
Overview

This unit concerns instructing counsel in both complex or serious cases and for giving advice/guidance. You will need to select counsel on the basis of their suitability for the case and their affordability. You should brief them fully and ensure that your instruction is limited to no more than what is required. You need to monitor the uses of the budget and respond appropriately to changing circumstances.

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Instruct counsel

Performance criteria

You must be able to:

- P1 follow organisational procedures at all times
- P2 maintain your own personal safety
- P3 work in a way that ensures the safety of others
- P4 select counsel on the basis of their suitability and affordability
- P5 ensure that counsel is fully briefed on the details of the case
- P6 ensure that your instruction to proceed is limited specifically to no more than is required for the case
- P7 maintain a complete and accurate case log
- P8 monitor continuously the use of the budget and ensure the accuracy of invoices
- P9 respond to changing circumstances and adapt your plan accordingly
- P10 communicate unambiguously with all parties
- P11 maintain the requirements of confidentiality

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Knowledge and understanding

You need to know and understand:

- K1 the requirements of organisational procedures
- K2 the legal requirements for health and safety
- K3 your organisation's health and safety requirements
- K4 relevant legislation, policies and codes of practice
- K5 the criteria for counsel's suitability
- K6 your available budget
- K7 your targets and objectives
- K8 the classification of cases and individual case priorities
- K9 which documents are required
- K10 the consequences of changes in circumstances and the action you should take
- K11 the basis on which you allocate cases
- K12 the implications of changes to the plan
- K13 the requirements of information storage and security
- K14 the limits of your authority and powers

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Additional Information

Scope/range related to performance criteria

Different conditions which affect how you apply your knowledge, and in which you must demonstrate competence are:

1. cases; complex or serious; giving advice/guidance
2. complexity of the case as defined within parameters for: nature of alleged offence; case-specific factors; public perception

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Suite	Operational Delivery - Public Services
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Key words	operational delivery, complex or serious cases, suitability and affordability, limited instructions to proceed, full briefings, budget monitoring, changing circumstances
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