

# Criminal Law Panel applications FAQs

## What are these FAQs?

These FAQs are designed to assist you if you wish to apply for membership of one or more of the Legal Aid WA Criminal Law panels.

If you have questions about applying generally for membership of a Legal Aid WA panel or list, see: [Panel and List applications FAQs](#).

## How do I know which panel to apply for?

Criminal law matter types have been matched to particular panels. You should view the matter types linked to each panel to assess which panel you may wish to apply for. These matter types are available under Resources on the Legal Aid WA web page: [Criminal matter panels](#).

## How many criminal law panels are there?

There are seven different criminal law panels:

- Murder (Adult & Youth)
- Sex Offences (Adult & Youth)
- Serious Indictable (Adult)
- Magistrate and other Indictable (Adult)
- Children's Court
- Appeals
- Corruption and Crime Commission (CCC)

Please be aware that if you are included on either the Murder Panel or the Sex Offences Panel you will be required to represent both adults and children.

## How do I qualify for each panel?

Each panel has specific criteria to meet to qualify for membership. You must meet the minimum criteria at the time and date the application period closes. Your application should fully address the requirements as specified on the Legal Aid WA website: [Criminal matter panels](#).

You must meet the minimum number of years post admission experience as a criminal lawyer for each panel. If you are unsure, please include the date you completed your restricted practice. This can be obtained from the Legal Practice Board.

## I have acted as a junior on a jury trial. Does this meet the requirement for jury trial experience?

No. To meet the jury trial criteria, you need to demonstrate that you have had actual conduct of jury trials. This is required to ensure you have experience in the examination of witnesses, addressing a jury etc.

### **Can I just provide a copy of a transcript with my application?**

No. A transcript may be used to help support your application but you must provide a written submission addressing the criteria.

### **What if I am no longer a restricted practitioner but have less than 3 years post admission experience?**

If you have between 2 and 3 years post admission criminal law experience you can apply for the Magistrate and Other Indictable Panel and the Children's Court Panel, with an approved legal supervisor in place. You should ensure that you advise Legal Aid WA the date you completed your restricted practice, so your eligibility and/or any period of supervision can be determined.

### **Where do I find a supervisor?**

If a supervisor is required, it is up to you to nominate a practitioner of more than 5 years criminal law experience who is willing to supervise your legal work in relation to legally aided matters.

The supervising practitioner must:

- be approved by Legal Aid WA; and
- be a member of the same criminal law panel you are applying for; and
- be employed by the same law firm as you or be a barrister at the same bar chambers as you; and
- agree to provide information to Legal Aid WA about your ability to conduct legally aided matters; and
- agree to take over the legal matter assigned to you if the matters become too complex.

You and your supervisor must sign practitioner and supervisor agreements.

### **Where do I find these Supervision Agreements?**

The **Supervision Agreements** are available on the Legal Aid WA website: [Criminal matter panels](#) under Resources.

### **If I am under supervision, am I permitted to conduct a trial?**

You may conduct a Magistrates Court trial under supervision. You are not permitted to conduct a jury trial in the District or Supreme Court or a trial before the President of the Children's Court while under supervision. If a matter assigned to you becomes a jury or a Children's Court President trial, your supervisor must take over conduct of the matter and appear as counsel at the jury trial. If your supervisor is not a member of the relevant panel, the matter will have to be transferred to a practitioner who is a member of the relevant panel.

### **How long do I need to be supervised?**

From the date your membership of the panel commences until Legal Aid WA confirms that you have gained the relevant criminal law experience. Ordinarily, this is once you have 3 years post admission experience as a criminal lawyer. Your supervision period will be noted when you receive your Membership Notice.

Legal Aid WA will determine your period of supervision based on actual experience as a criminal lawyer, and not from your date of admission. You should advise Legal Aid WA the date you completed your restricted practice in your application form.

You should contact Legal Aid WA once you have completed your supervision period.

### **How can I do the Youth Law prerequisite training required for Children's Court Panel?**

Youth Law training provided by Legal Aid WA can be completed online and is free for panel applicants. CPD points are also available.

To access this free online module, email [tntadmin@legalaid.wa.gov.au](mailto:tntadmin@legalaid.wa.gov.au). Youth Law training must be completed in the six months before you apply for inclusion on the Children's Court Panel. This training must be completed before you submit your application. Your application will be refused if you have not completed this training.

### **I am already a member of the Crime – Magistrate and Other Indictable Panel and I am now eligible for Serious Indictable and Sexual Offences Panels. Can I email Legal Aid and ask to now be included on these complex panels?**

No, you will need to apply for inclusion on any additional panels when the next application period commences. You will need to apply through the link on the Legal Aid WA website: [How to apply](#).

### **Corruption and Crime Commission (CCC) Panel**

This panel is for legal practitioners who wish to accept grants of aid in relation to Corruption and Crime Commission (CCC) matters. Applications for aid are from serving or former public officers who have been called before the CCC as witnesses or been served with notices or summonses by the CCC or the Parliamentary Inspector in relation to allegations of serious misconduct.

Legal Aid WA does not receive a high volume of applications for aid for CCC matters, but any grants of aid will be referred to practitioners on the panel.

### **What if I have more questions?**

You can email any other questions to [panelapplications@legalaid.wa.gov.au](mailto:panelapplications@legalaid.wa.gov.au).