



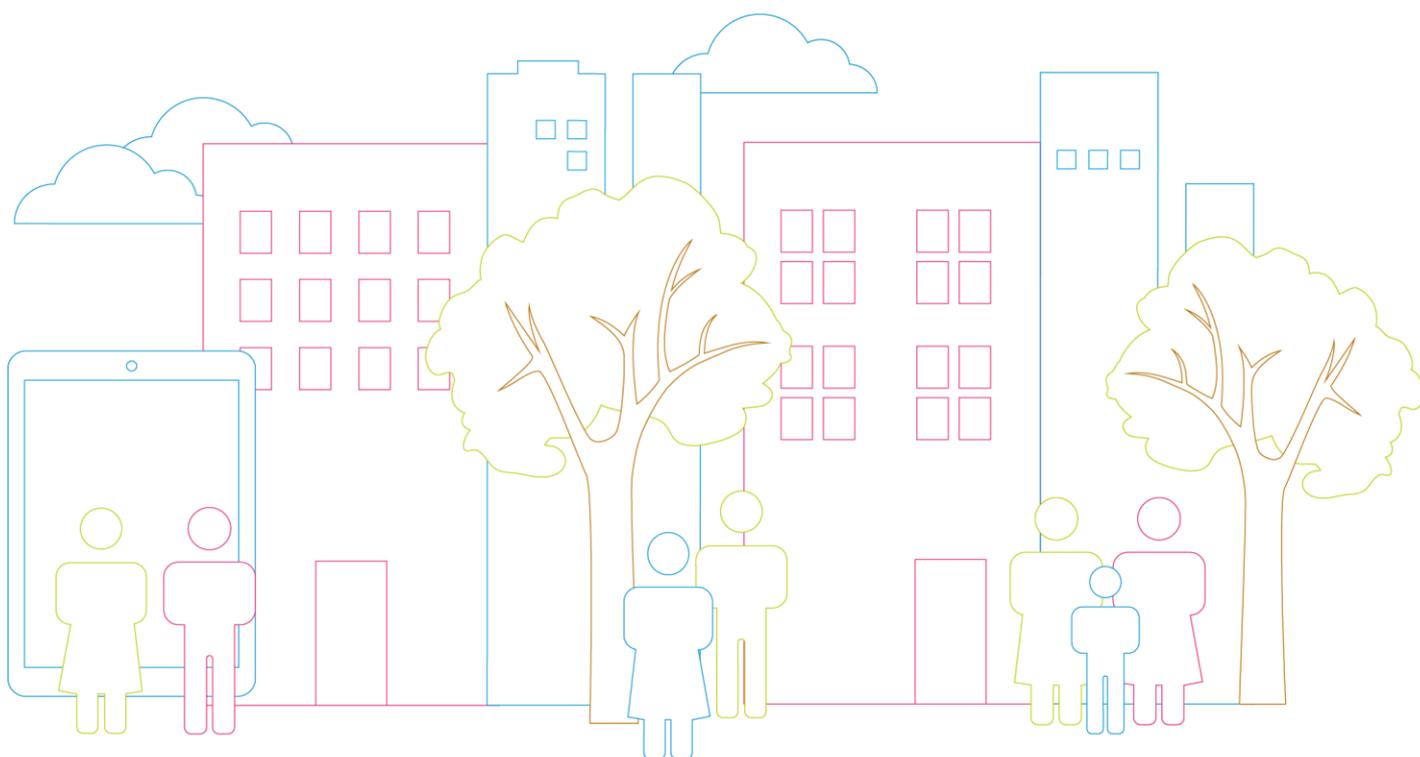
HM Courts &  
Tribunals Service

Justice matters

# Trainee Legal Adviser

## Job profile

March 2022



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<b>Position</b>	Trainee Legal Adviser
<b>Directorate</b>	HMCTS
<b>Location</b>	National
<b>Band</b>	EO
<b>Salary</b>	£25,118 pa (National) to £28,313 pa (London) – This will increase to £30,451 pa (National) and £34,262 pa (London) after approximately one year of training
<b>Contract Type</b>	Permanent
<b>Reserve List</b>	Yes (12 months)
<b>Lead Behaviour</b>	Communicating and influencing – In the event of excessively high volume of applications, applications will be sifted on this lead behaviour

## Overview

### Why we exist

Magistrates' Courts deal with approximately 95% of criminal cases, 70% of civil cases, and 60% of family cases. Dealing with cases justly and speedily, and in ways that meet the needs of our court users, is at the heart of what we do.

The role of a legal adviser is pivotal to the smooth running of the court. Magistrates are unqualified judges drawn from the local community and sit on a voluntary basis. As Magistrates do not have a legal background, the legal adviser is required to sit in court with them to advise on legal points, practice and procedure and assist with the formulation and drafting of their reasons.

As a legal adviser to magistrates, you are responsible for ensuring that those attending court, whether as defendant, victim or witness are treated with humanity and respect. Good legal knowledge and the ability to communicate that clearly to magistrates and court users is vital to the courts ability to deal with cases justly. Success in the role you are considering will enable you to make a positive difference to your community and your society.

We are here to ensure everyone in need of our courts and tribunals receives a service that suits their needs.

### What are we doing?

We have begun a £1bn, six-year Reform Programme to completely change what we do and make our services better for the society we serve. The Reform Programme is one of the most ambitious of its kind in the world.

### How are we going to fulfil our vision?

Every year, millions of people seek justice in our courts and tribunals.

We are focused on radically improving the customer's experience by:

- Employing digital technology to enable access to justice by enabling victims and witnesses to give evidence in a less intimidating way via video link;

- Enabling self-service, where appropriate, to ensure people can get fast and easy access to simple judicial services;
- Streamlining processes so we can reinvest in improvements that benefit our customers;
- Progressing cases efficiently and effectively through the court by maximising the use of new digital processes.

As a Trainee Legal Adviser, you will be at the forefront of delivering this improved service and experience to our customers both in and outside the court room.

## **Job Description**

### **The key purpose of the role**

As a Trainee Legal Adviser, you will commence a training programme designed to enable you to act as Legal Adviser to the Magistrates and District Judge (Magistrates' Court) in accordance with legislation and the Criminal and Family Practice Directions.

### **Technical**

Candidates can be currently studying for the appropriate qualifications at the point of application but must be able to evidence their final certification at the point of an offer being made to be able to proceed to appointment. Candidates who cannot evidence the correct certification at the point of offer will be removed from the process. We anticipate offers being made in September 2022.

To be eligible to apply for this post, candidates must have passed the academic stage of qualification to become a barrister in England and Wales, or a solicitor of the Senior Courts of England and Wales, or a Fellow of the Chartered Institute of Legal Executives (CILEX) by virtue of —

- (i) having passed the necessary examinations; (example of which are listed below)
- (ii) having been granted an exemption in relation to the necessary examinations (example of which are listed below) by the appropriate examining body; or
- (iii) any combination of the two;

By way of example, the following list reflects the currently approved academic qualification routes. If you remain unsure whether your qualifications make you eligible please email [LegalRecruitment@justice.gov.uk](mailto:LegalRecruitment@justice.gov.uk) for clarification:

- The Legal Practice Course (LPC) for Solicitors, or BOTH the SQE1 and SQE2 stages of the Solicitors Qualifying Exam; or
- The Bar Training Course; or equivalent for Barristers; or
- The CILEx Level 3 Professional Diploma in Law and Practice and the CILEx Level 6 Diploma in Law and Practice; or
- The CILEx Graduate Fast Track Diploma; or equivalent for Graduate Membership of CILEx.

### **The key objectives of the role are contained within the Legal Adviser Competence Framework which includes:**

#### **(i) Building and maintaining effective working relationships with magistrates:**

- Advising the Magistrates on law, practice and procedure and assisting with the drafting of their reasons



- Facilitating a structured decision-making process based on knowledge of appropriate techniques, manuals, guidelines and current statutory and case law developments
- Working in partnership with magistrates both in and out of court and demonstrating a recognition and understanding of local practices, procedures, policies, current issues and relevant training opportunities.

**(ii) Facilitating the business of the Court:**

- Preparing, planning and the execution of activities to enable court/direction hearings, courtroom activity and the wider activities that progress the business of the court, including provision of advice and written legal documentation
- Providing professional advice and documentation both in and out of court
- Planning, conducting and concluding case management hearings effectively, when sitting with or without a bench of magistrates
- Applying specialist knowledge and skills both in and out of court as well as with administration teams and in related meetings
- Supporting the work of the court through contact with Panel/Committee members during meetings, on a one to one basis and at training/development sessions and by liaising with the relevant agencies involved in specialist court and Committee work.
- Competent in the use of IT systems including online digital legal resources.

**(iii) Advising and working with staff:**

- Working in partnership with other staff, using knowledge of relevant protocols, procedures, processes and constraints
- Carrying out administrative duties using local scheduling, listing and case management protocols, within statutory and non-statutory time limits.
- Provide legal advice and guidance to administrative staff

## **Decision-Making:**

The ability to advise on and make objective and impartial decisions is an important part of a legal adviser's role. Sometimes those decisions will involve complex issues and competing interests and as a legal adviser you will need to not only be able to make sound decisions but be able to give clear reasons for any decision.

Decisions involving the law will require sound legal research, using online resources, and the ability to quickly assimilate legislation and case law and to apply it confidently to the situation being considered.

You will also be required to prioritise and progress work efficiently taking account of the needs of those interested in the case.

## **Out of Court Functions**

When not in court, the Trainee Legal Adviser will be required to prepare for their courts, research legal issues, support the case progression function, deal with enquiries and participate in other team administrative duties as directed by their Legal Team Manager.

## **Behaviours**

The behaviours listed below will be assessed at sift stage and interview and must be demonstrated at level 2 EO or equivalent.

### **Communicating and Influencing – Application and Interview**

You communicate clearly and concisely, listening to others and adapting your style to suit the audience. You communicate and influence with confidence and challenge others in a constructive manner. You keep others informed at all times and easily develop mutual trust and respect.

### **Working together – Application and Interview**

You behave in an open and approachable manner and easily develop good working relationships. You look for ways to develop others and are always willing to support colleagues with their workload. You act as a professional role model and provide leadership to operational staff.

### **Making Effective Decisions – Application and Interview**

You show good judgement and problem-solving ability, using relevant information to guide your thinking. You have the confidence to make robust and impartial decisions, considering all the implications and possible risks. You can clearly explain and justify your decisions.

### **Managing a Quality Service - Interview**

You act as the professional face of the court, maintaining authority and control and behaving with integrity at all times. You consider the needs of court users and treat them with empathy and understanding. You are focussed on delivering an excellent service, identifying opportunities to improve processes and performance and taking personal responsibility for your own learning and development.

### **Delivering at Pace - Interview**

You take personal responsibility for delivering high quality work, showing excellent organisation and time management skills. You work effectively under pressure and show resilience in challenging situations. You are flexible and quickly adapt to new situations and circumstances, embracing change and encouraging others to do the same.

## **Strengths**

As part of the Success Profile Framework, strengths applicable to the role will be assessed at interview.

### **Ability**

Your ability to maintain relevant and up-to-date legal knowledge and skills will be assessed at interview.

## **Training**



HMCTS offers a bespoke training programme which is delivered through a variety of training methods. The Trainee Legal Adviser will be supported by an allocated mentor to guide them throughout the Induction and Training Programme.

Successful candidates will be required to attend a two-day Induction Programme run by the Judicial College which is followed by supplementary training in the workplace and the completion of modules contained in the Judicial College's Legal Adviser Manual. This learning will be enhanced by relevant court observations and additional local and regional training events with peers.

Participation in this programme will require regular contact with not only the mentor but also the Line Manager who will set performance objectives to facilitate and monitor their progress. The successful candidate will be expected to achieve those objectives by managing their day to day performance with a view to attaining and maintaining the Trainee Legal Adviser baseline competences and maintain their own continuing professional development requirements.

Having successfully completed the Legal Adviser Induction programme it is expected that Trainee will be able to act as a Legal Adviser in adult criminal and/or civil courts, and/or youth criminal and civil courts and/or Family Court without supervision.

## **Career Development**

After approximately one year of training, providing you achieve competence in certain areas (in line with the HMCTS Legal Adviser Tier Progression Framework), you will progress to a HEO role (with the associated increase in pay). Upon successful completion of the full training and submission of your training portfolio (usually completed within two years), a Trainee Legal Adviser will then progress to a SEO Tier 1 Legal Adviser role (with the associated increase in pay).

As a Tier 1 Legal Adviser you will continue to grow your skills and develop a portfolio for assessment for progression to tier 2 (in line with the HMCTS Legal Adviser Tier Progression Framework). Tier 2 Legal Advisers are expected to demonstrate a high level of legal professionalism and will use those skills outside of the courtroom for the wider benefit of their team and HMCTS. The Tier 2 role provides the opportunity to demonstrate knowledge and skills in a recognised legal practice area together with the full range of associated delegated powers. Tier 2 legal advisers play an important role in ensuring effective case management and managing complex cases.

The Tier 2 role also provides an opportunity for career development in other areas such as management and leadership, mentoring and training, customer service and organisational delivery.

Tier 2 legal advisers play an important role in mentoring other staff whether Trainee Legal Advisers, Legal Advisers in Training, apprentices and other Legal Advisers who are in the process of developing their skills through the career structure.

Tier 2 legal advisers can develop their careers within HMCTS through opportunities to apply for Legal Team Manager roles or within the wider civil service.

## **Secondments**

Within the Legal Adviser Career Structure, legal advisers will have the opportunity to apply for and be considered for legal and non-legal secondments within the wider departments of HMCTS, MOJ and other Government Agencies.

## **Judicial Appointment**

A Tier 2 Legal Adviser will find the knowledge and skills gained within the role particularly relevant to any aspirations for judicial appointment. HMCTS is supportive of applications for judicial appointment and a number of legal advisers within HMCTS sit as fee paid judiciary in tribunals, county courts and magistrates' courts.

## **Base**

A successful candidate will be offered a post at a base court house that can oversee the training programme. In many areas legal teams work across a number of courthouses and a reasonable amount of travel can be expected.

The training programme takes up to two years to complete and it is expected that the programme will be completed within the base location. Save in exceptional circumstances, the postholder should not apply to transfer to another area during the period of the training programme.

This job description is a guide to the principal current duties of the post. It is not an exhaustive list of the duties and responsibilities of the post and the postholder may be required to undertake any other duties from time to time that are commensurate with the seniority and nature of the post.

## **Working Hours:**

A Trainee Legal Adviser will be contracted to work 37 hours excluding lunch breaks.

A successful candidate once in post will be required to work those hours over five days, including Saturdays and Public Holidays.