

## **The Specialist Quality Mark in England and Wales**

Excerpts from the Transaction Criteria for Criminal Matters  
(Legal Services Commission)

(Full text available at <http://www.legalservices.gov.uk/contract/transaction.htm> )

# Crime

This set of criteria covers advice, assistance and representation in **all** criminal matters. However, it would not be appropriate to audit files which only relate to:

- advice given over the telephone to a client at the police station;
- initial advice outside the police station where charges are not brought against the client;
- one-off advice and/or advocacy assistance at court where the client pleads guilty; and where the adviser has no further involvement in the matter.

<b>I</b>	<b>GETTING INFORMATION</b>	<b>Yes</b>	<b>No</b>	<b>N/a</b>
	<i>This section <u>must</u> be audited in all cases. Information may be gathered from anywhere on the file, <b>excluding</b> a Pre-Sentence Report</i>			

## General information

1. Does the file show the following details:

1.1	The client's name?	[ ]	[ ]	
1.2	The client's address?	[ ]	[ ]	
1.3	The client's telephone number?	[ ]	[ ]	
1.4	The client's date of birth? <sup>NFG</sup>	[ ]	[ ]	

<b>II</b>	<b>ATTENDANCE IN RELATION TO AN INVESTIGATION</b>	<b>N/a</b>	<b>[ ]</b>
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*This section should be audited in all cases in which an adviser takes instructions either at the police station or in relation to a police station attendance. Where an adviser instructs agents to attend at the police station, the adviser retains responsibility for the work undertaken and its documentation and as such this would be audited as if it had been undertaken by an employee of the office.*

*Where there is a police station attendance by the adviser (or instructed agent), evidence for compliance will only be taken from documents produced or obtained contemporaneously, as well as any letter confirming instructions.*

**Where the client was represented at the police station by another supplier** it will be the responsibility of the adviser to ensure that appropriate information and advice is evidenced either from the previous firm's papers or gathered by the adviser. Where the client was not represented at the police station the adviser must gather and record the evidence for compliance. In either case, evidence for compliance need not therefore be produced or obtained contemporaneously. Evidence may be found anywhere on the file except for a pre-sentence report. For these matters questions 2 – 5 will be not applicable.

<b>Source of instructions / Access to client</b>		<b>N/a</b>	<b>[ ]</b>
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**Where the client is only advised by telephone, questions 4 and 5 will be not applicable.**

**Where the client was unrepresented at the police station, or was represented at the police station by another supplier, questions 2 – 5 will be not applicable.**

*[Note: questions do apply where the supplier instructs an agent to attend – see note above, p1]*

<sup>NFG</sup> 1.4 - The client's precise date of birth is required for compliance.

	Yes	No	N/a
2. Does the file show: <sup>NFG</sup>			
2.1 The date <b>and</b> time the firm was initially contacted about the client?	[ ]	[ ]	
2.2 The name of the member of staff who first spoke to the client? <sup>NFG</sup>	[ ]	[ ]	
2.3 The name of the fee-earner first contacted about the client?	[ ]	[ ]	
2.4 The time the fee-earner first spoke with the client? <sup>NFG</sup>	[ ]	[ ]	
3. Where the case was a Duty Solicitor telephone referral, does the file show:		N/a	[ ]
3.1 What time the adviser telephoned the police station?	[ ]	[ ]	
3.2 Whether the adviser spoke to the client?	[ ]	[ ]	
and, if so,		N/a	[ ]
3.2.1 Does the file record the advice given?	[ ]	[ ]	
4. Where the adviser was attending at the request of a third party, does the file show: <sup>NFG</sup>		N/a	[ ]
4.1 The name <b>and</b> contact details of the third party?	[ ]	[ ]	
4.2 The relationship of the third party to the client?	[ ]	[ ]	
5. Where access to the client was delayed, does the file record: <sup>NFG</sup>		N/a	[ ]
5.1 The reason given for the delay?	[ ]	[ ]	
5.2 The extent of the delay?	[ ]	[ ]	
5.3 Whether representations were made by the adviser?	[ ]	[ ]	

### Information obtained from the police on arrival at the police station.

*Where the adviser is in attendance at the police station, evidence for compliance for questions 6-8 will only be taken from information gathered from the police **before the interview**. Evidence can be taken from a copy of the custody record if the adviser notes that this has been seen or that a copy has been obtained **at the time of the police station attendance**. Evidence will not be taken from a transcript of an interview.*

***Where the client was represented at the police station by another supplier** or where the client was not represented at the police station evidence for compliance may be found anywhere on the file except for a pre-sentence report.*

- |   |     |     |
|---|-----|-----|
| 6. Does the file evidence that the adviser has obtained or seen a copy of the client's custody record? <sup>NFG</sup> | [ ] | [ ] |
| 7. Does the file show that the following information has been gained <u>from</u>                                      |     |     |

<sup>NFG</sup> 2 - This section covers mandatory requirements under the General Criminal Contract, Part D s2.12.

<sup>NFG</sup> 2.2 - This should be the first member of staff, whether or not a fee-earner, who spoke to the client either over the telephone or in person.

<sup>NFG</sup> 2.4 - This could be in person or by telephone.

<sup>NFG</sup> 4 - e.g.: Relative; friend, etc.

<sup>NFG</sup> 5 - Under certain circumstances, the police have the power to delay access to the client under s.58 Police and Criminal Evidence Act 1984.

<sup>NFG</sup> 6 - Merely recording the custody reference number is not sufficient for compliance.

		Yes	No	N/a
	<u>the police:</u>			
7.1	The name of the officer in charge of the investigation?	[ ]	[ ]	
7.2	Whether the client is attending voluntarily or under arrest?	[ ]	[ ]	
	and if arrested;		N/a	[ ]
7.2.1	The time of arrest?	[ ]	[ ]	
7.2.2	The time detention was authorised?	[ ]	[ ]	
7.3	The nature of the allegation/s or charges? <sup>NFG</sup>	[ ]	[ ]	
7.4	The police version of events/evidence? <sup>NFG</sup>	[ ]	[ ]	
7.5	Whether there has been a previous interview or any questioning? <sup>NFG</sup>	[ ]	[ ]	
7.6	Whether the client has said anything to the police?	[ ]	[ ]	
7.7	Where another person has been arrested or is being sought in connection with the alleged offences: <sup>NFG</sup>		N/a	[ ]
7.7.1	Their name/s?	[ ]	[ ]	
	and, if there are co-accused <u>in custody</u> :		N/a	[ ]
7.7.2	Whether they have made any statement or comment which might implicate the client?	[ ]	[ ]	
7.8	Where a search of premises has occurred or is intended:		N/a	[ ]
7.8.1	The legal authority for the procedure?	[ ]	[ ]	
	and, if the search of premises has already occurred:		N/a	[ ]
7.8.2	Whether evidence has been gathered as a result?	[ ]	[ ]	
7.9	Where a body sample has been taken or is intended to be taken: <sup>NFG</sup>		N/a	[ ]
7.9.1	The legal authority for the procedure?	[ ]	[ ]	
7.9.2	Whether consent has been obtained?	[ ]	[ ]	
7.10	Where an intimate or non intimate search has taken place: <sup>NFG</sup>		N/a	[ ]

<sup>NFG</sup> 7.3 - e.g. theft, assault, criminal damage.

<sup>NFG</sup> 7.4 - i.e. the alleged circumstances of the offence and any evidence, such as being caught in the act or in the vicinity, stolen goods found etc.

<sup>NFG</sup> 7.5 - An interview should be defined as any questioning regarding involvement/suspected involvement in a criminal offence where this is carried out under caution. Questioning should be defined as any questioning regarding involvement/suspected involvement in a criminal offence that is not carried out under caution. Compliance should be given where the adviser has addressed whether any questions have been put to the client **and** whether or not the client has been cautioned.

<sup>NFG</sup> 7.7 - This relates to all co-accused.

<sup>NFG</sup> 7.9 - This includes both intimate (e.g.; blood; semen; urine) and non-intimate (e.g.; hair; saliva) body samples. Do not include fingerprints, photographs, handwriting samples or samples in road traffic cases.

<sup>NFG</sup> 7.10 - Non intimate search refers to a search where item/s of clothing are removed. This does not include a standard search of the contents of pockets at the time of detention.

	Yes	No	N/a
7.10.1 The legal authority for the procedure?	[ ]	[ ]	
7.10.2 Whether consent has been obtained?	[ ]	[ ]	
7.10.3 Whether evidence has been gathered as a result?	[ ]	[ ]	
7.11 Does the file show:			
7.11.1 Whether the client is a 'person at risk'? <sup>NFG</sup>	[ ]	[ ]	
7.11.2 Whether the client has any particular needs? <sup>NFG</sup>	[ ]	[ ]	
7.11.3 Whether the adviser has assessed the client's fitness for interview? <sup>NFG</sup>	[ ]	[ ]	
8. Where the client is a juvenile (under 17) or 'at risk', does the file show:		N/a	[ ]
8.1 The relationship of an appropriate adult to the client? <sup>NFG</sup>		[ ]	[ ]
8.2 The name <b>and</b> contact details of an appropriate adult? <sup>NFG</sup>	[ ]	[ ]	

### Instructions from the client, prior to an interview.

Where the adviser is in attendance at the police station, evidence for compliance for questions 9-16 must be gained from the client **prior to any interview**, unless a private consultation is denied.

9. Does the file show that instructions were taken from the client concerning the substance of the allegation(s) against them? <sup>NFG</sup>	[ ]	[ ]	
and where allegations are not accepted by the client:		N/a	[ ]
9.1 Is the client's version of disputed points recorded?	[ ]	[ ]	
10. Where there are witnesses in support of the client, does the file show		N/a	[ ]
10.1 The name(s) of the witnesses? <sup>NFG</sup>	[ ]	[ ]	
11. Where there is an alibi, does the file show:		N/a	[ ]
11.1 Details of the alibi? <sup>NFG</sup>	[ ]	[ ]	

### Medical problems

<sup>NFG</sup> 7.11.1 – Special provision is made in Codes C and D of PACE in respect of mentally disordered and mentally handicapped people and others whose understanding is limited by reason of mental incapacity. The adviser should make an assessment and this must be evidenced for compliance to be given.

<sup>NFG</sup> 7.11.2 – This could be medical (e.g. prescribed drugs or medication), physical (e.g. where the client is disabled) or could be a service (e.g. a doctor or translator). There must be positive evidence on the file addressing this.

<sup>NFG</sup> 7.11.3 – Where the adviser was not present at the police station it will be sufficient for compliance that the custody record notes that the client was fit for interview or that the client confirms that they were fit for interview.

<sup>NFG</sup> 8.1 - An appropriate adult can either be a parent /guardian, social worker or another responsible adult

<sup>NFG</sup> 8.2 - Compliance in respect of contact details will be given where the file records an address or telephone number of the person or, where applicable, their service/organisation.

<sup>NFG</sup> 9 – Record compliance where the file notes that instructions are not to be taken from the client at this point. The adviser may have good reasons for not taking instructions. In such instances the sub-question should be recorded as not applicable.

<sup>NFG</sup> 10.1 - This does not relate to any co-accused.

<sup>NFG</sup> 11.1 – i.e. where, when

	Yes	No	N/a
12. Where the client was suffering from a medical condition which is relevant to the fitness for interview or safe custody of the client, does the file show: <sup>NFG</sup>		N/a	[ ]
12.1 That the adviser has noted the nature of the medical condition? <sup>NFG</sup>	[ ]	[ ]	
12.2 The client's explanation of the effect of the medical condition? <sup>NFG</sup>	[ ]	[ ]	
12.3 Whether the client was under or prescribed any medication?	[ ]	[ ]	
12.4 Whether it was appropriate to have an entry made in the custody record? <sup>NFG</sup>	[ ]	[ ]	

### Clients with injuries

13. Where the client alleges they suffered an injury during the course of the alleged offence, arrest, or detention, does the file show:		N/a	[ ]
13.1 A description of the injury?	[ ]	[ ]	
13.2 The client's explanation of the cause?	[ ]	[ ]	
13.3 Whether there are any witnesses to the injury?	[ ]	[ ]	
13.4 Whether the injury affects the client's fitness to be interviewed?	[ ]	[ ]	
13.5 Whether details of the injury were entered on the custody record?	[ ]	[ ]	

### Co-accused

14. Where there are co-accused, does the file show:		N/a	[ ]
14.1 Whether any co-accused is known to the client?	[ ]	[ ]	
14.2 The client's version of the co-accused's role in the offence?	[ ]	[ ]	
14.3 Where the adviser is requested to act for any co-accused does the file show:		N/a	[ ]
14.3.1 Whether there is any conflict of interest?	[ ]	[ ]	

### Advising the client

15. Where the client is a juvenile (under 17) or 'at risk', was the client advised: <sup>NFG</sup>		N/a	[ ]
15.1 On the role of the appropriate adult?	[ ]	[ ]	
16. Where <u>non-intimate samples</u> were taken, was the client advised: <sup>NFG</sup>		N/a	[ ]

<sup>NFG</sup> 12 - Medical condition refers to any physical or mental condition, illness or disability which affects the client. This includes alcohol or drug addiction but is not applicable where the client is simply under the influence of drink or drugs. The question should only be addressed where the adviser notes that there is a relevant medical condition.

<sup>NFG</sup> 12.1 - e.g. asthma, heart condition, drug addiction. It is recognised that advisers may not be medically trained and compliance should be given for any note of what is or appears to be wrong with the client.

<sup>NFG</sup> 12.2 - i.e. symptoms such as dizziness/nausea or risks such as fits, coma etc.

<sup>NFG</sup> 12.4 - If a note has been made on the custody record, then this is sufficient for compliance. Where no note has been made, it is sufficient for the adviser to note either that this was unnecessary or that the adviser requested that an entry be made.

<sup>NFG</sup> 15 - Also answer 'n/a' if the client was unrepresented or represented by another supplier at the police station.

	Yes	No	N/a
16.1 Regarding the retention of such samples?	[ ]	[ ]	
16.2 Of the implications of any refusal to provide a sample?	[ ]	[ ]	[ ]
17. Where <u>intimate samples</u> were taken, was the client advised: <sup>NFG</sup>		N/a	[ ]
17.1 Regarding the retention of such samples?	[ ]	[ ]	
17.2 Of the implications of any refusal to provide a sample?	[ ]	[ ]	[ ]
<b>Advising the client prior to interview</b>		<b>N/a</b>	<b>[ ]</b>
<i>Do not audit questions 18 to 22 where the client admitted the offence. Where the adviser attends at the police station prior to interview, the advice should be given prior to interview. Where attendance on the client is subsequent to interview, the adviser must confirm that the client has been advised or must give appropriate advice at the earliest opportunity.</i>			
18. Does the file show whether the client was given advice in respect of:			
18.1 The implications of failure to raise any facts that they may later seek to rely upon in their defence, when being questioned under caution or on being charged?	[ ]	[ ]	
18.2 Whether to answer questions put by the police? <sup>NFG</sup>	[ ]	[ ]	
and, if advised not to answer questions,			
18.3 Whether to lodge a 'prepared statement'?	[ ]	[ ]	
<b>'No comment' interview / prepared statement at charge</b>		<b>N/a</b>	<b>[ ]</b>
<i>Questions 19 to 22 should only be answered where the client makes a 'no comment' interview and/or a prepared statement.</i>			
19. Was the client advised whether to give reasons for making a 'no comment' interview and/or prepared statement?	[ ]	[ ]	
20. Where there is an alibi, was the client advised of the implications of:		N/a	[ ]
20.1 Failure to raise any facts that they may later seek to rely upon when being questioned under caution?	[ ]	[ ]	
21. Where, on arrest, any objects, substances or marks were found on the client or in the place of arrest <b>and</b> the presence of these is in issue:		N/a	[ ]
21.1 Was the client advised of the implications of failure to account for the presence of these when questioned?	[ ]	[ ]	

<sup>NFG</sup> 16 - These do not include samples in road traffic cases or samples of handwriting.

<sup>NFG</sup> 16.2 - Answer N/a if the file notes that the client is willing to provide a sample

<sup>NFG</sup> 17 - Do not include samples in road traffic cases or samples from the mouth.

<sup>NFG</sup> 17.2 - Answer N/a if the file notes that the client is willing to provide a sample

<sup>NFG</sup> 18.2 - Answer 'n/a' only where the client was unrepresented at the police station.

	<b>Yes</b>	<b>No</b>	<b>N/a</b>
22. Where on arrest the client was found at a material place, at or about the time the offence was committed <b>and</b> the presence is in issue:		N/a	[ ]
22.1 Was the client advised as to the implications of failure to account for this when questioned?	[ ]	[ ]	
<b>Interview</b>			
23. If the client had an adviser at an interview does the file show:		N/a	[ ]
23.1 The adviser's own notes of the interview?	[ ]	[ ]	
<b>On leaving the police station</b>			
24. Does the file show the outcome of the client's detention or voluntary attendance?	[ ]	[ ]	
25. Where the client was charged, does the file show:		N/a	[ ]
25.1 Date <b>and</b> time <b>and</b> venue of the court hearing?	[ ]	[ ]	
26. Where the client was released on police bail: <sup>NFG</sup>		N/a	[ ]
26.1 Bail back date <b>and</b> time?	[ ]	[ ]	
26.2 The name of the police station to which they must surrender?	[ ]	[ ]	
<b>Advice on leaving the police station</b>			
27. Where the client indicated they wish to make a complaint against the police:		N/a	[ ]
27.2 Was the procedure for making a complaint explained to the client?	[ ]	[ ]	
28. Where the client suffered an injury during the course of the alleged offence, arrest or detention:		N/a	[ ]
28.1 Was the client advised to have photographs taken of the injury?	[ ]	[ ]	
29. Where bail was granted <u>after charge</u> , was the client advised of:		N/a	[ ]
29.1 The consequences of failure to answer bail?	[ ]	[ ]	
29.2 Any conditions, security or surety imposed? <sup>NFG</sup>	[ ]	[ ]	
and where conditions have been imposed:		N/a	[ ]
29.3 The consequences of breaching bail conditions?	[ ]	[ ]	
30. Where the client was released on police bail, was the client advised of: <sup>NFG</sup>		N/a	[ ]

<sup>NFG</sup> 26 – May be referred to as s.47(3) bail, Part IV bail or 'bail back', this refers to bail issued by police prior to charge whilst further evidence is gathered, witnesses interviewed or an ID procedure is planned etc. Questions 25 & 26 are mutually exclusive.

<sup>NFG</sup> 29.2 - Where no conditions, security or surety have been imposed, the client should be advised that bail is unconditional.



	Yes	No	N/a
30.1 The consequences of failure to answer bail?	[ ]	[ ]	
31. Where bail was refused, has the client been advised of:		N/a	[ ]
31.1 The likely prospects of success of a future bail application?	[ ]	[ ]	
and, where a further application is to be made:		N/a	[ ]
31.1.1 The procedure for future bail applications? <sup>NFG</sup>	[ ]	[ ]	
<b>Previous attendance at the police station</b>		<b>N/a</b>	<b>[ ]</b>
<i>This section should be audited when the client attended the police station in relation to the offence prior to consulting the adviser. If the adviser subsequently obtains a copy of the custody record, then this can be used as evidence for compliance.</i>			
32. In relation to that prior attendance at the police station, does the file show:			
32.1 Whether the client received legal advice?	[ ]	[ ]	
and where no legal advice was received:		N/a	[ ]
32.1.1 Whether legal advice was requested?	[ ]	[ ]	
and where legal advice was received:		N/a	[ ]
32.1.2 Contact details of the former adviser?	[ ]	[ ]	
<b>Non-attendance at the police station</b>		<b>N/a</b>	<b>[ ]</b>
33. Where the adviser was requested but did not attend the client at the police station:			
33.1 Did the adviser give advice directly over the telephone to the client?	[ ]	[ ]	
33.2 Does the file record the advice given?	[ ]	[ ]	
<b>III IDENTIFICATION PROCEDURES<sup>NFG</sup></b>		<b>N/a</b>	<b>[ ]</b>
<i>This section should only be audited when an identification procedure takes place. If none takes place go to Section V.</i>			
34. Prior to the identification procedure, has the adviser obtained the original description(s) provided by identifying witnesses?	[ ]	[ ]	
35. Does the file show:			
35.1 The type of identification procedure to be used?	[ ]	[ ]	

<sup>NFG</sup> 30 - May be referred to as s.47(3) bail, Part IV bail or 'bail back', this refers to bail issued by police prior to charge whilst further evidence is gathered, witnesses interviewed or an identification procedure is planned for example. The question should be answered 'n/a' where the adviser takes on the case at a time after any s.47(3) bail has been resolved.

<sup>NFG</sup> 31.1.1 - As a minimum, the client must be advised in a letter or attendance when a bail application may be made on their behalf.

<sup>NFG</sup> III - Identification procedure refers to an identification parade, group identification, video identification or confrontation. It does not refer to fingerprints or the taking of samples.

**Yes    No    N/a**

*This section must be audited in all cases in which criminal proceedings are instituted against the client and the adviser continues to act for the client. Evidence may be found anywhere on the file **except** on a pre-sentence report.*

### Getting Information

- |  |     |     |            |
|--|-----|-----|------------|
| 48. Does the file show that the adviser has obtained detailed instructions from the client?                  | [ ] | [ ] |            |
| 49. Does the file show:  |     |     |            |
| 49.1 Whether the client is the subject of any other current criminal proceedings?                            | [ ] | [ ] |            |
| 49.2 Whether the client is subject to any relevant court orders, bind over or rehabilitation? <sup>NFG</sup> | [ ] | [ ] |            |
| 50. Does the file show that the adviser has requested or obtained:   |     |     |            |
| 50.1 Details of charges?   | [ ] | [ ] |            |
| 50.2 Prosecution disclosure?   | [ ] | [ ] |            |
| 50.3 Copies of previous convictions? <sup>NFG</sup>  | [ ] | [ ] |            |
| 50.4 A copy of the custody record? <sup>NFG</sup>  | [ ] | [ ] | [ ]        |
| 51. Where the prosecution has provided any documents or disclosure, does the file show:                      |     |     | N/a    [ ] |
| 51.1 Whether the adviser has given the client the opportunity to comment? <sup>NFG</sup>                     | [ ] | [ ] |            |
| 52. Where there are witnesses in support of the client:  |     |     | N/a    [ ] |
| 52.1 Has the adviser taken proof/s of evidence?  | [ ] | [ ] |            |
| 53. Where medical records are to be sought:  |     |     | N/a    [ ] |
| 53.1 Has the adviser obtained a signed authority from the client?  | [ ] | [ ] |            |

### Advice on proceedings

- |   |     |     |  |
|---|-----|-----|--|
| 54. Does the file show that the client was advised as to:     |     |     |  |
| 54.1 What the prosecution will have to prove?                 | [ ] | [ ] |  |
| 54.2 The strength of the prosecution evidence? <sup>NFG</sup> | [ ] | [ ] |  |

<sup>NFG</sup> 49.2 - This must be specifically addressed. It is not sufficient for compliance that the file shows the client has no previous convictions.

<sup>NFG</sup> 50.3 - Copies of previous convictions must be requested/obtained in all cases.

<sup>NFG</sup> 50.4 - 'N/a' is only an option where the client is not arrested and is issued with a summons to appear.

<sup>NFG</sup> 51.1 - This may be in writing, in an attendance at the office or at court prior to a hearing. Where in an attendance this must be specifically noted in an attendance note.

<sup>NFG</sup> 54.2 - Give compliance if the file contains signed instructions from the client that they wish to plead guilty without being informed of the strength of the prosecution evidence.

	Yes	No	N/a
54.3 Reasons for advice as to plea?	[ ]	[ ]	
54.4 Which court will deal with the offence?	[ ]	[ ]	
54.5 The likely sentencing options in the client's particular case? <sup>NFG</sup>	[ ]	[ ]	
54.6 The implications of an early guilty plea?	[ ]	[ ]	
55. Where the client has admitted the offence but disputes the prosecution evidence:		N/a	[ ]
55.1 Has the adviser explained the procedure for a Newton hearing?	[ ]	[ ]	
55.2 Has the adviser discussed with the client the evidence to be covered by a Newton hearing?	[ ]	[ ]	
<b>Mode of Trial</b>		<b>N/a</b>	<b>[ ]</b>
<i>This should only be audited where the offence is triable either way. Do not audit this section where the client is under 18.</i>			
56. Does the file show:			
56.1 Whether the client has been advised of the plea before venue procedure?	[ ]	[ ]	
and, where the client pleads not guilty or enters no plea:		N/a	[ ]
56.2 Whether the adviser explained mode of trial procedure to the client?	[ ]	[ ]	
<b>Advice on progress of the case</b>			
57. Does the file show that the client has been given the following advice and information about the progress of the case:			
57.1 Advice about how long the case is likely to take? <sup>NFG</sup>	[ ]	[ ]	
57.2 Written confirmation of the steps that the adviser is going to take on the client's behalf? <sup>NFG</sup>	[ ]	[ ]	
57.3 Written confirmation of the advice given (or justification for not providing confirmation in writing in exceptional circumstances)? <sup>NFG</sup>	[ ]	[ ]	
57.4 Information about when the next contact will take place? <sup>NFG</sup>	[ ]	[ ]	
<b>VII BRIEF TO COUNSEL / SOLICITOR ADVOCATE</b>		<b>N/a</b>	<b>[ ]</b>
<i>Do not audit this section in relation to instructions for bail applications, Pre-trial Reviews or pleas in mitigation, but include Newton hearings.</i>			
58. Where there is a brief to counsel, does this include <sup>NFG</sup> :		N/a	[ ]

<sup>NFG</sup> 54.5 – Generally all sentencing options should be explained. Give compliance where the client is advised that there is only one option open to the court.

<sup>NFG</sup> 57.1 - A broad indication of the time estimated to resolve from start to finish will be sufficient. This must be case specific.

<sup>NFG</sup> 57.2 - This refers to advice given either at the outset, or during the progress of the case. It does not include advice in relation to the outcome of the case.

<sup>NFG</sup> 57.3 - See NFG for qu. 72.2.

<sup>NFG</sup> 57.4 - It is important from the client's perspective to know when they should expect further contact.