

FACULTY OF ADVOCATES - ANNUAL STATEMENT ON QUALITY ASSURANCE

It is essential that the public and the legal profession have confidence when instructing an advocate that they meet the necessary quality and standard to present cases effectively on behalf of clients.

The Faculty's Quality Assurance programme introduced in 2016, requires members to demonstrate a standard of effective advocacy in an exercise in legal submissions (for example a legal debate or an oral application to the court, called a motion). In this context, effective advocacy means that the advocate has assisted the court to determine the issue before it. This is a basic standard designed to ensure that the advocate is competent. It is judged by reference to assessment criteria for each key skill set: Case Analysis, Structure, Use of Language, Engaging Decision Maker, Use of Authorities, Presentation and Use of Documents.

Each year, the Faculty assesses approximately one fifth of the practising bar. Advocates are called for assessment in order of seniority, starting with the most senior advocates. The assessment of the advocate's advocacy skill consists of an oral advocacy exercise. The advocate may choose one exercise from a list of a general civil or criminal exercise depending on the individual's practice. Each advocate's presentation is video recorded and assessed by a member of a group of senior advocates who have been nominated by the Dean and trained by the Director of Training & Education and the QA Director. If the advocate's presentation does not meet the required standard he/she will undertake a second assessment using a different exercise and in front of a different assessor who has not been informed of the previous result. Feedback and assistance is available between the first and second assessment. If in the second assessment the required standard is still not met he/she is required to undertake the full devil's assessment the following year, prior to recommencing practice.

In 2019, 77 members of Faculty were assessed. In advance of the programme a number of workshops were held to assist with re-enforcement and development of advocacy skills. These workshops were well attended by members so that, most if not all, participants received several hours of additional advocacy skills training in advance of their assessment. In 2019, two members were judged as not effective on their first assessment. However both were deemed to be effective following their second assessment having undertaken additional training with the Director of Training & Education or an individual nominated by him.

In 2020, 70 members of Faculty were assessed. Due to the restrictions in place to combat Covid-19, the 2020 programme was held virtually. In advance of the programme a virtual workshop was held by the Director of Training & Education to assist with re-enforcement and development of advocacy skills. The workshop was well attended, and a recording was made available to members who were unable to attend to watch at a later date. In 2020 all members were assessed as effective on their first assessment. The 2020 programme marked the completion of the first five year cycle, meaning that all members of Faculty in practice have now been assessed under the Scheme. The next cycle will commence in 2021 with the most senior members of Faculty being assessed again.

The operation of the programme has been the subject of an independent external review by a leading member of the bar of Northern Ireland. Some changes to the operation of the programme have been implemented as a result. Further review of the operation of the programme will take place in 2021 following the completion of the first five-year cycle.