# Criminal Trial Preferred Barrister List – expression of interest form

Please complete this form if you are a barrister seeking to be a member of Victoria Legal Aid’s Criminal Trial Preferred Barrister List.

Expressions of interest for membership on the Criminal Trial Preferred Barrister List can be made at any time. These applications will be considered at the next available Preferred Barrister List Selection Committee meeting.

You are encouraged to familiarise yourself with the operation of the list by reviewing the details [Criminal Trial Preferred Barrister List](http://www.legalaid.vic.gov.au/criminal-trial-preferred-barrister-list) on our website. You should allow approximately three hours to complete the form, including time to identify and prepare sample materials. Please complete and submit this form electronically, along with attachments, to preferredbarristerlist@vla.vic.gov.au.

## Your details

1. Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. Email address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. Telephone number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

## Entry requirements

### Practising certificate

1. Do you hold a current practising certificate without any condition or restriction that would limit your ability to provide legal aid services?

Yes [ ]  No [ ]

1. Have you held an appropriate practising certificate for the full period of the practising experience disclosed in this expression of interest?

Yes [ ]  No [ ]

If you answered no to question/s 4 and/or 5, please provide further details.

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**Indictable Crime Certificate**

1. Do you hold a current Indictable Crime Certificate?

Yes [ ]  No [ ]  Senior Counsel exemption [ ]

### Misconduct

1. Have you been subject to any findings of professional misconduct or unsatisfactory professional conduct made by the Legal Services Board, Victorian Bar Council, Indictable Crime Certificate Committee, Legal Services Commission or any equivalent body in any jurisdiction, Victorian Civil and Administrative Tribunal or any other court or tribunal, including any privately constituted body to discipline its members?

Yes [ ]  No [ ]

1. Are you subject to any current or ongoing complaints or investigations into professional misconduct or unsatisfactory professional conduct being handled by the Legal Services Board and Commission, Victorian Bar Council, Indictable Crime Certificate Committee, or any equivalent body in any jurisdiction, or Victorian Civil and Administrative Tribunal or any other court or tribunal, including any privately constituted body to discipline its members?

Yes [ ]  No [ ]

1. Have you been subject to any findings of guilt for any criminal offence other than infringements?

Yes [ ]  No [ ]

1. Have you been subject to any claims for professional negligence?

Yes [ ]  No [ ]

If you answered yes to question/s 6, 7, 8 and/or 9, please provide further details.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

### Expertise in criminal trial advocacy, professional and appropriate practice

1. Date of admission to practice: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Date of signing the Bar Roll: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. Please provide details about the type and *estimated* number of criminal hearings you have conducted, separately indicating if you appeared as junior counsel (where criminal hearings were conducted outside of Victoria, include the estimated number in the equivalent jurisdiction):

|  **Court** | **Defence** | **Prosecution** | **Hearing type** |
| --- | --- | --- | --- |
| Magistrates’ Court |  |  | Summary plea (Briefed) |
| Magistrates’ Court |  |  | Summary plea (Duty lawyer) |
| Magistrates’ Court |  |  | Contested bail (Briefed) |
| Magistrates’ Court |  |  | Contested bail (Duty lawyer) |
| Magistrates’ Court |  |   | Contested pleas  |
| Magistrates’ Court |  |  | Contested hearings |
| Magistrates’ Court |  |  | Committal hearings |
| County Court |  |  | Plea hearings |
| County Court |  |  | Appeals against sentence |
| County Court |  |  | Appeals against conviction |
| County Court |  |  | Jury trials resulting in verdicts |
| Supreme Court |  |  | Contested bail  |
| Supreme Court |  |  | Plea hearings |
| Supreme Court |  |  | Jury trials resulting in verdicts |
| Supreme Court |  |  | Court of Appeal  |

\* Resolved trials only include matters that settled after pre-trial argument and rulings or where your discontinuance application was accepted after Final Directions Hearing (as either sole, junior or lead counsel).

\*\* Judge only trials relate to trials for equivalent serious offences in another jurisdiction.

13. If you wish to further describe your advocacy experience, you may submit a resume that includes other relevant details. This is not compulsory.

14. Describe, in 500 words or less for each case, two of the most complex criminal cases (not necessarily trials) you have conducted in the past 12 months[[1]](#footnote-2), including detail of:

* + 1. name of case
		2. your instructor
		3. your role (i.e., leader, junior, solicitor advocate)
		4. your role in preparation and case strategy development
		5. how work and responsibilities were allocated between you and your instructor to ensure effective management of the case, including meaningful engagement with your client
		6. legal, procedural and evidentiary issues
		7. your role in delivering case strategy
		8. what steps you took to confine the case to issues which were genuinely in dispute.

Case one: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Case two:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

15. In the event that you do not have sufficient criminal advocacy experience to address question 14, you may outline in 500 words or less your other advocacy experience in the past 12 months[[2]](#footnote-3) and explain how this experiences and these skills are transferable to criminal trial advocacy. In providing this answer, you should include reference to types and numbers of cases, names of instructors and other identifying details.

Do not answer this question if you have already provided two case examples in question 14.

Transferable skills and experience:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

16. Attach one example of written advocacy that best reflects your written advocacy skills and is not more than 12 months old,[[3]](#footnote-4) for example a written case for an appeal, application for discontinuance, letter to negotiate settlement or written submissions on the admissibility of evidence for an indictable matter. A case direction notice, defence response or plea submissions will not be considered sufficient.

17. Do you wish to seek an exemption from the 12 month requirements in 14, 15 and/or 16 above due to being on parental or other extended leave?

Yes [ ]  No [ ]

If yes, what is the basis for your exemption request?

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

### Undertakings

In submitting this expression of interest, I undertake to:

18. Comply with the VLA [criminal trial advocacy competencies](http://www.legalaid.vic.gov.au/criminal-trial-advocacy-competencies) if briefed in criminal trials funded by VLA

19. Apply to the Victorian Bar for an Indictable Crime Certificate and undertake the requisite training and assessments at the first opportunity provided by the Victorian Bar

21. Immediately advise VLA if my Indictable Crime Certificate is suspended, revoked, withdrawn or made subject to conditions

22. Immediately disclose to VLA any:

* 1. findings of professional misconduct or unsatisfactory professional conduct made by the Legal Services Board, Victorian Bar, Indictable Crime Certificate Committee, Legal Services Commission or any equivalent body in any jurisdiction, Victorian Civil and Administrative Tribunal or any other court or tribunal, including any privately constituted body to discipline its members
	2. current or ongoing complaints or investigations into professional misconduct or unsatisfactory professional conduct being handled by the Legal Services Board, Victorian Bar, Indictable Crime Certificate Committee, Legal Services Commission or any equivalent body in any jurisdiction, or Victorian Civil and Administrative Tribunal or any other court or tribunal, including any privately constituted body to discipline its members
	3. findings of guilt for any criminal offences other than infringements
	4. claim made against you for professional negligence.

### Declarations

In submitting this expression of interest to VLA you acknowledge that all information disclosed is true, that you have read and understand your rights and obligations arising from the entry requirements and that you understand that VLA will check internal and/or publicly available records to verify information provided or requested as part of the expression of interest process.

Furthermore, in submitting this form you authorise VLA to place all materials submitted as part of the expression of interest process before a designated Selection Committee.

In the event that you are granted entry to the list you give permission for VLA to:

* publish on its website your professional contact details and a link to your profile on the Victorian Bar website; and
* subscribe you to [Legal Aid Brief](http://www.legalaid.vic.gov.au/about-us/legal-aid-brief-enewsletter), Victoria Legal Aid's fortnightly eNewsletter to keep you up to date with legal aid matters; and
* communicate with your clerk about the status and outcome of your application.
1. See question 17 for exemption from 12-month requirement. [↑](#footnote-ref-2)
2. See question 17 for exemption from 12-month requirement. [↑](#footnote-ref-3)
3. See question 17 for exemption from 12-month requirement. [↑](#footnote-ref-4)