

Annex E

Quality Assurance for Advocates

Competency Framework

QAA Competency Framework

A: ANALYSIS

A.1. Accurately identifies key legal and factual issues	
1	Presents and questions only material witnesses
2	Asks only relevant questions
3	Makes only relevant submissions

A.2. Adopts appropriate structure and sequence	
1	Has a clear strategy for the case
2	Case strategy is supported by questions asked and evidence called (see D2 below)
3	Develops arguments in a logical order

A.3. Responds appropriately to new evidence	
1	Makes appropriate objections and/or submissions
2	Asks appropriate questions
3	Takes appropriate advantage of new material

B: ORGANISATION

B.1. Is thoroughly prepared	
1	Understands opponent's case and assimilates opponent's evidence
2	Locates materials and evidence quickly
3	Assists the court where consistent with duty to the client

B.2. Observes procedures	
1	Complies with appropriate Procedural Rules and judicial directions
2	Provides appropriate disclosure of evidence
3	Obtains instructions when appropriate

B.3. Meets deadlines	
1	Keeps the court informed of any timing problems/delays
2	Complies with judicially imposed timetables
3	Is punctual

C: INTERACTION

C.1. Assists client in autonomous decision making	
1	Gives lay and professional client clear advice
2	Keeps lay and professional client up-to-date
3	Ensures lay client understands the process

C.2. Establishes professional relationships in court	
1	Observes professional etiquette in relation to third parties
2	Is courteous at all times
3	Keeps all parties informed

C.3. Respects witnesses	
1	Observes restrictions and judicial rulings on questioning
2	Deals appropriately with vulnerable witnesses
3	Deals effectively with uncooperative witnesses

D: PRESENTATION

D.1. Presents clear and succinct written and oral submissions	
1	Drafts clear skeleton arguments
2	Speaks clearly and audibly
3	Maintains pace throughout the course of the trial

D.2. Conducts focused questioning	
1	Questions to witnesses are clear and understandable
2	Questioning strategy is clear and relevant to issues
3	Avoids introducing irrelevant matters in cross examination

D.3. Observes professional duties	
1	Observes duty to the court and duty to act with independence
2	Advises the court of adverse authorities and, where they arise, procedural irregularities
3	Assists the court with the proper administration of justice

E: LEADING CASES

Range: Leading in a complex case

E.1. Effectively leads an advocacy team	
1	Takes responsibility for effective case management
2	Ensures team members are allocated tasks consistent with their level of competence
3	Effectively demonstrates ultimate responsibility for the case