## **Advocates**

This brief survey is part of a broader study of professional ethics training for new advocates. It is conducted by the Centre for Ethics and Law at UCL Faculty of Laws for the Advocacy Training Council, funded by the Legal Education Foundation and has the support of the Inns, the Solicitors' Association of Higher Courts Advocates (SAHCA) and CILEX. The survey is short (15-20 minutes).

If you are willing to fill in the survey, your data is recorded anonymously and held securely at UCL. Practising lawyers have found similar surveys conducted by the researchers interesting and useful.

Participation is entirely voluntary and is confidential. There will be an opportunity for feedback on some of the results if you agree to participate in a further research interview.

Many thanks for your participation,

Richard Moorhead, Professor of Professional Ethics and Law, UCL Faculty of Laws Q1: Please specify your gender Male Female Q2: Which do you currently work as Barrister Solicitor Legal Executive Q3: Which area of work do you mainly practise (if you have a mixed practice please select as many as applicable, but if you mainly specialise in one or more areas please pick the main one/s) Civil Litigation Criminal (private practice prosecution and/or defence) CPS (In-house) In-house Public Sector (not CPS) In-house Private Sector Other (specify) If you have chosen "other", please specify:

Q4: How many years have you been practising as a qualified lawyer (post-pupillage, post-training contract or post-

Page 1 of 21

qualification as a Chartered Legal Executive)

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These next questions are des decision making. For those so you can see how what you	electing to participo	ite in a further resec	ırch interview, we	can provide you witi	h feedback on this p	part of the survey,
Note: if you have answered/o	chosen item [1] in q	uestion 1, skip the fo	ollowing question			
Q6: Here we briefly deso not like you. Select the o			=		=	
	NOT LIKE ME AT ALL	NOT LIKE ME	A LITTLE LIKE ME	SOMEWHAT LIKE ME	LIKE ME	VERY MUCH LIKE ME
1. Thinking up new ideas and being creative is important to her. She likes to do things in her own original way.	0	0	0	0	0	0
2. It is important to her to be rich. She wants to have a lot of money and expensive things.	0	0	0	0	0	0
3. She thinks it is important that every person in the world be treated equally. She believes everyone should have equal opportunities in life.	0	0	0	0	0	0

Q5: Please indicate your number of years of experience of legal practice prior to qualification (including periods of on the

job training such as training contracts and pupillages).

4. It is very important to her to show her abilities. She wants people to admire what she does.	0	0	0	0	0	0
5. It is important to her to live in secure surroundings. She avoids anything that might endanger her safety.	0	0	0	0	0	0
6. She thinks it is important to do lots of different things in life. She always looks for new things to try.	0	0	0	0	0	0
7. She believes that people should do what they're told. She thinks people should follow rules at all times, even when no-one is watching.	0	0	0	0	0	0
8. It is important to her to listen to people who are different from her. Even when she disagrees with them, she still wants to understand them.	0	0	0	0	0	0
9. She thinks it is important not to ask for more than what you have. She believes that people should be satisfied with what they have.	0	0	0	0	0	0
10. She seeks every chance she can to have fun. It is important to her to do things that give her pleasure.	0	0	0	0	0	0

	NOT LIKE ME AT ALL	NOT LIKE ME	A LITTLE LIKE ME	SOMEWHAT LIKE ME	LIKE ME	VERY MUCH LIKE ME
11. It is important to her to make her own decisions about what she does. She likes to be free to plan and to choose her activities for herself.	O	0	0	0	0	0
12. It is very important to her to help the people around her. She wants to care for their well-being.	0	0	0	0	0	0
13. Being very successful is important to her. She likes to impress other people.	0	0	0	0	0	0
14. It is very important to her that her country be safe. She thinks the state must be on watch against threats from within and without.	0	0	0	0	0	0
15. She likes to take risks. She is always looking for adventures.	0	0	0	0	0	0
16. It is important to her always to behave properly. She wants to avoid doing anything people would say is wrong.	0	0	0	0	0	0

17. It is important to her to be in charge and tell others what to do. She wants people to do what she says.	0	0	0	0	0	0
18. It is important to her to be loyal to her friends. She wants to devote herself to people close to her.	0	0	0	0	0	0
19. She strongly believes that people should care for nature. Looking after the environment is important to her.	0	0	0	0	0	0
20. Religious belief is important to her. She tries hard to do what her religion requires.	0	0	0	0	0	0
	NOT LIKE ME AT ALL	NOT LIKE ME	A LITTLE LIKE ME	SOMEWHAT LIKE ME	LIKE ME	VERY MUCH LIKE ME
21. It is important to her that things be organised and clean. She really does not like things to be a mess.	0	0	0	0	0	0
22. She thinks it is important to be interested in things. She likes to be curious and to try to understand all sorts of things.	0	0	0	0	0	0

23.She believes all the world's people should live in harmony.  Promoting peace among all groups in the world is important to her.	0	0	0	0	0	0
24. She thinks it is important to be ambitious. She wants to show how capable she is.	0	0	0	0	0	0
25. She thinks it is best to do things in traditional ways. It is important to her to keep up the customs she has learned.	0	0	0	0	0	0
26. Enjoying life's pleasures is important to her. She likes to 'spoil' herself.	0	0	0	0	0	0
27. It is important to her to respond to the needs of others. She tries to support those she knows.	0	0	0	0	0	0
28. She believes she should always show respect to her parents and to older people. It is important to her to be obedient.	0	0	0	0	0	0
29. She wants everyone to be treated justly, even people she doesn't know. It is important to her to protect the weak in society.	0	0	0	0	0	0

30. She likes surprises. It is important to her to have an exciting life.	0	0	0	0	0	0
	NOT LIKE ME AT ALL	NOT LIKE ME	A LITTLE LIKE ME	SOMEWHAT LIKE ME	LIKE ME	VERY MUCH LIKE ME
31. She tries hard to avoid getting sick. Staying healthy is very important to her.	0	0	0	0	0	0
32. Getting ahead in life is important to her. She strives to do better than others.	0	0	0	0	0	0
33. Forgiving people who have hurt her is important to her. She tries to see what is good in them and not to hold a grudge.	0	0	0	0	0	0
34. It is important to her to be independent. She likes to rely on herself.	0	0	0	0	0	0
35. Having a stable government is important to her. She is concerned that the social order be protected.	0	0	0	0	0	0

36. It is important to her to be polite to other people all the time. She tries never to disturb or irritate others.	0	0	0	0	0	0
37. She really wants to enjoy life. Having a good time is very important to her.	0	0	0	0	0	0
38. It is important to her to be humble and modest. She tries not to draw attention to herself.	0	0	0	0	0	0
39. She always wants to be the one who makes the decisions. She likes to be the leader.	0	0	0	0	0	0
40. It is important to her to adapt to nature and to fit into it. She believes that people should not change nature.	0	0	0	0	0	0

These next questions are designed to understand what you most value. We will also be exploring whether these personal values influence ethical decision making. For those electing to participate in a further research interview, we can provide you with feedback on this part of the survey, so you can see how what you value compares to other lawyers. You will have an opportunity to decide on this at the end of the survey.

Note: if you have answered/chosen item [2] in question 1, skip the following question

Q7: Here we briefly describe some people. Please read each description and think about how much each person is or is not like you. Select the description to the right that shows how much the person in the description is like you.

	NOT LIKE ME AT ALL	NOT LIKE ME	A LITTLE LIKE ME	SOMEWHAT LIKE ME	LIKE ME	VERY MUCH LIKE ME
1. Thinking up new ideas and being creative is important to him. He likes to do things in his own original way.	0	0	0	0	0	0
2. It is important to him to be rich. He wants to have a lot of money and expensive things.	0	0	0	0	0	0
3. He thinks it is important that every person in the world be treated equally. He believes everyone should have equal opportunities in life.	0	0	0	0	0	0
4. It is very important to him to show his abilities. He wants people to admire what he does.	0	0	0	0	0	0
5. It is important to him to live in secure surroundings. He avoids anything that might endanger his safety.	0	0	0	0	0	0
6. He thinks it is important to do lots of different things in life. He always looks for new things to try.	0	0	0	0	0	0

7. He believes that people should do what they're told. He thinks people should follow rules at all times, even when no-one is watching.	0	0	0	0	0	0
8. It is important to him to listen to people who are different from him. Even when he disagrees with them, he still wants to understand them.	0	0	0	0	0	0
9. He thinks it is important not to ask for more than what you have. He believes that people should be satisfied with what they have.	0	0	0	0	0	0
10. He seeks every chance he can to have fun. It is important to him to do things that give him pleasure.	0	0	0	0	0	0
	NOT LIKE ME AT ALL	NOT LIKE ME	A LITTLE LIKE ME	SOMEWHAT LIKE ME	LIKE ME	VERY MUCH LIKE ME
11. It is important to him to make his own decisions about what he does. He likes to be free to plan and to choose his activities for himself.	0	0	0	0	0	0
12. It is very important to him to help the people around him. He wants to care for their well-being.	0	0	0	0	0	0

13. Being very successful is important to him. He likes to impress other people.	0	0	0	0	0	0
14. It is very important to him that his country be safe. He thinks the state must be on watch against threats from within and without.	0	0	0	0	0	0
15. He likes to take risks. He is always looking for adventures.	0	0	0	0	0	0
16. It is important to him always to behave properly. He wants to avoid doing anything people would say is wrong.	0	0	0	0	0	0
17. It is important to him to be in charge and tell others what to do. He wants people to do what he says.	0	0	0	0	0	0
18. It is important to him to be loyal to his friends. He wants to devote himself to people close to him.	0	0	0	0	0	0
19. He strongly believes that people should care for nature. Looking after the environment is important to him.	0	0	0	0	0	0

20. Religious belief is important to him. He tries hard to do what his religion requires.	0	0	0	0	0	0
	NOT LIKE ME AT ALL	NOT LIKE ME	A LITTLE LIKE ME	SOMEWHAT LIKE ME	LIKE ME	VERY MUCH LIKE ME
21. It is important to him that things be organised and clean. He really does not like things to be a mess.	0	0	0	0	0	0
22. He thinks it is important to be interested in things. He likes to be curious and to try to understand all sorts of things.	0	0	0	0	0	0
23. He believes all the world's people should live in harmony.  Promoting peace among all groups in the world is important to him.	0	0	0	0	0	0
24. He thinks it is important to be ambitious. He wants to show how capable he is.	0	0	0	0	0	0
25. He thinks it is best to do things in traditional ways. It is important to him to keep up the customs he has learned.	0	0	0	0	0	0

26. Enjoying life's pleasures is important to him. He likes to 'spoil' himself.	0	0	0	0	0	0
27. It is important to him to respond to the needs of others. He tries to support those he knows.	0	0	0	0	0	0
28. He believes he should always show respect to his parents and to older people. It is important to him to be obedient.	0	0	0	0	0	0
29. He wants everyone to be treated justly, even people he doesn't know. It is important to him to protect the weak in society.	0	0	0	0	0	0
30. He likes surprises. It is important to him to have an exciting life.	0	0	0	0	0	0
	NOT LIKE ME AT ALL	NOT LIKE ME	A LITTLE LIKE ME	SOMEWHAT LIKE ME	LIKE ME	VERY MUCH LIKE ME
31. He tries hard to avoid getting sick. Staying healthy is very important to him.	0	0	0	0	0	0

32. Getting ahead in life is important to him. He strives to do better than others.	0	0	0	0	0	0
33. Forgiving people who have hurt him is important to him. He tries to see what is good in them and not to hold a grudge.	0	0	0	0	0	0
34. It is important to him to be independent. He likes to rely on himself.	0	0	0	0	0	0
35. Having a stable government is important to him. He is concerned that the social order be protected.	0	0	0	0	0	0
36. It is important to him to be polite to other people all the time. He tries never to disturb or irritate others.	0	0	0	0	0	0
37. He really wants to enjoy life. Having a good time is very important to him.	0	0	0	0	0	0
38. It is important to him to be humble and modest. He tries not to draw attention to himself.	0	0	0	0	0	0

39. He always wants to be the one who makes the decisions. He likes to be the leader.	0	0	0	0	0	0	
40. It is important to him to adapt to nature and to fit into it. He believes that people should not change nature.	0	0	0	0	0	0	
We now want to ask answers to these qu think you ought to d	uestions. Her	e we are inter	ested in wha	t you think yo	u would do, <b>n</b>	J	
Q8: You are asked to ad in off balance sheet accorules, but your view is the	unting. There is	room for doubt					
One of the tests under the accounting rules is whether the transaction is a true sale. They ask you to give an Opinion saying the transaction is a true sale. You expect that will help them make the case that the accounting treatment is lawful, even if it is probably not. That Opinion will be competent and correct: you are sure the transaction is a true sale. You are not asked to advise on the accounting rules.							
The Opinion may lead to will. Would you give the		aches associated	with off balance	sheet accounting	g, but you do not	know that it	
Yes No							
Q9: A defendant is tried for possessing stolen property, a TV set found in the rear seat of his car. The defendant's lawyer knows that the boot of the car would not open because of a broken lock and this is the explanation for the TV being on the back seat. The lawyer cross-examines the police officer who found the car with the TV in it.							
If it helps them get their client acquitted, is the defendant's lawyer right to ask the police officer in cross-examination, "Isn't it odd that someone in possession of a stolen TV would put it on the back seat of the car in full view?"							
Yes No							
Note: if you have answered/c	hosen item [1] in q	uestion 1, skip the f	ollowing question				

Q10: You are an advocate in court being lead by a more senior barrister from your chambers or a more senior solicitor from your firm on a two day case. Each of you is prepared to deal with different parts of the case. After lunch on day one your colleague returns late and smelling strongly of alcohol. She appears confused. When you attempt to speak to her she brushes you off and when you attempt to challenge her as to whether she has been drinking she is rude and aggressive and goes straight in to court to recommence the hearing. The afternoon of the trial, with which your more senior colleague is

her f	urther, what do you do?			
0000	Wait to raise the matter with her the next morning Raise the matter with the client immediately after Call the BSB, SRA or IPS immediately to report Allow the matter to proceed and hope that no hair contents of the state of th	er the hearing and recommend ther for serious misconduct		
Note:	if you have answered/chosen item [2] in question 1, ski	p the following question		
from your brusk goes deali	You are an advocate in court being lead by a many your firm on a two day case. Each of you is proceed to be colleague returns late and smelling strongly of the syou off and when you attempt to challenge leading the to court to recommence the hearinging, goes very badly. At the end of the day the confurther, what do you do?	epared to deal with differen alcohol. He appears confus him as to whether he has be . The afternoon of the trial,	nt parts ed. Wh een drin with w	of the case. After lunch on day one en you attempt to speak to him he king he is rude and aggressive and hich your more senior colleague is
0	Wait to raise the matter with him the next morning	ng in the hope that you can g	et more	sense out of him
Ŏ	Raise the matter with the client immediately after	er the hearing and recommend	d he sac	k your colleague
Ō	Call the BSB, SRA or IPS immediately to report	him for serious misconduct		
$\circ$	Allow the matter to proceed and hope that no har	rm results		
	When was the last formal ethical training you  Within the last year  Within		ived in y	our career so far.  Within the last three years
ŏ	More than three years ago	in the table on a grand		, rama are rase are years
Q13:	Please provide the name of the course			
Q14:	Was the course provided by			
$\bigcirc$	An Inn	A Circuit		
Ŏ	A local law society or other professional group	◯ Kaplan		
Ō	An LPC or BPTC provider	Another com	mercial	provider

dealing, goes very badly. At the end of the day the court adjourns and your colleague rushes off before you can speak with

Q15: What would you say are the key elements of you being able to practise ethically

	VERY IMPORTANT	IMPORTANT	NEITHER IMPORTANT NOR UNIMPORTANT	UNIMPORTANT	VERY UNIMPORTANT
Understanding fundamental principles	0	0	0	0	0
Understanding the detailed rules	0	0	0	0	0
Being able to anticipate and prevent/mitigate ethical problems	0	0	0	0	0
Developing skills for dealing with ethical problems (such as asserting oneself)	0	0	0	0	0
Developing a sense of common professional values	0	0	0	0	0
Personal integrity	0	0	0	0	0

## Q16: What would you say are the principal influences on your professional conduct

	VERY IMPORTANT	IMPORTANT	NEITHER IMPORTANT NOR UNIMPORTANT	UNIMPORTANT	VERY UNIMPORTANT
Your own values	0	0	0	0	0
The law and the rules of court	0	0	0	0	0
The views and behaviour of your peers	0	0	0	0	0

A more senior colleague/line manager	0	0	0	0	0
A head of chambers, senior partner/director or equivalent	0	0	0	0	0
The judiciary generally or when you appear before them	0	0	0	0	0
Your professional code	0	0	0	0	0

# Q17: How useful would you say the following were to your ability to practise ethically over your career so far

	VERY		SOMEWHAT	NOT THAT	NOT AT ALL	RECEIVED
Training and education on ethics from your degree or GDL (if you	USEFUL	USEFUL	USEFUL	USEFUL	USEFUL	NONE
received any)  Training and education on ethics from your vocational training (BPTC, LPC or CILEX equivalent)	0	0	0	0	0	0
Training and education from subsequent professional training	0	0	0	0	0	0
Discussions with peers in your organisation/firm/chamb ers	0	0	0	0	0	0
Discussions with more senior colleagues in your organisation/firm/chamb ers	0	0	0	0	0	0

Discussions with a head of chambers, senior partner/director or equivalent in your firm/chambers	0	0	0	0	0	0
Discussions with peers outside your own organisation	0	0	0	0	0	0
Discussions with more senior lawyers outside your organisation	0	0	0	0	0	0
Discussions with a professional ethics helpline	0	0	0	0	0	0

### Q18: How strongly do you agree or disagree with the following statements $\,$

	STRONGLY DISAGREE	DISAGREE	NEITHER AGREE NOR DISAGREE	AGREE	STRONGLY AGREE
We receive the right amount of ethics training	0	0	0	0	0
Ethics training is not targeted at the right kinds of problems	0	0	0	0	0
Ethics training begins too late	0	0	0	0	0
Ethics is taught in the right way	0	0	0	0	0
Ethics training is not focused on the rules enough	0	0	0	0	0
The ethics training is pitched at a level that is too simple	0	0	0	0	0
Ethics training should focus more on the skills needed to avoid difficult situations	0	0	0	0	0
Ethics training also needs to be targeted at more senior practitioners	0	0	0	0	0

The ethics training we					
receive is sufficiently	0	$\circ$	$\circ$	0	$\circ$
relevant to ethical practice					

#### Q19: Where do you think your profession should seek to improve ethical education and training

	STRONGLY DISAGREE	DISAGREE	NEITHER AGREE NOR DISAGREE	AGREE	STRONGLY AGREE
The law degree, GDL	0	0	0	0	0
The LPC, BPTC, CILEX Professional Diploma stage	0	0	0	0	0
During pupillage, training contract, CILEX Graduate member stage	0	0	0	0	0
During the New Practitioner Programme (for Barristers), during Solicitors qualification for Higher Rights, during CILEX advocacy rights course	0	0	0	0	0
Regularly over the life of a practitioner's career	0	0	0	0	0

Q20: Many thanks for your participation. Your responses will greatly assist our research and help the professions improve ethical training.

We need to interview a sample of advocates for the rest of our project. Are you are willing to be interviewed?

Yes No	
Note: if you have answered/chosen item [2] in question 20, skip the following question	
Q21: Would you like to receive feedback on your values profiles and how they compared to other	er lawyers in the survey?
Yes No	
Note: if you have answered/chosen item [2] in question 20, skip the following question	
Q22: Please leave your email and telephone contact details below.	
We will email/call to arrange an interview which will be confidential and anonymous.	
Q23: Please use this space to provide any comments on how you would like to see ethics training	and support improve