

The Panel Counsel selection process and the role of the Bar Council representative

The Bar Council representative (“the representative”) is not required to assess and score the candidates, but instead will be asked to take an overview and challenge role during the board meeting to aid the review process.

How the board operates:

The board is made up of the Chair and Bar Council representative plus a group of Senior Government lawyers normally at Director or Deputy Director Level. There is also either a former member of A Panel Counsel who has taken Silk recently or a serving member of the A or B Panel Counsel on each board. Apart from the chair and representative, the rest of the board work in pairs. Each pair has been allocated up to 10 candidates to assess and score.

The pairs are asked to carry out an initial sift and report their initial scores ahead of the meeting taking place. Those scores are then reviewed, and the Chair will ask each pair to look at a further small selection of other candidates previously assessed by another pair. This cross-assessment (i) assists with calibrating the scoring and, (ii) aids meaningful discussion around the table during the meeting itself. Very occasionally, a candidate’s application may also be reviewed by a 3rd pair of lawyers, if the Chair deems it appropriate.

Representative’s preparation:

You will be sent the “application pack” w/b 22 April so you can see the application form as well as the PAQs, Information Sheet and a sample Reference form that candidates receive to enable them to apply. There will also be pre-meeting with the Chair during that week or the following week (depending on availability), where the application assessment process will be explained in more detail.

To prepare for the Selection Board meeting, you will receive copies of all the applications electronically during w/b 29 April. Initially, you may wish to simply scan the documents to obtain an idea of the calibre of the candidates. A week prior to the meeting you will receive a breakdown of the initial scores awarded by the pairs, as well as any moderated scores. You are likely to find it helpful to read the full application for all candidates receiving initial marks of 44 or above, those that receive 44 or above following moderation plus a sampling from other scoring ranges.

At the meeting:

The scoring for each application totals 50. Each pair will speak about candidates scoring over 35. They will provide a pen picture covering:

1. Call and main specialism
2. Any eligibility issues
3. How the candidate was viewed against the 5 criteria

Those candidates scoring 35 or below will not be discussed unless a member of the board specifically requests a discussion.

Points to watch out for:

The representative is welcome to challenge the selection board if they feel it necessary at any point during the discussion, particularly on issues of fairness and diversity.