



**Attorney General
for Northern Ireland**

**Candidate
Information
Booklet**

**Paralegal
Office of the Attorney General
for Northern Ireland**

**Completed Application Forms
must be submitted no later
than 12 noon (UK time) on
*Friday 18th December 2020***

**Please retain a copy of this
booklet for your reference
throughout the selection
process.**

Office of the Attorney General (NI)

Contents

	Page
Foreword	3
Background	4
Key Responsibilities	5
Appointment/Terms and Conditions	7
Eligibility Criteria	9
Selection Process	10
Guidance for Applicants	12

FOREWORD

Thank you for your interest in this competition to fill the temporary position of a Paralegal in the Office of the Attorney General for Northern Ireland. There are currently two vacancies and the successful applicants will be offered a 1 year fixed term contract.

This challenging and rewarding role will offer the appointees a unique opportunity to assist with the exercise of the Attorney's power under section 47 of the Mental Capacity Act (NI) 2016. This Act introduced new statutory processes for authorisation of the deprivation of liberty of those unable to consent to care arrangements.

The successful candidates will be responsible for his/her individual case management; assessing and determining each case in accordance with the requirements of the Mental Capacity Act; and making recommendations to the Attorney General.

I would encourage you to carefully consider the information in the following pages and if you feel you would want to be part of this important work I would encourage you to apply.

I very much look forward to hearing from you.

Brenda King
Attorney General for Northern Ireland

BACKGROUND

The Attorney General is appointed by the First Minister and deputy First Minister, acting jointly.

By section 22(5) of the Justice (Northern Ireland) Act 2002 the Attorney General is statutorily independent of the First Minister and deputy First Minister, the Northern Ireland Executive and the Northern Ireland Departments. To guarantee the independence of the Attorney, her Office has an arm's length relationship with The Executive Office (TEO).

The Attorney General has a range of statutory and non-statutory responsibilities including:

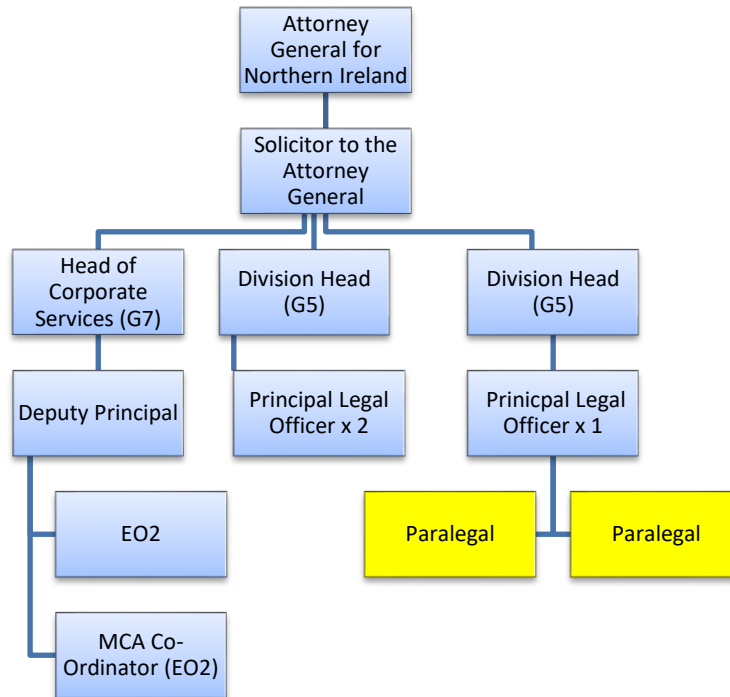
- Serving as chief legal adviser to the Northern Ireland Executive for both civil and criminal matters that fall within the devolved powers of the Northern Ireland Assembly;
- Acting as the Executive's most senior representative in the courts;
- Exercising powers under the Mental Capacity Act (Northern Ireland) 2016 including whether or not to refer to the Review Tribunal the question of whether the authorisation of a Deprivation of Liberty is appropriate;
- Discharging specific functions to protect the public interest in certain charity matters;
- Deciding whether or not to direct inquests under section 14 (1) of the Coroners Act (Northern Ireland) 1959;
- Producing guidance for criminal justice organisations on the exercise of their functions in a manner consistent with international human rights standards;
- Guardian of the Rule of Law.

Responsibility for the duties and functions of the Attorney General resides personally with her. All work relating to the exercise of these duties and functions is therefore carried out under the direction of the Attorney.

KEY RESPONSIBILITIES

Key Responsibilities

For the purposes of line management the each Paralegal will report to a Principal Legal Officer.



Paralegal support is required for the exercise of the Attorney's power under section 47 of the Mental Capacity Act (NI) 2016. This Act introduced new statutory processes for authorisation of the deprivation of liberty of those unable to consent to care arrangements. Authorisations are being processed for a large number of people living in care homes; and similar settings who are unable to make a decision consenting to their care and for people in hospital settings being treated, for example, for delirium or in rehabilitation after brain injury.

The Attorney General, as a safeguard for those deprived of their liberty who lack the capacity to initiate their right to a review of their detention, is notified when an authorisation is put in place. The Act and associated regulations place obligations on Trusts to notify the Attorney General of cases where the person deprived of liberty is unlikely to be able to make a decision about accessing the Review Tribunal. The Attorney is empowered by section 47 of the Act to refer the authorisation to the Review Tribunal if considered appropriate to do so in order to protect the detained person's right to liberty under article 5 ECHR.

The documents relating to the authorisations which have been notified to the Attorney need to be scrutinised in detail, in the first place, by a Paralegal,

allowing a submission to the Attorney to be made which clearly highlights the evidence which is relevant to the exercise of her statutory power.

A Paralegal will be responsible for his/her individual case management; assessing and determining each case in accordance with the requirement outlined above and the Mental Capacity Act; and making recommendations to the Attorney General. Arrangements will be in place for appropriate supervision by a Grade 7 solicitor or barrister

Main Job Activities

	Estimated % of Time
MCA Caseload Overall management of the MCA caseload including: <ul style="list-style-type: none"> - Initial scrutiny of case papers and requesting further information if required; - Ensuring the timely processing of MCA cases; - Scrutiny of the information and evidence; making an assessment as to whether the criteria for deprivation of liberty are met and whether it is otherwise appropriate to recommend a referral; and making a recommendation to the Attorney General. 	90
Records Management <ul style="list-style-type: none"> - Ensure accurate records are recorded on the NICS File Management System. 	5
General Legal Support <ul style="list-style-type: none"> - Provide general legal support to the Attorney General, legal team and senior managers as and when required including drafting letters, organising events, and preparing legal papers. 	5

APPOINTMENT / TERMS AND CONDITIONS

There are currently two temporary Paralegal vacancies in the Office of the Attorney General (NI) for a 1 year fixed Term Contract.

The position holder is not a member of the Northern Ireland Civil Service (NICS).

Further appointments may be made from this competition should positions become vacant which have similar duties and responsibilities.

Location

This post will be based at the Office of the Attorney General (NI) which is currently at Linum Chambers, 2 Bedford Square, Bedford Street, Belfast BT2 7ES. It should be noted that due to the Covid-19 pandemic working from home is the normal practice.

Salary

Salary will be £25k per annum

Pensions

Successful candidates will be offered an attractive pension package. Further details can be found on the Principal Civil Service Pensions Scheme (Northern Ireland) website at www.finance-ni.gov.uk/civilservicepensions-ni

Holidays

In addition to public and privilege holidays, currently 12 days, the annual leave allowance will be 25 days.

Hours of Work

The normal conditioned hours of work are full-time: 37 hours net Monday to Friday. The office works flexi-time.

Vetting

An appointment will be dependent on the individual satisfying the vetting requirements for the post. The level of vetting required for this post is Counter Terrorist Check (CTC).

Probation

If performance, conduct or attendance during the contract period is not satisfactory the appointment may be terminated.

Conflict of Interest

It is a basic requirement of post holders that their private activities should not bring them in to conflict with their official duties.

Conflict of Interest is not limited to the individual's own private, financial or other interests, as family, friends and associates may also have dealings which affect the Office of the Attorney General's business directly or indirectly. Therefore to avoid any conflict or potential conflict and to demonstrate impartiality to the public at all times, a post holder must not, without prior approval, engage in any activity which could be considered to be in conflict with official business.

As such, to protect post holders and the Office of the Attorney General from public criticism, it will be mandatory for the successful candidate to complete a Conflict of Interest declaration on appointment.

Further Information

Applicants wishing to learn more about the competition process, require any documentation in an alternative format or the post before deciding to apply may telephone Maurice Dowling on 028 90725305 or email maurice.dowling@attorneygeneralni.gov.uk

ELIGIBILITY CRITERIA

Applicants must, by the closing date for applications:

1. Have as a minimum level of formal qualification, a recognised degree in law or a degree in Scots law.
(See Appendix 4 to the 2021 IPLS Information Booklet for what is 'recognised' for the purposes of this recruitment exercise: <https://www.qub.ac.uk/schools/InstituteofProfessionalLegalStudies/FileStore/Filetoupload,988609,en.pdf>)

You will be required to provide documentary evidence of your law degree at interview so please ensure you have this readily available.

SHORTLISTING CRITERIA

In addition applicants are required to provide a case analysis. Please email with your application form your analysis, amounting to no more than 750 words, of the key points arising from the judgment of Lady Hale in *Cheshire West and Chester Council v P* - see [1]-[58]
<https://www.supremecourt.uk/cases/docs/uksc-2012-0068-judgment.pdf>

The analysis will be used to identify those candidates who will be invited to interview. The analysis must be your original work. Plagiarism will result in removal from the appointment process.

SELECTION PROCESS

The selection process will include a short exercise and an interview.

Short Exercise

Candidates will be advised of the exercise topic when they report for interview. Candidates will be given a maximum of 30 minutes to consider the information provided and to prepare answers to the questions to be asked.

No personal documentation may be brought in to the pre-interview room. Candidates will be allowed to bring some short speaking notes into the interview room for assistance during the interview. No other materials or visual aids will be permitted.

Interview

Once candidates complete the exercise they will be invited to the interview. The interview panel will ask candidates to present their answers to the exercise and may ask further questions on the topic under discussion.

Marks available for the Exercise: 30

The following areas will also be assessed at interview with questions designed to test your knowledge and experience in each area and award marks accordingly.

1. *Making Effective Decisions.*

Effectiveness in this area is about being objective, using sound judgement, and knowledge to provide accurate, expert and professional advice. It means showing clarity of thought, setting priorities, analysing and using evidence to evaluate options before arriving at well-reasoned, justifiable decisions.

Marks available: 30

2. *Delivering at Pace*

Effectiveness in this area means focusing on delivering timely performance with energy and taking responsibility and accountability for quality outcomes. For all staff, it is about working to agreed goals and activities and dealing with challenges in a responsive and constructive way.

Marks available: 20

3. Collaborating and Partnering

People skilled in this area create and maintain positive, professional and trusting working relationships with a wide range of people within and outside the NICS, to help to achieve business objectives and goals. At all levels, it requires working collaboratively, sharing information and building supportive, responsive relationships with colleagues and stakeholders, whilst having the confidence to challenge assumptions.

Marks available: 20

Total marks available: 100

Candidates will be required to achieve a score of at least 60 to pass the interview.

Interviews

It is intended that interviews for this post will take place in Belfast on 14th and 15th January 2021. Candidates should make themselves available on these dates. Candidates should be aware that the interview room will be set up to accommodate social distancing during the current COVID-19 situation. Alternative ways to facilitate remote interviews may also be considered.

Requests for reschedules will only be considered in exceptional circumstances.

GUIDANCE FOR APPLICANTS

Applications forms

Only e-mailed applications will be accepted.

The application form is designed to ensure that applicants provide the necessary information to determine how they meet the competition requirements and the eligibility/shortlisting criteria. **All** parts of the application form **must** be completed by the applicant before this application can be considered. Failure to do so may result in disqualification.

Please note:

- Except for the shortlisting analysis, we will not accept CVs, letters, additional pages or any other supplementary material in place of or in addition to completed application forms.
- All applications must be submitted by the advertised closing date and time.
- Information in support of your application will not be accepted after the closing date for receipt of applications.
- Applications will not be examined until after the closing deadline.
- Once your application has been submitted the opportunity to edit will no longer be available.
- You will receive an acknowledgement email. Please contact the Office of the Attorney at contact@attorneygeneralni.gov.uk if you do not receive an acknowledgment email within two working days of the closing date of this competition.

Interview Preparation

In preparation for the interview you may wish to think about having a clear structure for each of your examples, such as:

- Situation – briefly outline the situation;
- Task – what was your objective, what were you trying to achieve;
- Action – what did you actually do, what was your unique contribution;
- Result – what happened, what was the outcome, what did you learn.

The panel will ask you to provide specific examples from your past experience to demonstrate the range of behaviours associated areas assessed. You should therefore come to the interview prepared to discuss in detail a range of examples which best illustrate your skills and abilities in each area. You may draw examples from any area of your work / life experiences.

General Information

The Merit Principle

In accordance with the Office of the Civil Service Commissioners' Recruitment Code, appointments are made under the 'merit principle', where the best person for any given post is selected in fair and open competition.

Further information on the Civil Service Commissioners can be found at www.nicscommissioners.org.

Offers of Contract

Candidates will only receive one offer of appointment which, if not accepted, will generally result in withdrawal from the competition.

Changes in personal circumstances and contact details

Please ensure the Office of the Attorney General is informed immediately of any changes in personal circumstances. It is important that contact details are up to date.

Transgender Requirements

Should you currently be going through a phase of transition in respect of gender and wish this to be taken into consideration, in confidence, to enable you to attend any part of the assessment process please contact the Office of the Attorney General. Details of this will only be used for this purpose and do not form any part of the process.

Merit List

The Office of the Attorney General will allocate a candidate (or candidates) to a vacancy (or vacancies) in the order listed. It is presently intended that the merit list for this competition should remain extant for a period of one year. However you should be aware that circumstances may arise in the future where it will be necessary to extend the currency of the merit list for a further period. The merit list will only be extended where cogent practical reasons for doing so arise.

Disability Requirements

We will ask on the application form if you require any reasonable adjustments, due to disability, to enable you to attend any part of the assessment process. Details of any disability are only used for this purpose and do not form any part of the selection process. If you have indicated on your application that you have a disability and are successful in the selection process and are being considered for appointment, you may be required to outline any adjustments you consider necessary in order for you to take up an

appointment. If you wish to discuss your disability requirements further, please contact the Office of the Attorney General.

Documentation

Identification documents to satisfy the Nationality and Security requirements of the post will be required. Further details regarding acceptable documentation will be issued with an invitation to attend for assessment.

You will be required to bring documentary evidence of your qualifications to the interview.

You should ensure that the required documents are readily available.

Right to Work and Nationality Requirements

There are no nationality restrictions on this post: however, before an offer of appointment can be made to an overseas candidate, The Office of the Attorney General will need to ensure that all UK visa and immigration requirements are met.

Security

Counter Terrorist Check

For this post the level of vetting is a Counter Terrorist Check. For this check you will be required to complete an on-line process.

Further information regarding the Counter Terrorist Check is available via www.gov.uk.

We will organise a Criminal Record Check on all applicants to be carried out by AccessNI. The category of AccessNI check required for this post is;

Standard Disclosure Certificate

You should not put off applying for a post because you have a conviction. We deal with all criminal record information in a confidential manner, and information relating to convictions is destroyed after a decision is made.

The AccessNI code of practice can be accessed via www.nidirect.gov.uk/accessni.

Those applicants who are being considered for appointment will be contacted, normally after interview, and will be asked to complete the AccessNI application form. Please note that a request to complete this form should not be seen as a guarantee of an offer of appointment.

Failure to complete the application form and return it within the specified time will be regarded as 'no longer interested in the position' and your application will be withdrawn.

Criminal Record information is subject to the provisions of the Rehabilitation of Offenders (NI) Order 1978.

Equal Opportunity

All applications for this appointment are considered strictly on the basis of merit

**THIS INFORMATION PACK DOES NOT FORM PART OF
CONDITIONS OF CONTRACT**