriate representations can be formulated.

**Session 3** Case Analysis and witness selection. This session will cover case analysis, identification of whether witnesses should be called, served or tendered, formal admissions and other general evidential matters. An analysis of the evidence will also lead to a decision as to what pleas are appropriate, and so this will be covered in this session as well.

**Session 4** Hearsay Evidence. This session will cover the legal framework for the admissibility of hearsay evidence, and the service of the notice to introduce such evidence. It will cover drafting a notice to adduce such evidence based on a case study.

**Session 5** Bad Character Evidence. This session will cover the legal framework for the admissibility of bad character evidence (in particular s.101 (1) (d) CJA 2003), and the service of the notice to adduce such evidence. It will also cover the drafting a notice to adduce such evidence based on a case study.

**Session 5** Unused Material. This session will cover the law in relation the disclosure of unused material, the AGs Guidelines and CPS Policy. It

will; also cover decision making in relation to disclosure issues. Learning will be reinforced with the completion of the appropriate forms based upon a case study.

**Session 6** Special Measures. The session will cover the legal framework for special measures, and identifying vulnerable or intimidated witnesses. The session will also cover the completion of an application in relation to applications utilising a case study.

**Session 7** This session will cover the decision as to whether to apply for a Civil Preventative Order in appropriate cases. It will also cover considerations as to what evidence would be required and how an existing order can be varied and in what circumstances.

**Session 8** Knowledge Quiz. The knowledge acquired by delegates will be checked with the use of a Multiple Choice Quiz

**Session 9** Assessment Case Study. Evaluation of the learning and skills acquired will be conducted a case study encompassing the skills and knowledge covered on the course. It will be marked by the tutors, with written feedback being provided.

**Session 8** Final Session.

There will also be a series of handouts for delegates covering the subject areas of the course.

## **ASSESSMENT**

Assessment for this course will be by delegates carrying out practical exercises at the conclusion of each session. Additionally, as included in the draft outline above there will be two assessment exercises, which will be marked by the tutors. This will ensure that the learning is embedded.

## **ANNEX 25**

## **ASSOCIATE PROSECUTOR LEVEL 1 ADVOCACY COURSE OUTLINE**

### **DAY ONE**

10.00-10.15	Welcome and Domestics
10.15-11.0	Introductions and Hopes and Concerns.
11.00-11.15	Coffee/Tea Break.
11.15-12.30	The Skills of the Job
12.30-13.15	Lunch.
13.15-14.30	Delegate Presentations.
14.30-15.45	Review and Endorsements
15.45-16.0	Coffee/Tea Break
16.00-17.00	Plea Before Venue and Mode of Trial

### **DAY TWO**

9.15-10.45	Delegate Presentations.
10.45-11.0	Coffee/Tea Break.
11.00-12.0	The Defendant Does Not Attend
12.00-12.30	Delegate Preparation
12.30-13.15	Lunch.
13.15-15.15	Delegate Presentations
15.15-15.30	Coffee/Tea Break
15.30-16.30	Tales of the Unexpected (and how to deal with them)

### **DAY THREE**

9.15-11.15	Delegate Presentations
11.15-11.30	Coffee/Tea Break
11.30-12.30	Motoring Cases

12.30-13.15	Lunch
13.15-15.30	Traffic Court
15.30-15.45	Coffee/Tea Break
15.45-16.30	Sentencing Outline

**DAY FOUR**

9.15-11.45	Mock Assessments ( With break part way through)
11.45-12.30	Final Session
12.30	Lunch

Afternoon free for preparation for final day

**DAY FIVE**

9.00	Assessments
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## **ANNEX 26            ASSOCIATE PROSECUTOR LEVEL 1                                  YOUTH COURSE OUTLINE**

### **AIMS**

The aims of the course are:

- To provide an overview of the law and policy considerations for dealing with Youth Offenders appearing in the Magistrates Court and to explain the key differences between the youth justice system and the adult criminal justice system.
- To provide an overview of the venue provisions as they apply to Youth Offenders.
- To give delegates the skills and knowledge required to prosecute cases in the youth court.

### **OBJECTIVES**

By the end of the course, candidates will have the knowledge and understanding to be able to:-

- State the major factors to be taken into account when dealing with a Youth Offender appearing in the Magistrates Court.
- Examine a file involving Youth Offenders, taking into account existing legal and policy principles.
- Identify cases in which the statutory diversion scheme and other diversionary options should be considered and apply the appropriate disposal.
- Prepare and present a venue argument, dealing with grave crimes, dangerousness and adult co defendants.
- Prepare and present cases for sentence.
- Describe the significance of age at every stage of a prosecution.

### **COURSE OUTLINE**

**Session 1**      Introductions and Domesticity.

**Session 2**      Background to Youth Law and Policy. This session will include an outline of the essential differences between the decision making process in Adult and Youth Courts. It will also cover law and policy in relation to diverting youths from the CJS and the public interest decision to prosecute. These areas must be covered in order to put the remainder of the course in context.

- Session 3** Youth Court and its Constitution. This session will cover the law policy and practice in relation to Youth Courts and their constitution, and those aspects of practice and procedure that are different from Adult Courts, such as publicity, and those entitled to be in court.
- Session 4** The Age of The Youth. This session will cover the significance of the age of the youth at various stages of the proceedings, including plea and determination of venue.
- Session 5** Venue. This session will cover the law and practice in relation to venue, including grave crimes arguments and dangerousness.
- Session 6** Sentencing This session will cover the law practice and policy in relation to the sentencing of youths.
- Session 7** Multiple Choice Quiz.
- Session 8** Assessment Exercise. This will take the form of delegates making an application to the court and receiving both oral and written feedback from the tutors.

## **ASSESSMENT**

Assessment will be conducted throughout the training with exercises to check learning at the conclusion of each session. At the conclusion of the course there will be a Multiple Choice Quiz to act as a knowledge check, together with an assessment exercise during which the delegates will present an application to the assessor sitting as a District Judge. The delegates will receive written and oral feedback.

## **ANNEX 27            ASSOCIATE PROSECUTOR LEVEL 1                                  BAIL COURSE OUTLINE**

### **AIM OF COURSE**

To familiarise all Associate Prosecutors with the legislation and procedures necessary to deal with all types of bail and custody hearings in the Magistrates Court and Crown Court in a fair and effective manner.

### **COURSE OBJECTIVES**

By the end of the course Associate Prosecutors will be equipped with knowledge and understanding to enable them to: -

- Identify the major elements of the Bail Act 1976 and other legislation relevant to bail hearings.
- Decide upon and present objections to bail in a fair, clear and structured manner in relation to all types of offences.
- Deal with defence arguments in relation to bail.
- Deal with breach of bail hearings.
- Deal with appeals against the grant of bail.
- Identify the appropriate Custody Time Limits (CTL) in a given case, and know the correct procedure for recording CTLs on the CPS case file.
- Conduct applications to extend CTLs
- Conduct Bail Hearing in the Crown Court in chambers.

### **COURSE OUTLINE**

**Session 1**            Introductions and Domesticity.

**Session 2**            An APs Powers in Relation to Bail Hearings. The purpose of this session is to outline to delegates the extent of their powers in relation to bail as set out in the Directors Instructions relevant at the time.

**Session 3**            The Law in Relation to Bail. This session covers the legislation relevant to remand hearings.

- Session 4** Custody Time Limits. This session will cover the law and CPS procedures in relation to CTLs including the law and procedure in relation to extensions.
- Session 5** Preparing the Bail Application. This session covers the way in which an AP will convert the information in the file into a properly structured application for a remand. It will cover the identification of appropriate exceptions to the right to bail, and how to justify these with appropriate grounds with reference to the information available to the AP anticipating and taking into account the arguments likely to be raised by the defence advocate.
- Session 6** Preparation and Presentation of Remand Applications. Delegates will be given case studies to prepare for hearing and will then present them in a court setting. After this they will receive written and oral feedback from the tutor.
- Session 7** Bail in Serious Cases. This session covers the law pertaining to the offences specified in section 25(2) of the Criminal Justice and Public Order Act 1994 (as amended) as well as practical advice as to how to deal with cases of this nature. It also deals with the law and practice involved in Bail Appeals.
- Session 8** Breach of Bail and Conditions of Bail. This session covers the law and practice for hearings of this nature including the questioning skills required for a Breach of Bail Hearing.
- Session 9** Crown Court Bail Applications. This session covers the law and procedure involved in Judge in Chambers Hearings for bail in the Crown Court. It will also cover such matters as the appropriate etiquette and modes of address.
- Session 10** Preparation and Presentation of Remand Applications. Delegates will be given case studies to prepare for hearing and will then present them in a court setting. After this they will receive written and oral feedback from the tutor. They will be assessed by the tutor as to whether they are ready to undertake these hearings in court.
- Session 11** Outstanding Questions and Course Close

## **ASSESSMENT**

As indicated in the course programme above assessment will be carried out by the course tutors. They will observe and assess the delegate carrying out a remand application and also a breach of bail hearing.

## **ANNEX 28            ASSOCIATE PROSECUTOR LEVEL 1                                  YOUTH BAIL COURSE OUTLINE**

### **AIMS:**

To prepare and present applications for bail and in relation to bail involving youth defendants within the parameters of both the Directors Instructions and Guidance.

### **OBJECTIVES:**

At the end of the session delegates should have developed knowledge and understanding to be able to:

- Describe the extent of their powers in relation to youth remands and bail.
- Describe how they will receive instructions in relation to such applications.
- Describe at least three additional safeguards that apply to those under 17 who are detained by the police.
- Describe the different remand provisions for youths aged 10/11, 12-16 and 17.
- Advise the court on the criteria for making a security requirement when remanding a vulnerable boy aged 15.
- Describe the alternative bail options that a court must consider before making a remand with a security requirement.

### **COURSE OUTLINE**

In order to adequately equip APs with the knowledge and skills required to effectively deal with any extension the course would need to be of One Day's duration. I have not included timings of each session at this stage as it will depend on the exact extent of any extension to their powers. I have included brief outlines of what each session would need to cover to give some idea of course content

**Session 1.** Introductions and Domestic.

**Session 2.** Knowledge Check. Enquire as to the delegates' experience and knowledge in relation to bail.

**Session 3.** An APs powers in relation to youth remand and bail. This will need to set out what the extension to their powers is and how it will be exercised and

supervised. It will need to cover such areas as instructions from a lawyer, limits to their powers, and points of contact and assistance.

**Session 4.** Outline and reminder of the law in relation to bail as covered in the Bail Act. This is required to ensure that all APs are up to date with the law, and procedure. The grounds for withholding bail are the same as with adults,.

**Session 5.** The law in relation to the withholding of bail and the granting of conditional bail for youths. There is an a session included in the Youth Training for lawyers that can be used here. It runs for one hour on that course, and includes a very useful PowerPoint and Handout. I would intend to expand that session by including some worked examples of cases. This session would need to run for two hours.

**Session 6.** Preparation for Remand Applications.

**Session 7** Delegate Remand Applications and Feedback. The delegates are to present remand cases in relation to youth offenders. They are to receive both written and oral feedback from their tutor.

**Session 8.** Preparation for Second Remand Applications.

**Session 9.** Second Remand Applications and Feedback. The purpose of there being a second exercise is to enable delegates to embed their learning from the first exercise and put it into practice in the second. This will ensure a more effective learning transfer.

The case study appears as a PDF document.

The notes to the case study appear below.

### **Candidate Instructions**

Please read the case study provided.

This case is appearing in your list as an overnight case. Please note the charges and decide the venue of the case, if appropriate, and what application you will need to make to the magistrates in this case, based on those charges.

You will be asked to make a remand application and oppose the grant of bail to the defendant based on the instructions of the reviewing lawyer which in fact echo the objections put forward by the police in the MG7 on the file.

The application will be used to test your advocacy skills as well as your judgment and analytical skills. You should speak for no more than five minutes and address the panel as though they were a bench of magistrates. You may be asked questions, either during the application to clarify points being made, or after the application and during the interview as to your approach to making the application

You may also be asked questions as to any further evidence you would expect to be forthcoming in this case.

You have 30 minutes to prepare your application. You will need to manage your time carefully as no time warnings will be given during either the preparation time or the presentation.

If you have any questions please ask the administrator now. Otherwise please begin the exercise immediately.

## **Pathfinder Case Study CK – Notes for Assessors**

### **Bail application:**

Possible questions:

- 1) What is there to suggest that D will CFO? - there were 2 separate incidents and a later attempt to bribe witnesses not to pursue complaint. This suggests a course of conduct which will continue if bail is granted in order to prevent witnesses from giving evidence. He has shown a tendency to violence as well as being willing to bribe people to do what he wants as exemplified by attempt to pay off CK.
- 2) Are there no suitable conditions to meet prosecution concerns? - COR and conditions not to approach are possible, but the last incident was a phone call to stop the complaint being made, so the fear is that conditions will not prevent further attempts to interfere with the witnesses.
- 3) D has NPC and only a caution. How much, if at all, are you relying on his antecedents? - probably not at all. Concern is because of the repetition of offences and attempt to interfere.

### **General questions:**

- 1) Are there any further enquiries you think need to be carried out? - there is still no medical evidence in relation to either complainant and police are to conduct another Viper - presumably with WO - though identity has not been put into question as D made no comment in interview.
- 2) What will happen at the magistrates' court in relation to these charges? - Att s18 is indictable only and must be sent to the crown court. The other charges are linked and will be sent with the IO charge under s51 Crime ad Disorder Act. Matters must be sent on the second appearance at the latest, and the bench will set a timetable for the service of papers and the PCMH date at the crown court.

## Instructions to Completing Assessment Forms

- This document is used to classify and evaluate evidence from the candidate’s responses.
- You should review the candidate’s responses from the panel’s notes and extract evidence in line with the skills and criteria detailed in the indicators.
- When assessing **please tick or cross** both the +ve and –ve indicators seen or not seen in the exercise.

**For example:**

<p><b>Communication and Negotiation</b></p> <p><u><b>Positive behaviour:</b></u>          Presents with flair and engages audience. ✓          Keeps within time limit. ✗</p>	
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*Note: If you didn’t observe much relevant behaviour in an exercise you may wish to add a “W” (for “weak evidence”) to your rating to indicate caution.*

*If you had **no opportunity** to observe relevant behaviour, be it positive or negative, put “NE” (for “no evidence”) instead of a rating*

- Then, in the column titled “**Evidence of behaviour to support criteria**” you must enter supporting comments, recording **relevant examples** of where the criteria has been demonstrated.
- Then, using the ratings descriptors provided, allocate that competency a score from 1 – 5, before moving on to the next competency.

*Note: Assigning a rating is not simply a matter of counting up the number of ticks or crosses; you also need to take into account their significance.*



ASSESSMENT RECORD – AGREED EVIDENCE & DECISION Case Study	
<b>Job Title: Pathfinder Associate Prosecutor</b>	<b>Candidates Name:</b>
	<b>Bench Mark:</b>
<b>Competence &amp; criteria identified on person spec.</b>	<b>Evidence of behaviour to support criteria</b>
<b>Required Standard</b>	
<p><b>Communication and Negotiation</b></p> <p><b><u>Positive behaviour:</u></b></p> <ul style="list-style-type: none"> <li>*Engages the audience.</li> <li>*Confident and articulate delivery.</li> <li>*States well-argued case, which is structured and logical, so as to persuade and influence others.</li> <li>*Responds effectively when challenged and questioned</li> <li>*Provides composite summary and clear explanation of issues.</li> <li>*Presents professional image and inspires confidence through assured presence and delivery.</li> </ul> <p><b><u>Negative behaviour:</u></b></p> <ul style="list-style-type: none"> <li>*Difficult to understand - speaks too quickly or mumbles.</li> <li>*Presentation is unstructured and unclear.</li> <li>*Delivery is repetitive and long winded.</li> <li>*Unconvincing in presentation.</li> </ul>	
<b>Required Standard</b>	
<p><b>Reasoning and Decision Making</b></p> <p><b><u>Positive behaviour:</u></b></p> <ul style="list-style-type: none"> <li>*Makes a sound, independent decision which is clearly articulated.</li> <li>*Justifies own decision and supports with clear reasoning.</li> <li>*Analyses facts of the case and gives appropriate weight to relevant factors.</li> <li>*Shows sound judgment, reaching a balanced and unbiased view.</li> <li>*Balances the needs of the victim with public interest.</li> <li>*Considers the impact of decisions on others.</li> <li>*Takes wider factors into account.</li> </ul> <p><b><u>Negative behaviour:</u></b></p> <ul style="list-style-type: none"> <li>*Does not interpret information systematically to answer questions.</li> <li>*Indecisive or easily swayed.</li> <li>*Fails to see the bigger picture when making a decision.</li> </ul>	
<b>Required Standard</b>	

<p><b>Specialist Skills and Knowledge</b></p> <p><i>Presentation</i></p> <p><b><u>Positive behaviour:</u></b></p> <ul style="list-style-type: none"> <li>*Displays a sound working knowledge of relevant criminal law and its application.</li> <li>*Identifies evidential issues.</li> <li>*Demonstrates a high standard of advocacy appropriate to the position of Associate Prosecutor.</li> <li>*Displays knowledge of Code for Crown Prosecutors.</li> <li>*Identifies potential problems and selects appropriate course of action.</li> </ul> <p><b><u>Negative behaviour:</u></b></p> <ul style="list-style-type: none"> <li>*Does not demonstrate knowledge of the law as supplied</li> <li>*Fails to identify pertinent issues.</li> <li>*Basic advocacy skills.</li> </ul>	
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Rating	(1)	(2)	(3)	(4)	(5)
<b>Evidence gathered</b>	<i>No evidence or irrelevant information provided.</i>	<i>Partial evidence with some relevant information.</i>	<i>Relevant information, minimum standards evident across all criteria measured</i>	<i>Minimum standard met, in addition has provided detailed relevant evidence across majority of criteria</i>	<i>Consistently provides detailed relevant evidence across all criteria measured.</i>
<b>Development needed</b>	<i>Needs to develop all areas</i>	<i>Needs to develop most areas</i>	<i>Needs to develop some areas</i>	<i>Needs little further development</i>	<i>Needs no further development</i>

<b>Competence &amp; criteria measured</b>	Rating 1-5 based on the evidence of behavior to support indicators
<b>Communication and Negotiation</b>	
<b>Reasoning and Decision Making</b>	
<b>Specialist Skills and Knowledge</b>	

**TOTAL SCORE:**

**Required Standard:**

**Minimum Standard Achieved YES / NO**

Chairperson:

Signature:

Panel member:

Signature:

Panel member:

Signature:

## **ANNEX 30**

## **ASSOCIATE PROSECUTOR LEVEL 2 FOUNDATION COURSE OUTLINE**

### **DAY ONE**

10.30	Registration
11.00-11.15	Welcome and Domestics
11.15-12.15	Introductions & Concerns
12.15- 1.15	Lunch
1.15- 2.45	Professional Duties & Responsibilities
2.45- 3.00	Coffee
3.00- 4- 45	The Course of the Trial

### **DAY TWO**

9.15- 10- 45	Evidence: the Basics
10.45- 11.00	Coffee
11.00- 12.30	Hearsay Evidence
12.30- 13.30	Lunch
13.30- 15.00	Identification Evidence
15.00- 15.15	Coffee
15.15- 16.30	Bad Character Evidence

### **DAY THREE**

9.15- 10.45	Unused Material
10.45- 11.00	Coffee
11.00- 12.30	What Do I Need To Prove And How Do I Prove It?
12.30- 13.30	Lunch
13.30- 15:00	Offences and Defences

15.00- 15.15	Coffee
15:15- 16.30	Procedural Matters and Problems

**DAY FOUR**

9.15- 10.30	Witness Care and Potential Witness Problems.
10.30- 10.45	Coffee
10.45- 12.15	Advocate's Repair Kit
12.15- 13.15	Lunch
13.15- 15.45	Questioning Techniques
15.45- 16.00	Coffee
16.00- 16.30	Post Trial

**DAY FIVE**

9.15- 10.30	Case Preparation Exercise
10.30- 10.45	Coffee
10.45- 11.45	Multiple Choice Test
11.30- 12.30	Tutor Presentation and Discussion
12.30- 13.00	Final Questions and Course Close

## **ANNEX 31**

## **ASSOCIATE PROSECUTOR LEVEL 2 ADVOCACY COURSE OUTLINE**

### **DAY ONE**

10.30	Registration
11.00-11.15	Welcome and Domestics
11.15- 12.30	Introductions and Outline
12.30- 13.30	Lunch
13.30- 15.00	Case Preparation and Analysis
15.00- 15.15	Coffee
15.15- 16.30	At Court Prior to Trial

### **DAY TWO**

9.15- 10.30	General Advocacy and Questioning Techniques
10.30- 10.45	Coffee
10.45- 12.15	Practical Trial Issues
12.15- 13.15	Lunch
13.15- 15.00	Opening The Trial
15.00- 15.15	Coffee
15.15- 17.00	Examination in Chief

### **DAY THREE**

9.15- 10.45	Cross Examination
10.45- 11.00	Coffee
11.00- 12.30	Re-examination, Recalling and Rebuttal
12.30- 13.30	Lunch
13.30- 15.00	Submissions and Other Defence Interventions
15.00-15.15	Coffee

15.15- 16.00 Final Remarks

**DAY FOUR**

9.00- 13.00 Mock Trials

13.00- 14.00 Lunch

14.00- 14.45 Feedback from Mock Trials and Instructions for the Assessment

17.00- 17.30 Meeting With Supervising Lawyer

**DAY FIVE**

9.00 Assessments