

ATC-Ethics Data Input Framework

INTCODE Interview Code

Area Area of Law

- Civil (1)
- Criminal (2)
- Inhouse (3)
- Family (4)

Profession Profession

- Bar (1)
- CILEX (2)
- SAHCA (3)

Answer If Profession Bar Is Selected

F1BAR FAMILY 1 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Maintain your Independence [CD4] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act with honesty and integrity [CD3] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Conflict of interest between clients [C21] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act in the best interests of each client [CD2] (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Conflict of interest between clients [C21]arC 21.3, rC 21.4- understanding when not to accept instructions (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Clear on the circumstances in which instructions must be returned C17 rc25 (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession CILEX Is Selected

F1CILEX FAMILY 1 (CILEX) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
8. Respect confidentiality and trust (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Ensure your independence is not compromised (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Maintain high standards of professional and personal conduct (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Act in the best interests of your client (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Behave with honesty and integrity (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

F1SAHCA FAMILY 1 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Behave in a way that maintains public trust (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
IB1.7 considering whether you should decline to act or cease to act because you cannot act in the client's best interests (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
0.3 Duty of confidentiality takes precedence over duty of disclosure (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
IB4.4 where you are an individual who has responsibility for acting for a client or supervising a client's matter, you disclose to the client all information material to the client's matter of which you are personally aware (i.e. disclosing that	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>an allegation of conflict has been made). (5)</p> <p>O3.5 you do not act if there is a client conflict or a significant risk of a client conflict (6)</p> <p>O1.1 Provide services to your clients in a manner which protects their interests (7)</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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F1TEXT Other Comments

F1CONSIDER FAMILY 1_ Considerations

	Considered (1)	Not Considered (2)
Whether the allegations a tactic (1)	<input type="radio"/>	<input type="radio"/>
Consider whether past knowledge is trivial or so historic as not to be relevant (2)	<input type="radio"/>	<input type="radio"/>
Whether a conflict exists (3)	<input type="radio"/>	<input type="radio"/>
Even if there isn't a conflict would Clare be better represented by someone else as a result of the problem (4)	<input type="radio"/>	<input type="radio"/>
Whether they should withdraw from case (5)	<input type="radio"/>	<input type="radio"/>
Whether the benefits to the clients of you acting for all or both of the clients outweigh the risks. (6)	<input type="radio"/>	<input type="radio"/>

F1ACTIONS FAMILY 1_ Actions

	Considered (1)	Not Considered (2)
Inform the other side of their decision (1)	<input type="radio"/>	<input type="radio"/>
Do not use any information against opponent (2)	<input type="radio"/>	<input type="radio"/>
Inform their client of the issue that has arisen (3)	<input type="radio"/>	<input type="radio"/>
Take into account clients wishes in handling the situation if there is not a conflict (4)	<input type="radio"/>	<input type="radio"/>

F1WEAK FAMILY 1 _Weaknesses

	Yes (1)	No (2)
Whether or not they are over-cautious with respect to the conflict and withdraw from the case (1)	<input type="radio"/>	<input type="radio"/>
Whether they disclose the nature of the information to Client (2)	<input type="radio"/>	<input type="radio"/>

F1OTHER Other Comments

1.1 Action in keeping with the expectations as suggested by our experts?

- Not at all (1)
- A Little (2)
- A lot (3)
- Completely (4)

1.2 Considered the ethical implications as suggested by our experts

- Not at all (1)
- A Little (2)
- A lot (3)
- Completely (4)

1.3 Recognizing whose interests are affected/brought into play

	Not Considered (1)	Considered in Passing (2)	Considered (3)	Significantly Emphasised (4)
Personal (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Profession's (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Client's (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Court's/Interest of Justice (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Instructing solicitor's interests/employers interests (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

1.4 To what extent was their answer shaped by core duties/fundamental principles

- Not at all (1)
- A Little (2)
- A Lot (3)
- Completely (4)

1.5 To what extent was their answer shaped by rules/outcomes

- Not at all (1)
- A little (2)
- A lot (3)
- Completely (4)
- N/A (5)

1.6 Evidence of deliberative action, demonstrating that a particular course of action has been reasoned through (to be based on evaluation of respondent's 'final' answer)

- Unable (1)
- Unsure (2)
- Hesitant (3)
- Confident (4)

1.6 Thinking about uncertainties or changes in the fact might influence the outcome

- Demonstrated (1)
- Not Demonstrated (2)

1.8 Referring to appropriate role models/precedent/experience

- Reference to calling professional hotline for advice (1)
- Reference to existing similar circumstances and responses to these as a way of working through problem (2)
- Would discuss with colleagues as a source of advice (3)

1.9 Other Comments

Answer If Profession Bar Is Selected

F2BAR FAMILY 2 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Maintain your Independence [CD4] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act in the best interests of each client [CD2] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act with honesty and integrity [CD3] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Behave in a way that upholds public trust [CD5] (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Not ask questions/make statements merely designed to insult/humiliate/annoy [rc7] (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Must not draft a document with makes a contention that is not properly arguable. [rC9.2] (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession CILEX Is Selected

F2CILEX FAMILY 2 (CILEX) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
5. Act in the best interests of your client (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Ensure your independence is not compromised (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Behave with honesty and integrity (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Maintain high standards of professional and personal conduct (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

F2SAHCA FAMILY 2 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. & O1.2 Provide services in a manner in which protects their interest subject to the proper administration of justice (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
IB1.2 Explain your responsibilities and those of the client (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O5.5 Clients are informed of the circumstances in which your duties to the court outweigh your obligations to your client (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O5.1 Do not attempt to deceive or knowingly or recklessly mislead the court (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O5.2 Do not be complicit in another person deceiving or misleading the court (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>O 5.7 you ensure that evidence relating to sensitive issues is not misused (7)</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>O1.1 Treat clients fairly (8)</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>SA 3. Resolve potential and actual conflicts including conflicts arising between the advocate's duty owed to the client and the advocate's duty to the Court (9)</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

F2TEXT Other Comments

F2CONSIDER FAMILY 2_Considerations

	Considered (1)	Not Considered (2)
Whether allegations are relevant (1)	<input type="radio"/>	<input type="radio"/>
Whether allegations are intended to be solely malicious (2)	<input type="radio"/>	<input type="radio"/>
Whether there is reasonably credible material on which to base the allegations (3)	<input type="radio"/>	<input type="radio"/>
Recognise need to form an independent judgment on these matters not simply to follow instructions (4)	<input type="radio"/>	<input type="radio"/>
The impact of Wendy's behavior on children (5)	<input type="radio"/>	<input type="radio"/>
Whether Wendy's contact demands are reasonable (6)	<input type="radio"/>	<input type="radio"/>
If Wendy failed to follow your advice you would have to consider your position and whether in those circumstances it would necessitate informing Wendy that you could not act on her behalf because of her wish to act unreasonably. (7)	<input type="radio"/>	<input type="radio"/>

F2ACTION FAMILY 2_ Actions

	Considered (1)	Not Considered (2)
Warn client against playing dirty & prospects of success (1)	<input type="radio"/>	<input type="radio"/>
Advise client that allegations cannot be advanced (2)	<input type="radio"/>	<input type="radio"/>
Advise client that limiting contact may be detrimental to child (3)	<input type="radio"/>	<input type="radio"/>
Advise client that they may be risking further litigation as a result of limitation of contact. (4)	<input type="radio"/>	<input type="radio"/>
Advise client that the court requires the statement to deal with contribution and needs and to go beyond that would not be appropriate and may result in being unable to act for her if she does not follow the appropriate advice. (5)	<input type="radio"/>	<input type="radio"/>
Explain to Wendy the facts the court takes into account when determining financial issues and determining children issues and that the two matters are separate (6)	<input type="radio"/>	<input type="radio"/>

F2WEAK FAMILY 2 _Weaknesses

	Yes (1)	No (2)
Encouraging the client's action (1)	<input type="radio"/>	<input type="radio"/>
Concluding that they must withdraw from representation (2)	<input type="radio"/>	<input type="radio"/>

F2OTHER Other Comments

2.1 Action in keeping with the expectations as suggested by our experts?

- Not at all (1)
- A Little (2)
- A lot (3)
- Completely (4)

2.2 Considered the ethical implications as suggested by our experts

- Not at all (1)
- A little (2)
- A lot (3)
- Completely (4)

2.3 Recognizing whose interests are affected/brought into play

	Not Considered (1)	Considered in Passing (2)	Considered (3)	Significantly Emphasised (4)
Personal (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Profession's (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Client's (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Court's/Interest of Justice (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Instructing solicitor's interests/employers interests (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

2.4 To what extent was their answer shaped by core duties/fundamental principles

- Not at all (1)
- A Little (2)
- A Lot (3)
- Completely (4)

2.5 To what extent was their answer shaped by rules/outcomes

- Not at all (1)
- A little (2)
- A lot (3)
- Completely (4)
- N/A (5)

2.6 Evidence of deliberative action, demonstrating that a particular course of action has been reasoned through (to be based on evaluation of respondent's 'final' answer)

- Unable (1)
- Unsure (2)
- Hesitant (3)
- Confident (4)

2.7 Thinking about uncertainties or changes in the fact might influence the outcome

- Demonstrated (1)
- Not Demonstrated (2)

2.8 Referring to appropriate role models/precedent/experience

- Reference to calling professional hotline for advice (1)
- Reference to existing similar circumstances and responses to these as a way of working through problem (2)
- Would discuss with colleagues as a source of advice (3)

2.9 Other Comments

Answer If Profession Bar Is Selected

F3BAR FAMILY 3 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Duty to the court [CD1] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act in the best interests of each client [CD2] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act with honesty and integrity [CD3] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Uphold public trust [CD5] (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Not abuse role as advocate [rC3] (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recognises applicability of case law and the decisions made – i.e. that documents should be returned unread. (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recognises this is a case when instructions can be returned [rC.26.6] (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession CILEX Is Selected

F3CILEX FAMILY 3 (CILEX) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
3. Behave with honesty and integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
1. Uphold the Rule of Law (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Maintain high standards of professional and personal conduct (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Act in the best interests of your client (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

F3SAHCA FAMILY 3 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Behave in a way that maintains public trust (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O11.1 you do not take unfair advantage of third parties in either your professional or personal capacity (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
SA (2). Resolve issues arising from unintentional or inadvertent disclosure of confidential or privileged information (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

F3TEXT Other Comments

F3CONSIDER FAMILY 3_Considerations

	Considered (1)	Not Considered (2)
Whether privilege has been waived (1)	<input type="radio"/>	<input type="radio"/>
Consider the implications of possible injunction should the other side discover/are told about the information leak (2)	<input type="radio"/>	<input type="radio"/>
Consider If they have read so much that they must cease acting. (3)	<input type="radio"/>	<input type="radio"/>
Recognize that they cannot act on information (4)	<input type="radio"/>	<input type="radio"/>

F3ACTIONS FAMILY 3_ Actions

	Considered (1)	Not Considered (2)
Inform the other side of inadvertent disclosure. (1)	<input type="radio"/>	<input type="radio"/>
Advise instructing solicitors of their duty to return to other side without reading it (2)	<input type="radio"/>	<input type="radio"/>
Do not use information to clients advantage (3)	<input type="radio"/>	<input type="radio"/>
Do not disclose information to client (4)	<input type="radio"/>	<input type="radio"/>

F3WEAK FAMILY 3 _Weaknesses

	Yes (1)	No (2)
Difficulty determining how the principle operate in practice (1)	<input type="radio"/>	<input type="radio"/>
Believing that duty to client requires them to exploit the information (2)	<input type="radio"/>	<input type="radio"/>

F3OTHER Other Comments

3.1 Action in keeping with the expectations as suggested by our experts?

- Not at all (1)
- A Little (2)
- A lot (3)
- Completely (4)

3.2 Considered the ethical implications as suggested by our experts

- Not at all (1)
- A Little (2)
- A lot (3)
- Completely (4)

3.3 Recognizing whose interests are affected/brought into play

	Not Considered (1)	Considered in Passing (2)	Considered (3)	Significantly Emphasised (4)
Personal (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Profession's (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Client's (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Court's/Interest of Justice (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Instructing solicitor's interests/employers interests (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3.4 To what extent was their answer shaped by core duties/fundamental principles

- Not at all (1)
- A Little (2)
- A Lot (3)
- Completely (4)

3.5 To what extent was their answer shaped by rules/outcomes

- Not at all (1)
- A little (2)
- A lot (3)
- Completely (4)
- N/A (5)

3.6 Evidence of deliberative action, demonstrating that a particular course of action has been reasoned through (to be based on evaluation of respondent's 'final' answer)

- Unable (1)
- Unsure (2)
- Hesitant (3)
- Confident (4)

3.7 Thinking about uncertainties or changes in the fact might influence the outcome

- Demonstrated (1)
- Not Demonstrated (2)

3.8 Referring to appropriate role models/precedent/experience

- Reference to calling professional hotline for advice (1)
- Reference to existing similar circumstances and responses to these as a way of working through problem (2)
- Would discuss with colleagues as a source of advice (3)

3.9 Other Comments

Answer If Profession Bar Is Selected

F4BAR FAMILY 4 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Uphold public trust [CD5] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act in the best interests of each client [CD2] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act with honesty and integrity [CD3] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Duty to the court [CD1] (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
RC25 – cease to act and return instructions if client refuses to authorize you to make some disclosure to the court which your duty to the court requires you to make (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If there is a risk that the court will be misled unless you disclose confidential information which you have learned in the course of your instructions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

you should ask the client for permission to disclose it to the court. If your client refuses to allow you to make the disclosure you must cease to act, and return your instructions

[gc11] (6)

if you become aware that your client has a document which should be disclosed but has not been disclosed, you cannot continue to act unless your client agrees to the disclosure of the document.

In these circumstances you must not reveal the existence or contents of the document to the court.

[gc13] (7)



Answer If Profession CILEX Is Selected

F4CILEX FAMILY 4 (CILEX) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
1. Uphold the Rule of Law (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Maintain high standards of professional and personal conduct (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Behave with honesty and integrity (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Act in the best interests of your client (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

F4SAHCA FAMILY 4 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Duty to the court to give a full frank and clear disclosure of all your financial and other relevant circumstances – arising from Form E and the SRA code of conduct (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O.4.1 you keep the affairs of clients confidential unless disclosure is required or permitted by law or the clients consents; (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O1.2 provide services to your client in a manner which protects their interests subject to proper administration and justice. (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O 5.1 Not to deceive or knowingly or recklessly mislead the court, (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>O 5.2 Not be complacent in another person deceiving or misleading the Court (5)</p>	○	○	○	○
<p>O 5.7 Clients are informed of the circumstances in which your duties to the court outweigh your obligations to your client (6)</p>	○	○	○	○

F4TEXT Other Comments

F4CONSIDER FAMILY 4_ Considerations

	Considered (1)	Not Considered (2)
Recognises duty of full and frank disclosure in respect of relevant material that is disclosed by the client (1)	<input type="radio"/>	<input type="radio"/>
That you must withdraw if client will not consent to disclosure (2)	<input type="radio"/>	<input type="radio"/>
Explain to client implications of actions – i.e. proceedings of contempt of court may be brought a person who makes or causes to be made a false statement and the document verified by the statement of trust and criminal proceedings may be brought against you for fraud under the Fraud Act 2006. (3)	<input type="radio"/>	<input type="radio"/>

F4ACTIONS FAMILY 4_ Actions

	Considered (1)	Not Considered (2)
Advise client need to disclose (1)	<input type="radio"/>	<input type="radio"/>
If refusal to disclose then cease to act. (2)	<input type="radio"/>	<input type="radio"/>
In ceasing to act, consider implications of passing material on to new counsel. (3)	<input type="radio"/>	<input type="radio"/>

F4WEAK FAMILY 4 _Weaknesses

	Yes (1)	No (2)
Justifying the entitlement to treats (1)	<input type="radio"/>	<input type="radio"/>

F4OTHER Other Comments

4.1 Action in keeping with the expectations as suggested by our experts?

- Not at all (1)
- A Little (2)
- A lot (3)
- Completely (4)

4.2 Considered the ethical implications as suggested by our experts

- Not at all (1)
- A little (2)
- A lot (3)
- Completely (4)

4.3 Recognizing whose interests are affected/brought into play

	Not Considered (1)	Considered in Passing (2)	Considered (3)	Significantly Emphasised (4)
Personal (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Profession's (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Client's (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Court's/Interest of Justice (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Instructing solicitor's interests/employers interests (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

4.4 To what extent was their answer shaped by core duties/fundamental principles

- Not at all (1)
- A Little (2)
- A Lot (3)
- Completely (4)

4.5 To what extent was their answer shaped by rules/outcomes

- Not at all (1)
- A Little (2)
- A Lot (3)
- Completely (4)
- N/A (5)

4.6 Evidence of deliberative action, demonstrating that a particular course of action has been reasoned through (to be based on evaluation of respondent's 'final' answer)

- Unable (1)
- Unsure (2)
- Hesitant (3)
- Confident (4)

4.7 Thinking about uncertainties or changes in the fact might influence the outcome

- Demonstrated (1)
- Not Demonstrated (2)

4.8 Referring to appropriate role models/precedent/experience

- Reference to calling professional hotline for advice (1)
- Reference to existing similar circumstances and responses to these as a way of working through problem (2)
- Would discuss with colleagues as a source of advice (3)

4.9 Other Comments

Answer If Profession Bar Is Selected

F5BAR FAMILY 5 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Duty to the court [CD1] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act in the best interests of each client [CD2] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act with honesty and integrity [CD3] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Uphold public trust [CD5] (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession CILEX Is Selected

F5CILEX FAMILY 5 (CILEX) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
5. Act in the best interests of your client (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Behave with honesty and integrity (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Maintain high standards of professional and personal conduct (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

F5SAHCA FAMILY 5 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Behave in a way that maintains public trust (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O1.2 provide services to your client in a manner which protects their interests subject to proper administration and justice. (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O11.1 you do not take unfair advantage of third parties in either your professional or personal capacity (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

F5TEXT Other Comments

F5CONSIDER FAMILY 5_Considerations

	Considered (1)	Not Considered (2)
Whether Disclosure is identified as being 'improperly obtained'. (1)	<input type="radio"/>	<input type="radio"/>
Whether client has original document or copy of document that needs to be disclosed (2)	<input type="radio"/>	<input type="radio"/>
Consider putting it to the other side's solicitors that this asset exists and see if they admit it. (3)	<input type="radio"/>	<input type="radio"/>
Whether knowledge of this information must be passed to other side (as part of disclosure or if wish to argue it can be used) (4)	<input type="radio"/>	<input type="radio"/>

F5ACTIONS FAMILY 5_ Actions

	Considered (1)	Not Considered (2)
Inform client that material has been improperly obtained. (1)	<input type="radio"/>	<input type="radio"/>
Return documents to other side (2)	<input type="radio"/>	<input type="radio"/>
Advise client on the limits of relying on knowledge improperly obtained in proceedings (cannot reveal privileged information or the advocate will have to withdraw) (3)	<input type="radio"/>	<input type="radio"/>
If wife wishes to rely on knowledge of documents to challenge the veracity of husband's disclosure in proceedings then this will need to be pursued by way of formal application and the wife must be warned of consequences (civil and criminal) of her improper acquisition of material (4)	<input type="radio"/>	<input type="radio"/>
Do not read contents (5)	<input type="radio"/>	<input type="radio"/>
If Harry doesn't have a solicitor, Wendy's solicitor must retain the documents, unread, and in sealed files, and must approach the court for direction (6)	<input type="radio"/>	<input type="radio"/>

F5WEAK FAMILY 5_Weaknesses

	Yes (1)	No (2)
Reasoning that the failure to disclose info is more unjust than the use of an improperly obtained document and so use doc to surprise other side in court (1)	<input type="radio"/>	<input type="radio"/>

F5OTHER Other Comments

5.1 Action in keeping with the expectations as suggested by our experts?

- Not at all (1)
- A Little (2)
- A lot (3)
- Completely (4)

5.2 Considered the ethical implications as suggested by our experts

- Not at all (1)
- A little (2)
- A Lot (3)
- Completely (4)

5.3 Recognizing whose interests are affected/brought into play

	Not Considered (1)	Considered in Passing (2)	Considered (3)	Significantly Emphasised (4)
Personal (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Profession's (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Client's (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Court's/Interest of Justice (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Instructing solicitor's interests/employers interests (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5.4 To what extent was their answer shaped by core duties/fundamental principles

- Not at all (1)
- A Little (2)
- A Lot (3)
- Completely (4)

5.5 To what extent was their answer shaped by rules/outcomes

- Not at all (1)
- A little (2)
- A lot (3)
- Completely (4)
- N/A (5)

5.6 Evidence of deliberative action, demonstrating that a particular course of action has been reasoned through (to be based on evaluation of respondent's 'final' answer)

- Unable (1)
- Unsure (2)
- Hesitant (3)
- Confident (4)

5.7 Thinking about uncertainties or changes in the fact might influence the outcome

- Demonstrated (1)
- Not Demonstrated (2)

5.8 Referring to appropriate role models/precedent/experience

- Reference to calling professional hotline for advice (1)
- Reference to existing similar circumstances and responses to these as a way of working through problem (2)
- Would discuss with colleagues as a source of advice (3)

5.9 Other Comments

Answer If Profession Bar Is Selected

F6BAR FAMILY 6 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Duty to act in client's best interest [CD2] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Duty to court/administration of justice [CD1] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Conflict of interest/Maintain independent [CD4] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Conflict of interest [C21] (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The circumstances in which instructions can be refused/returned. [rC.26.6] (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession CILEX Is Selected

F6CILEX FAMILY 6 (CILEX) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
5. Act in the best interests of your client (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Ensure your independence is not compromised (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
1. Uphold the rule of law (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

F6SAHCA FAMILY 6 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with Integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Behave in a way that maintains public trust (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
IB1.7 considering whether you should decline to act or cease to act because you cannot act in the client's best interests (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O5.1 Do not attempt to deceive or knowingly or recklessly mislead the court (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O5.2 Do not be complicit in another person deceiving or misleading the court (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
SA 3. Resolve potential and actual conflicts including conflicts arising between the	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>advocate's duty owed to the client and the advocate's duty to the Court (6)</p> <p>O.3.4 Do not act if there is significant risk of own interest conflict or if own interest conflict exists. (7)</p>	○	○	○	○
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F6TEXT Other Comments

F6CONSIDER FAMILY 6_Considerations

	Considered (1)	Not Considered (2)
Whether client's allegation amounts to misleading the court (1)	<input type="radio"/>	<input type="radio"/>
Whether counsel has to cease to act (2)	<input type="radio"/>	<input type="radio"/>
Unless client withdraws her statement then counsel will withdraw. (3)	<input type="radio"/>	<input type="radio"/>
Recognises they should wait to speak with client until end of cross examination (4)	<input type="radio"/>	<input type="radio"/>
Consider appropriateness of circumscribed closing (5)	<input type="radio"/>	<input type="radio"/>
(if SACHA) Consider standing the matter down and discussing the matter with your internal COLPA representative and to explain to the Judge that you have a matter that has arisen that causes you some professional embarrassment. (6)	<input type="radio"/>	<input type="radio"/>
(if SAHCA) Consideration should also be given in any circumstances to consulting with the Solicitors Regulation Authority and Law Society direct. (7)	<input type="radio"/>	<input type="radio"/>

F6ACTIONS FAMILY 6_ Actions

	Considered (1)	Not Considered (2)
Give client opportunity to retract/amend statement (1)	<input type="radio"/>	<input type="radio"/>
Wait until end of cross examination to interrupt and take instructions (2)	<input type="radio"/>	<input type="radio"/>
Avoid cross examine client/correct client (3)	<input type="radio"/>	<input type="radio"/>
Withdraw from case if know that client is lying and client refuses to change statement (4)	<input type="radio"/>	<input type="radio"/>

F6WEAK FAMILY 6_Weaknesses

	Yes (1)	No (2)
Failing to indicate need to wait until end of cross examination to interrupt (1)	<input type="radio"/>	<input type="radio"/>
Failing to give client chance to remedy situation (2)	<input type="radio"/>	<input type="radio"/>
Telling court true position (3)	<input type="radio"/>	<input type="radio"/>

F6OTHER Other Comments

6.1 Action in keeping with the expectations as suggested by our experts?

- Not at all (1)
- A Little (2)
- A lot (3)
- Completely (4)

6.2 Considered the ethical implications as suggested by our experts

- Not at all (1)
- A little (2)
- A lot (3)
- Completely (4)

6.3 Recognizing whose interests are affected/brought into play

	Not Considered (1)	Considered in Passing (2)	Considered (3)	Significantly Emphasised (4)
Personal (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Profession's (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Client's (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Court's/Interest of Justice (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Instructing solicitor's interests/employers interests (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

6.4 To what extent was their answer shaped by core duties/fundamental principles

- Not at all (1)
- A Little (2)
- A Lot (3)
- Completely (4)

6.5 To what extent was their answer shaped by rules/outcomes

- Not at all (1)
- A little (2)
- A lot (3)
- Completely (4)
- N/A (5)

6.6 Evidence of deliberative action, demonstrating that a particular course of action has been reasoned through (to be based on evaluation of respondent's 'final' answer)

- Unable (1)
- Unsure (2)
- Hesitant (3)
- Confident (4)

6.7 Thinking about uncertainties or changes in the fact might influence the outcome

- Demonstrated (1)
- Not Demonstrated (2)

6.8 Referring to appropriate role models/precedent/experience

- Reference to calling professional hotline for advice (1)
- Reference to existing similar circumstances and responses to these as a way of working through problem (2)
- Would discuss with colleagues as a source of advice (3)

6.9 Other Comments

Q255 Most common, pressing and difficult ethical problems new advocates tend to face

Q257 Similar to the problems used in training sessions

- Yes (1)
- No (2)

Q259 If No, what is different about them

Q261 Ethics education/training received:

- Most Useful (1)
- Least Useful (2)

Q263 Has done NPP (New Practitioners Programme)

- Completed NPP (1)
- Started NPP (2)
- Not Started NPP (3)
- Not Barrister (4)

Q265 Completed NPP Ethics Training?

- Yes (1)
- Started, not finished (2)
- No (3)

Q267 Other problems with ethics training

- No (1)
- Not Covered (2)
- Yes (3) _____

Q269 Areas of ethics training could be improved

- No (1)
- Not Covered (2)
- Yes (3) _____

Q271 What would like to see

- No (1)
- Not Covered (2)
- Yes (3) _____

Q273 How relevant are problems used in ethics teaching to practice

- Positive (1)
- Not Covered (2)
- Negative (3)

Q275 Describe relevance

Q277 Used a portfolio or other approach as part of ethics education?

- Yes (1)
- No (2)

Q279 If yes, how useful was portfolio?

Q281 Is ethics training specific enough to area(s) of practice

- Positive (1)
- Not Covered (2)
- Negative (3)

Q283 Describe specificity

Q285 Are there ways in which ethics training can and should better deal with

	No (1)	Not covered (2)	Yes (3)
Understanding fundamental principles (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Understanding the detailed rules (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Being able to anticipate and avoid/mitigate ethical problems (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Develop skills for dealing with ethical problems (such as asserting oneself) (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Developing a sense of common professional values (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Personal integrity (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Additional comments from interviewee/observations by interviewer 3 Is Selected

Q287 Describe suggestions for understanding fundamental principles

Answer If Additional comments from interviewee/observations by interviewer 3 Is Selected

Q289 Describe suggestions from improving understanding of detailed rules

Answer If Additional comments from interviewee/observations by interviewer 3 Is Selected

Q291 Describe suggestions to improve being able to anticipate and avoid/mitigate ethical problems

Answer If Additional comments from interviewee/observations by interviewer 3 Is Selected

Q293 Describe suggestions for developing skills for dealing with ethical problems

Answer If Additional comments from interviewee/observations by interviewer 3 Is Selected

Q295 Describe suggestions for common professional values

Answer If Additional comments from interviewee/observations by interviewer 3 Is Selected

Q297 Describe personal integrity suggestions

Answer If Additional comments from interviewee/observations by interviewer 3 Is Selected

Q299 Describe other suggestions

Q301 Any other suggestions re: improving ethics training?

Q303 Additional comments from interviewee/observations by interviewer

END Entered by

- Mark (1)
- Catrina (2)

Answer If Profession Bar Is Selected

I1BAR INHOUSE 1 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Conflict of interest [CD1] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act in the best interests of each client [CD2] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act with honesty and integrity [CD3] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Behave in a way that upholds public trust [CD5] (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

Q117 INHOUSE 1 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
01.2 you provide services to your clients in a manner which protects their interests in their matter, subject to the proper administration of justice; (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
01.1 treat clients fairly (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6.Behave in a way that maintains public trust (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
01.1 Provide services to your clients in a manner which protects their interests (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
03.5 you do not act if there is a client conflict or a significant risk of a client conflict unless the circumstances (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
R 13.01 You must not, as an in-house solicitor or	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>REL, act for a client other than your employer under 13.02 to 13.12 if to do so would compromise:</p> <p>(i) your professional independence or integrity;</p> <p>(ii) your duty to act in the best interests of that client;</p> <p>(iii) your duty to comply with rule 3 (Conflict of interests); (7)</p>				
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I1TEXT Other Comments

I1CONSIDER INHOUSE 1_Considerations

	Considered (1)	Not Considered (2)
<p>That his duty is to the board not the parent (1)</p>	<input type="radio"/>	<input type="radio"/>
<p>Recognises that if the lawyer disagrees with the direction set by the parent then he/she should resign as director (2)</p>	<input type="radio"/>	<input type="radio"/>

I1ACTION INHOUSE 1_ Actions

	Considered (1)	Not Considered (2)
Set in writing the concerns about commercial efficacy and risk associated with proposal for the UK Board (1)	<input type="radio"/>	<input type="radio"/>
Request the UK board clarify and confirm instruction direct with the parent with expectation that the parent would replace the UK Board or the Board would relent. (2)	<input type="radio"/>	<input type="radio"/>
Solicitor to approach their legal dept colleagues in the parent company and open second line of communication to explain/resolve ethical conflict. (3)	<input type="radio"/>	<input type="radio"/>

I1OTHER Other Comments

Answer If Profession Bar Is Selected

I2BAR INHOUSE 2 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Confidentiality [CD6] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act in the best interests of each client [CD2] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act with honesty and integrity [CD3] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

I2CILEX INHOUSE 2 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Behave in a way that maintains public trust (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
01.1 Provide services to your clients in a manner which protects their interests (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
0.3 Duty of confidentiality takes precedence over duty of disclosure (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
011.1 you do not take unfair advantage of third parties in either your professional or personal capacity (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

I2TEXT Other Comments

I2CONSIDER INHOUSE 2_Considerations

	Considered (1)	Not Considered (2)
Is the information so innovative as to render its reuse, a breach of confidentiality? (1)	<input type="radio"/>	<input type="radio"/>
Is this some lesser problem of plagiarism? (2)	<input type="radio"/>	<input type="radio"/>

I2ACTION INHOUSE 2_ Actions

	Considered (1)	Not Considered (2)
Considers whether plagiarism gives rise to an ethical issue. (1)	<input type="radio"/>	<input type="radio"/>
Advise employer not to use intellectual property of another company. (2)	<input type="radio"/>	<input type="radio"/>

Q143 Other Comments

Answer If Profession Bar Is Selected

I3BAR INHOUSE 3 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Act in the best interests of each client [CD2] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act with honesty and integrity [CD3] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

I3CILEX INHOUSE 3 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Behave in a way that maintains public trust (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O1.1 Provide services to your clients in a manner which protects their interests (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

I3TEXT Other Comments

I3CONSIDER INHOUSE 3_Considerations

	Considered (1)	Not Considered (2)
Should document be disclosed (1)	<input type="radio"/>	<input type="radio"/>
Has the document been improperly withheld (2)	<input type="radio"/>	<input type="radio"/>

I3ACTION INHOUSE 3_ Actions

	Considered (1)	Not Considered (2)
Inform other side that new documents have been revealed. (1)	<input type="radio"/>	<input type="radio"/>
Ensure that no other documents have been withheld. (2)	<input type="radio"/>	<input type="radio"/>
Disclose new documents (3)	<input type="radio"/>	<input type="radio"/>
Get manager to Inform the manager's line manager or alternative HR of his/her part in withholding the document. If they do not, disclose internally oneself. (4)	<input type="radio"/>	<input type="radio"/>

I3OTHER Other Comments

Answer If Profession Bar Is Selected

I4BAR INHOUSE 4 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Maintain your Independence [CD4] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act in the best interests of each client [CD2] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Conflict of interest [C21] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

I4CILEX INHOUSE 4 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
O1.1 Provide services to your clients in a manner which protects their interests (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
R3 You can never act where there is a conflict, or a significant risk of conflict, between you and your client. (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
R 13.01 You must not, as an in-house solicitor or REL, act for a client other than your employer under 13.02 to 13.12 if to do so would compromise: (i) your professional independence or integrity; (ii) your duty to act in the best interests of that client; (iii) your duty to comply with rule 3 (Conflict of	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

interests); (3)				
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I4TEXT Other Comments

I4CONSIDER INHOUSE 4_ Considerations

	Considered (1)	Not Considered (2)
How it is not usually appropriate for you to advise an employer and customer of employer (1)	<input type="radio"/>	<input type="radio"/>
Whether non-legal help is permitted (2)	<input type="radio"/>	<input type="radio"/>
What the risks of giving that might be (3)	<input type="radio"/>	<input type="radio"/>
Is your independence compromised (4)	<input type="radio"/>	<input type="radio"/>

I4ACTION INHOUSE 4_ Actions

	Considered (1)	Not Considered (2)
Explain to the manager how the regulatory environment constrains his/her advisory activities in the best interest of the company. (1)	<input type="radio"/>	<input type="radio"/>

I4OTHER Other Comments

Answer If Profession Bar Is Selected

I5BAR INHOUSE 5 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Conflict of interest [C21] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Maintain your independence [CD4] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act with integrity and honesty [CD3] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Behave in a way that upholds public trust [CD5] (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

15CILEX INHOUSE 5 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
R 13.01 You must not, as an in-house solicitor or REL, act for a client other than your employer under 13.02 to 13.12 if to do so would compromise: (i) your professional independence or integrity; (ii) your duty to act in the best interests of that client; (iii) your duty to comply with rule 3 (Conflict of interests); (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
R3 You can never act where there is a conflict, or a significant risk of conflict, between you and your client. (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Act with integrity (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Behave in a way that maintains public trust (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

I5TEXT Other Comments

I5CONSIDER INHOUSE 5_Considerations

	Considered (1)	Not Considered (2)
Is this an actual conflict or a potential conflict (1)	<input type="radio"/>	<input type="radio"/>
Is it permissible to carry out both roles (2)	<input type="radio"/>	<input type="radio"/>

I5ACTION INHOUSE 5_ Actions

	Considered (1)	Not Considered (2)
May accept both roles (1)	<input type="radio"/>	<input type="radio"/>
Be aware of future potential conflicts (2)	<input type="radio"/>	<input type="radio"/>
Declare interests whenever necessary (3)	<input type="radio"/>	<input type="radio"/>

I5OTHER Other Comments

Answer If Profession Bar Is Selected

I6BAR INHOUSE 6 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Duty to act in client's best interest [CD2] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act with Honest and Integrity (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Conflict of interest [C21] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Conflict of interest/Maintain independent [CD4] (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

I6CILEX INHOUSE 6 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Behave in a way that maintains public trust (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
01.1 Provide services to your clients in a manner which protects their interests (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

I6TEXT Other Comments

I6CONSIDER INHOUSE 6_Considerations

	Considered (1)	Not Considered (2)
Is it appropriate that the head of customer services tried to exclude the lawyer (1)	<input type="radio"/>	<input type="radio"/>
Has there been deliberate dishonesty (2)	<input type="radio"/>	<input type="radio"/>
Should data be submitted (3)	<input type="radio"/>	<input type="radio"/>
Has the lawyers's duty to act with honesty and integrity been compromised? (4)	<input type="radio"/>	<input type="radio"/>

I6ACTIONS INHOUSE 6_ Actions

	Considered (1)	Not Considered (2)
Report suspected dishonesty internally (1)	<input type="radio"/>	<input type="radio"/>
Request the regulator is informed (2)	<input type="radio"/>	<input type="radio"/>
Consider resignation if company refuse to disclose dishonesty. (3)	<input type="radio"/>	<input type="radio"/>
Seek to ensure that data collection processes are changed (4)	<input type="radio"/>	<input type="radio"/>
Don't submit inadequate or misleading data (5)	<input type="radio"/>	<input type="radio"/>
Advise employer of consequences of inaccurate submission (6)	<input type="radio"/>	<input type="radio"/>
Obtain reassurance that data is full & complete from those responsible for it (7)	<input type="radio"/>	<input type="radio"/>

I6OTHER Other Comments

Answer If Profession Bar Is Selected

CR1BAR CRIME 1 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Duty to Court [CD1] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Duty to client [CD2] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do not knowingly [or recklessly] mislead court [CD1] [rc3.1] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Seeking client's consent to disclose info [CD6]/[GC11] (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Cannot disclose previous convictions of which the prosecution is not aware without client consent [GC12] (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If mandatory sentences apply, the non-disclosure of the previous convictions will result in the court failing to pass the sentence that is required by law. In that situation, you must advise	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

your client that if consent is refused to your revealing the information you will have to cease to act. [GC12] (6)

In situations where mandatory sentences do not apply, and your client does not agree to disclose the previous convictions, you can continue to represent your client but in doing so must not say anything that misleads the court. (7)

If the court asks you a direct question you must not give an untruthful answer and therefore you would have to withdraw if, on your being asked such a question, your client still refuses to allow you to answer the question



truthfully. (8) You should explain this to your client. [GC12] (9)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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Answer If Profession CILEX Is Selected

CR1CILEX CRIME 1 (CILEX) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
8. Respect confidentiality and trust (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
1. Uphold the rule of law and the impartial administration of justice (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Maintain high standards of professional and personal conduct (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Act in the best interests of your client (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Behave with honesty and integrity (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

CR1SAHCA CRIME 1 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Behave in a way that maintains public trust (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Resolve potential and actual conflicts including conflicts arising between the advocate's duty owed to the client and the advocate's duty to the Court, (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
IB1.7 considering whether you should decline to act or cease to act because you cannot act in the client's best interests (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
0.3 Duty of confidentiality takes precedence over duty of disclosure (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
05.1 Do not attempt to deceive or knowingly or recklessly	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

mislead the court (6) O5.2 Do not be complicit in another person deceiving or misleading the court (7)	○	○	○	○
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CR1TEXT Other Comments

CR1CONSIDER CRIME 1_Considerations

	Considered (1)	Not Considered (2)
The impact of the suspended sentence on their responsibilities as an advocate (1)	○	○
Importance of correcting any incorrect impressions where misleading court has occurred (2)	○	○
Consider whether the DJs question, if unanswered, risk impliedly misleading the court (3)	○	○

CR1ACTION CRIME 1_ Actions

	Considered (1)	Not Considered (2)
Must seek Client's permission to correct error (1)	<input type="radio"/>	<input type="radio"/>
Inform the court if a failure to do so would result in the passing of an unlawful sentence (2)	<input type="radio"/>	<input type="radio"/>
Inform client of obligations and implication of withholding consent (3)	<input type="radio"/>	<input type="radio"/>
If client refuses consent then cease to act (4)	<input type="radio"/>	<input type="radio"/>
Avoids giving explanation when withdrawing (5)	<input type="radio"/>	<input type="radio"/>
Avoid dealing with comment re: priors (6)	<input type="radio"/>	<input type="radio"/>
Tell court not in position to judge re: priors comment (7)	<input type="radio"/>	<input type="radio"/>

CR1WEAK CRIME 1 _Weaknesses

	Yes (1)	No (2)
Failing to acknowledges challenge of suspended sentence since the judge is not obliged to activate this (1)	<input type="radio"/>	<input type="radio"/>
Whether they say anything in mitigation which suggests that the client has no previous convictions for violence. (2)	<input type="radio"/>	<input type="radio"/>

CR10OTHER Other Comments

Answer If Profession Bar Is Selected

CR2BAR CRIME 2 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Act in the best interests of each client [CD2] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Duty not to abuse role as advocate [rC7] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Rc7.1 duty not to put forward statements designed to annoy/humiliate (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Rc7.2 not make serious allegation against client unless evidence/relevant (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act with independence (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession CILEX Is Selected

CR2CILEX CRIME 2 (CILEX) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Maintain high standards of professional and personal conduct (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Ensure your independence is not compromised (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Behave with honesty and integrity (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Act in the best interests of your client (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

CR2SAHCA CRIME 2 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. & O1.2 Provide services in a manner in which protects their interest subject to the proper administration of justice. (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
IB1.2 Explain your responsibilities and those of the client (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O5.5 Clients are informed of the circumstances in which your duties to the court outweigh your obligations to your client (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O5.1 Do not attempt to deceive or knowingly or recklessly mislead the court (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O5.2 Do not be complicit in another person deceiving or misleading the court (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>O 5.7 you ensure that evidence relating to sensitive issues is not misused (7)</p>	○	○	○	○
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CR2TEXT Other Comments

CR2CONSIDER CRIME 2_Considerations

	Considered (1)	Not Considered (2)
<p>Are statements relevant (1)</p>	○	○
<p>Are statements backed up by evidence? (2)</p>	○	○
<p>Understands that if comments are not put to the witness then they cannot be used in closing speech. (3)</p>	○	○
<p>Decides whether questions are put to witness on the basis of whether they advance the defence case (4)</p>	○	○
<p>Considers application of S.98-s100 Criminal Justice Act 2003 (5)</p>	○	○

CR2ACTION CRIME 2_ Actions

	Considered (1)	Not Considered (2)
Advises client that statements not relevant to defence (1)	<input type="radio"/>	<input type="radio"/>
Recognise that some of the statements may be more relevant than others (2)	<input type="radio"/>	<input type="radio"/>
If putting forward allegations, ensure that the witness had an opportunity to answer the allegation (3)	<input type="radio"/>	<input type="radio"/>

CR2WEAK CRIME 2 _Weaknesses

	Yes (1)	No (2)
New advocates might struggle to identify rule of conduct/ethical issue that's relevant here. If they know they're being asked about ethical issues, may look for an ethical issue that isn't really there (1)	<input type="radio"/>	<input type="radio"/>

CROTHER Other Comments

Answer If Profession Bar Is Selected

CR3BAR CRIME 3 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Duty to the court [CD1] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act in the best interests of each client [CD2] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Duty to act with honest and integrity (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession CILEX Is Selected

CR3CILEX CRIME 3 (CILEX) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
8. Respect confidentiality and trust (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
1. Uphold the rule of law and the impartial administration of justice (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Behave with honesty and integrity (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Act in the best interests of your client (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

CR3SAHCA CRIME 3 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Behave in a way that maintains public trust (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
IB1.7 considering whether you should decline to act or cease to act because you cannot act in the client's best interests (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
SA 2. resolve issues arising from unintentional or inadvertent disclosure of confidential or privileged information, (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O1.2 provide services to your client in a manner which protects their interests subject to proper administration and justice. (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

CR3TEXT Other Comments

CR3CONSIDER CRIME 3_ Considerations

	Considered (1)	Not Considered (2)
Consider appropriateness of S100 bad character application (1)	<input type="radio"/>	<input type="radio"/>
Considers withdrawing from the case – have they been compromised? (2)	<input type="radio"/>	<input type="radio"/>
Consider appropriateness of adjournment (3)	<input type="radio"/>	<input type="radio"/>

CR3ACTION CRIME 3_ Actions

	Considered (1)	Not Considered (2)
Return note to CPS/prosecutor (1)	<input type="radio"/>	<input type="radio"/>
Do not disclose info to client (2)	<input type="radio"/>	<input type="radio"/>
Confirms with prosecutor whether there are previous convictions (3)	<input type="radio"/>	<input type="radio"/>
Does not try to admit evidence without s100 (4)	<input type="radio"/>	<input type="radio"/>

CR3WEAK CRIME 3 _Weaknesses

	Yes (1)	No (2)
Indicating that do best for client and make use of info without recognising it's been inadvertently disclosed and so restrictions on using (1)	<input type="radio"/>	<input type="radio"/>

CR3OTHER Other Comments

Answer If Profession Bar Is Selected

CR4BAR CRIME 4 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Maintain your Independence [CD4] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act in the best interests of each client [CD2] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act with honesty and integrity [CD3] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Duty to behave so as to maintain public trust [CD6] (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
CD1 You must observe your duty to the court in the administration of justice (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Duty to return instructions in certain circumstances [c25, c26] (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession CILEX Is Selected

CR4CILEX CRIME 4 (CILEX) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
1. Uphold the rule of law and the impartial administration of justice (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Ensure your independence is not compromised (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Behave with honesty and integrity (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Act in the best interests of your client (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Maintain high standards of professional and personal conduct (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

CR4SAHCA CRIME 4 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Behave in a way that maintains public trust (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O1.2 provide services to your client in a manner which protects their interests subject to proper administration and justice. (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O 5.1 Not to deceive or knowingly or recklessly mislead the court, (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O 5.2 Not be complacent in another person deceiving or misleading the Court (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O 5.7 Clients are informed of the circumstances in which your duties to the court outweigh your obligations to your client (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
IB1.7	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>considering whether you should decline to act or cease to act because you cannot act in the client's best interests (7)</p> <p>SA5 Advise the client of the advocate's need to maintain professional independence (8)</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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CR4TEXT Other Comments

CR4CONSIDER CRIME 4_Considerations

	Considered (1)	Not Considered (2)
That answer will depend on whether s100 bad character and whether you were able to cross examine witness (as per Scenario 3) (1)	<input type="radio"/>	<input type="radio"/>
Consider whether need to withdraw because of compromised independent (2)	<input type="radio"/>	<input type="radio"/>
Recognises that criminal trial cannot be used to ambush witnesses (3)	<input type="radio"/>	<input type="radio"/>

CR4ACTION CRIME 4_ Actions

	Considered (1)	Not Considered (2)
Identifies that if court has refused to allow you to cross examine on bad character then you couldn't do it (1)	<input type="radio"/>	<input type="radio"/>
Explain to client difficult to make hint without breaching duty to court (2)	<input type="radio"/>	<input type="radio"/>
Explain to client have to remain independent (3)	<input type="radio"/>	<input type="radio"/>

CR4OTHER Other Comments

Answer if Profession Bar Is Selected

CR5BAR CRIME 5 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Duty to the court [CD1] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act in the best interests of each client [CD2] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act with honesty and integrity [CD3] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Duty to return instructions in certain circumstances [c25, c26] (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession CILEX Is Selected

CR5CILEX CRIME 5 (CILEX) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
8. Respect confidentiality and trust (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
1. Uphold the rule of law and the impartial administration of justice (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Ensure your independence is not compromised (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Act in the best interests of your client (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Maintain high standards of professional and personal conduct (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Behave with honesty and integrity (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

CR5SAHCA CRIME 5 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Behave in a way that maintains public trust (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O 1.2 provide services to your client in a manner which protects their interests subject to proper administration and justice. (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O 5.1 Not to deceive or knowingly or recklessly mislead the court, (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O 5.2 Not be complacent in another person deceiving or misleading the Court (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O 5.7 Clients are informed of the circumstances in which your duties to the court outweigh your obligations to your client (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
SA 5 recognise	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

when an advocate may become professionally embarrassed and have to withdraw from a case, (7)				
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CR5TEXT Other Comments

CR5CONSIDER CRIME 5_Considerations

	Considered (1)	Not Considered (2)
Confirms whether he is satisfied that client is telling truth. (1)	<input type="radio"/>	<input type="radio"/>
If client does confirm change of story, then recognize that they must act in best interests and defend case as fully as possible. (2)	<input type="radio"/>	<input type="radio"/>
Recognises that their view on whether he's telling truth isn't the relevant consideration – it's whether he is now telling you instructions are the truth present the advocate from putting forward clients case. (3)	<input type="radio"/>	<input type="radio"/>
Considers whether the fact that the witness might have been persuaded to change evidence is a breach of the advocates duty to act with integrity and honesty. (4)	<input type="radio"/>	<input type="radio"/>
Considers possibility that client is planning to lie on oath. (5)	<input type="radio"/>	<input type="radio"/>
Recognises that duty to court does not present the advocate from putting forward clients case. (6)	<input type="radio"/>	<input type="radio"/>

CR5ACTION CRIME 5_ Actions

	Considered (1)	Not Considered (2)
Check instructions now re alibi defence are true (1)	<input type="radio"/>	<input type="radio"/>
Warn client of potential problems with changing	<input type="radio"/>	<input type="radio"/>

<p>defence – adverse inferences (2)</p>		
<p>Tell client if alibi defence isn't true, then he would be committing perjury and perverting course of justice (3)</p>	○	○
<p>If believe that client will say whatever it takes, then don't call client to the stand and explain why (4)</p>	○	○
<p>Get new instructions in writing and confirmation he's been warned about s.34 adverse inference point (5)</p>	○	○
<p>If not confident that this is truth, then consider withdrawing without giving court reason why. (6)</p>	○	○
<p>If deciding to continue the advocate must obtain an endorsement on her papers re:the change (7)</p>	○	○
<p>Advises client as to the implications of changing statement and the inferences the jury may draw. (8)</p>	○	○
<p>Recognises need to be endorsed by the client as to the advice given and the decision taken, (9)</p>	○	○

CR5WEAK CRIME 5_Weaknesses

	Yes (1)	No (2)
If they say that it's fine if client has changed account and will just follow new instructions without not checking what is saying now is truthful, (1)	<input type="radio"/>	<input type="radio"/>
Refusal to allow change of instructions if client is adamant that this is now the truth. Sticking with old instructions would represent misleading court. (2)	<input type="radio"/>	<input type="radio"/>
Not warning of consequences of changing statement (3)	<input type="radio"/>	<input type="radio"/>

CR5OTHER Other Comments

Answer If Profession Bar Is Selected

CR6BAR CRIME 6 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Duty to act in client's best interest [CD2] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Confidentiality to client [CD6] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
GC6 do not mislead court – not misleading court simply because you do not believe your client (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession CILEX Is Selected

CR6CILEX CRIME 6 (CILEX) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
1. Uphold the rule of law and the impartial administration of justice (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Act in the best interests of your client (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. Respect confidentiality and trust (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

CR6SAHCA CRIME 6 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with Integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Behave in a way that maintains public trust (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
SA 5 recognise when an advocate may become professionally embarrassed and have to withdraw from a case, (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O1.2 provide services to your client in a manner which protects their interests subject to proper administration and justice. (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O 5.1 Not to deceive or knowingly or recklessly mislead the court, (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O 5.2 Not be complacent in another person deceiving or misleading the Court (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O 5.7 Clients are informed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

of the circumstances in which your duties to the court outweigh your obligations to your client (7)				
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CR6TEXT Other Comments

CR6ACTION CRIME 6_ Actions

	Considered (1)	Not Considered (2)
Advocate should not speak to the client while he is giving evidence. (1)	<input type="radio"/>	<input type="radio"/>
Advise changing plea to guilty if believe client lying (2)	<input type="radio"/>	<input type="radio"/>
If refusal, need to withdraw (3)	<input type="radio"/>	<input type="radio"/>
Not explain reason for withdrawal (4)	<input type="radio"/>	<input type="radio"/>

CR6WEAK CRIME 6_Weaknesses

	Yes (1)	No (2)
If advocate stood up and questioned him in open court about why what he said isn't true (1)	<input type="radio"/>	<input type="radio"/>
If immediately withdraw without advising client on considering changing plea and explaining why have to withdraw if he refuses (2)	<input type="radio"/>	<input type="radio"/>

CR6OTHER Other Comments

Answer If Profession Bar Is Selected

C1BAR CIVIL 1 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Maintain your Independence [CD4] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act in the best interests of each client [CD2] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act with honesty and integrity [CD3] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Conflict of interest between clients [C21] (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
rC 21.3, rC 21.4- understanding when not to accept instructions (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do not accept instructions where conflict between clients oC21 (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Clear on the circumstances in which instructions must be returned C17 rc25 (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession CILEX Is Selected

C1CILEX CIVIL 1 (CILEX) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
8. Respect confidentiality and trust (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Ensure your independence is not compromised (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9. Act within your competence (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Act in the best interests of your client (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

C1SAHCA CIVIL 1 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Behave in a way that maintains public trust (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
IB1.7 considering whether you should decline to act or cease to act because you cannot act in the client's best interests (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
0.3 Duty of confidentiality takes precedence over duty of disclosure (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
IB4.4 where you are an individual who has responsibility for acting for a client or supervising a client's matter, you disclose to the client all information material to the client's matter of which you are personally aware (i.e. disclosing that	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>an allegation of conflict has been made). (5)</p> <p>O3.5 you do not act if there is a client conflict or a significant risk of a client conflict (6)</p> <p>O1.1 Provide services to your clients in a manner which protects their interests (7)</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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C1TEXT Other Comments

C1CONSIDER CIVIL 1_Considerations

	Considered (1)	Not Considered (2)
Whether the allegations a tactic (1)	<input type="radio"/>	<input type="radio"/>
Consider whether past knowledge is trivial or so historic as not to be relevant (2)	<input type="radio"/>	<input type="radio"/>
Whether a conflict exists (3)	<input type="radio"/>	<input type="radio"/>
Even if there isn't a conflict would Clare be better represented by someone else as a result of the problem (4)	<input type="radio"/>	<input type="radio"/>
Whether they should withdraw from case (5)	<input type="radio"/>	<input type="radio"/>
(If Solicitor or CILEX) Consider passing client to colleague (6)	<input type="radio"/>	<input type="radio"/>

C1ACTIONS CIVIL 1_ Actions

	Considered (1)	Not Considered (2)
Inform the other side of their decision (1)	<input type="radio"/>	<input type="radio"/>
Recognise that they can't use any information against opponent (2)	<input type="radio"/>	<input type="radio"/>
Inform their client of the issue that has arisen (3)	<input type="radio"/>	<input type="radio"/>
Take into account Claire's wishes in handling the situation if there is not a conflict (4)	<input type="radio"/>	<input type="radio"/>
(If Solicitor or CILEX and passed to colleague) Implement information barrier (5)	<input type="radio"/>	<input type="radio"/>

C1WEAK CIVIL 1 _Weaknesses

	Yes (1)	No (2)
Whether or not they are over-cautious with respect to the conflict and withdraw from the case without thinking through the rationale and applicability of the rules/principles. (1)	<input type="radio"/>	<input type="radio"/>
Whether they disclose the nature of the information to Claire. (2)	<input type="radio"/>	<input type="radio"/>

C1OTHER Other Comments

Answer If Profession Bar Is Selected

C2BAR CIVIL 2 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Maintain your Independence [CD4] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act in the best interests of each client [CD2] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Duty to court to take reasonable steps to avoid wasting the Courts' time [CD1] [rc3.3] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Duty to not plead fraud unless clear instructions and reasonably credible material establishing arguable case. [rC9.2] (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recognise duty to keep client informed of prospects of success [oC4] (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recognise that you can't make allegations which merely abusive insulting or designed to humiliate [rC7] (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Must not draft a document with makes a contention that is not properly arguable. [rC9.2) (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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Answer If Profession CILEX Is Selected

C2CILEX CIVIL 2 (CILEX) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
3. Behave with honesty and integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Ensure your independence is not compromised (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Act in the best interests of your client (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

C2SAHCA CIVIL 2 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Behave in a way that maintains public trust (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Resolve potential and actual conflicts including conflicts arising between the advocate's duty owed to the client and the advocate's duty to the Court, (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
SA 5 Advise the client of the advocate's need to maintain professional independence (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O 3.4 you do not act if there is an own interest conflict or a significant risk of an own interest conflict; (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O5.1 Do not attempt to deceive or knowingly or	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

recklessly mislead the court (6)				
O5.2 Do not be complicit in another person deceiving or misleading the court (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

C2TEXT Other Comments

C2CONSIDER CIVIL 2_Considerations

	Considered (1)	Not Considered (2)
Whether allegations are relevant (1)	<input type="radio"/>	<input type="radio"/>
Whether allegations are intended to be solely malicious (2)	<input type="radio"/>	<input type="radio"/>
Whether there is reasonably credible material on which to base the allegations (3)	<input type="radio"/>	<input type="radio"/>
Recognise need to form an independent judgment on these matters not simply to follow instructions (4)	<input type="radio"/>	<input type="radio"/>

C2ACTIONS CIVIL 2_ Actions

	Considered (1)	Not Considered (2)
Inform their client of the prospect of success in taking it to court. (1)	<input type="radio"/>	<input type="radio"/>
Advise client on tactics (e.g. that if evidence fails to come to light they will need to inform judge that they are not seeking a finding of fraud). (2)	<input type="radio"/>	<input type="radio"/>
Advise client their obligations (i.e. cannot run fraud just to insult) (3)	<input type="radio"/>	<input type="radio"/>
Put advice in writing and present it to client. (4)	<input type="radio"/>	<input type="radio"/>
Require client signs to acknowledge receipt of advice. (5)	<input type="radio"/>	<input type="radio"/>
Obtain the client's confirmation that they are willing to take risk/bear cost should they wish to proceed (6)	<input type="radio"/>	<input type="radio"/>

C2WEAK CIVIL 2 _Weaknesses

	Yes (1)	No (2)
If they agree to run fraud (1)	<input type="radio"/>	<input type="radio"/>
If they are over-cautious in refusing to represent client (2)	<input type="radio"/>	<input type="radio"/>

C2OTHER Other Comments

Answer If Profession Bar Is Selected

C3Bar CIVIL 3 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Limits on duty to client [CD2 & CD1] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act with honesty and integrity [CD3] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recognises that this problem engages the Civil Procedure Rules (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Not abuse role as advocate [rC3] (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recognises applicability of case law and the decisions made – i.e. that documents should be returned unread. (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recognises this is a case when instructions can be returned [rC.26.6] (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession CILEX Is Selected

C3CILEX CIVIL 3 (CILEX) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
1. Uphold the rule of law (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Maintain high standards of professional and personal conduct (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. Respect confidentiality and trust (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

C3SAHCA CIVIL 3 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Behave in a way that maintains public trust (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
IB1.7 considering whether you should decline to act or cease to act because you cannot act in the client's best interests (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
SA 2. resolve issues arising from unintentional or inadvertent disclosure of confidential or privileged information (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O1.2 provide services to your client in a manner which protects their interests subject to proper administration and justice. (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

C3TEXT Other Comments

C3CONSIDER CIVIL 3_ Considerations

	Considered (1)	Not Considered (2)
Consider the implications of possible injunction should the other side discover/are told about the information leak (1)	<input type="radio"/>	<input type="radio"/>
Consider If they have read so much that they must cease acting. (2)	<input type="radio"/>	<input type="radio"/>
Recognize that they cannot act on information (3)	<input type="radio"/>	<input type="radio"/>

C3ACTION CIVIL 3_ Actions

	Considered (1)	Not Considered (2)
Inform the other side of inadvertent disclosure. (1)	<input type="radio"/>	<input type="radio"/>
Advise instructing solicitors of their duty to return to other side without reading it (2)	<input type="radio"/>	<input type="radio"/>
Do not use information to clients advantage (3)	<input type="radio"/>	<input type="radio"/>
Do not disclose information to client (4)	<input type="radio"/>	<input type="radio"/>

C3WEAK CIVIL 3 _Weaknesses

	Yes (1)	No (2)
Believing that duty to client requires them to exploit the information (1)	<input type="radio"/>	<input type="radio"/>

C3OTHER Other Comments

Answer If Profession Bar Is Selected

C4BAR CIVIL 4 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Uphold public trust [CD5] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Act with honesty and integrity [CD3] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recognizes overriding duty to court [CD.1] [rc4] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Recognises duty of confidentiality to client [CD.6] (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Duty to return instructions in certain circumstances [c25, c26] (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession CILEX Is Selected

C4CILEX CIVIL 4 (CILEX) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
1. Uphold the rule of law (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Maintain high standards of professional and personal conduct (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. Respect confidentiality and trust (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

C4SAHCA CIVIL 4 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with Integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Resolve potential and actual conflicts including conflicts arising between the advocate's duty owed to the client and the advocate's duty to the Court, (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O1.2 provide services to your client in a manner which protects their interests subject to proper administration and justice. (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O5.1 Do not attempt to deceive or knowingly or recklessly mislead the court (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O5.2 Do not be complicit in another person deceiving or misleading the court (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
IB1.7 considering	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

whether you should decline to act or cease to act because you cannot act in the client's best interests (6)				
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C4TEXT Other Comments

C4CONSIDER CIVIL 4_Considerations

	Considered (1)	Not Considered (2)
Is it disclosable information? (1)	<input type="radio"/>	<input type="radio"/>
Recognises can't override client's wishes without permission (2)	<input type="radio"/>	<input type="radio"/>
Whether instructions should be returned. (3)	<input type="radio"/>	<input type="radio"/>
Whether there is a duty once case finished (4)	<input type="radio"/>	<input type="radio"/>

C4ACTIONS CIVIL 4_ Actions

	Considered (1)	Not Considered (2)
Advise client to disclose (if information is seen by lawyer as relevant) (1)	<input type="radio"/>	<input type="radio"/>
Advise client of need to correct second incident showing disclosure was relevant (2)	<input type="radio"/>	<input type="radio"/>
Withdraw at the first instance, not just in relation to the second incident (3)	<input type="radio"/>	<input type="radio"/>
Ensure issue is corrected prior to judgment (4)	<input type="radio"/>	<input type="radio"/>

C4WEAK CIVIL 4_Weaknesses

	Yes (1)	No (2)
Telling court reason for withdrawal (1)	<input type="radio"/>	<input type="radio"/>

C4OTHER Other Comments

Answer If Profession Bar Is Selected

C5BAR CIVIL 5 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Duty to act in client's best interest [CD2] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Confidentiality to client [CD6] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Duty to take reasonable steps to avoid wasting the courts time [CD1] [rc3.1] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Duty to court/administration of justice [CD1] (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Conflict of interest/Maintain independent [CD4] (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Understanding of when can return instructions [rc21] (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession CILEX Is Selected

C5CILEX CIVIL 5 (CILEX) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
9. Act within your competence (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Maintain high standards of professional and personal conduct (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. Respect confidentiality and trust (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

C5SAHCA CIVIL 5 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with Integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Behave in a way that maintains public trust (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
SA 5 recognise when an advocate may become professionally embarrassed and have to withdraw from a case, (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O1.2 provide services to your client in a manner which protects their interests subject to proper administration and justice. (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O 5.1 Not to deceive or knowingly or recklessly mislead the court, (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O 5.2 Not be complacent in another person deceiving or misleading the Court (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O 5.7 Clients are informed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

of the circumstances in which your duties to the court outweigh your obligations to your client (7)				
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C5TEXT Other Comments

C5CONSIDER CIVIL 5_Considerations

	Considered (1)	Not Considered (2)
Apply to judge to amend witness statement (1)	<input type="radio"/>	<input type="radio"/>
Implications of changing witness statement (2)	<input type="radio"/>	<input type="radio"/>
Discusses implications with client (3)	<input type="radio"/>	<input type="radio"/>
Whether client's change of statement is misleading the court (4)	<input type="radio"/>	<input type="radio"/>
Whether allegation that lawyers missed out light statements is the client misleading the court (5)	<input type="radio"/>	<input type="radio"/>
Consider whether can withdraw after cross-examination (6)	<input type="radio"/>	<input type="radio"/>
Consider alternatives to a withdrawal (e.g. circumscribed closing) (7)	<input type="radio"/>	<input type="radio"/>

C5ACTIONS CIVIL 5_ Actions

	Considered (1)	Not Considered (2)
Give client opportunity to amend statement (1)	<input type="radio"/>	<input type="radio"/>
Avoid cross examine client/correct client (2)	<input type="radio"/>	<input type="radio"/>
Wait until end of cross examination to interrupt and take instructions (3)	<input type="radio"/>	<input type="radio"/>
Withdraw from case if know that client is lying and client refuses to change statement (4)	<input type="radio"/>	<input type="radio"/>

C5WEAK CIVIL 5_Weaknesses

	Yes (1)	No (2)
Failing to give client chance to remedy situation (1)	<input type="radio"/>	<input type="radio"/>

C5OTHER Other Comments

Answer If Profession Bar Is Selected

C6BAR CIVIL 6 (Bar) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
Duty to act in client's best interest [CD2] (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Confidentiality to client [CD6] (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Duty to take reasonable steps to avoid wasting the courts time [CD1] [rc3.1] (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Duty to court/administration of justice [CD1] (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Conflict of interest/Maintain independent [CD4] (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Understanding of when can return instructions [rc21] (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession CILEX Is Selected

C6CILEX CIVIL 6 (CILEX) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
9. Act within your competence (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Maintain high standards of professional and personal conduct (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. Respect confidentiality and trust (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Answer If Profession SAHCA Is Selected

C6SAHCA CIVIL 6 (SAHCA) Rules/Principles/Duties

	Not Mentioned (1)	Mentioned Immediately (2)	Mentioned on Prompting (3)	Implied in Answer (4)
2. Act with Integrity (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Behave in a way that maintains public trust (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
SA 5 recognise when an advocate may become professionally embarrassed and have to withdraw from a case, (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O1.2 provide services to your client in a manner which protects their interests subject to proper administration and justice. (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O 5.1 Not to deceive or knowingly or recklessly mislead the court, (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O 5.2 Not be complacent in another person deceiving or misleading the Court (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
O 5.7 Clients are informed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

of the circumstances in which your duties to the court outweigh your obligations to your client (7)				
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C6TEXT Other Comments

C6CONSIDER CIVIL 6_ Considerations

	Considered (1)	Not Considered (2)
Consider alternatives to a withdrawal (e.g. circumscribed closing) (1)	<input type="radio"/>	<input type="radio"/>

C6ACTIONS CIVIL 6_ Actions

	Considered (1)	Not Considered (2)
Give client opportunity to retract/amend statement (1)	<input type="radio"/>	<input type="radio"/>
Speak with client with solicitor present (2)	<input type="radio"/>	<input type="radio"/>
Avoid cross examine client/correct client (3)	<input type="radio"/>	<input type="radio"/>
Withdraw if client won't retract statement (4)	<input type="radio"/>	<input type="radio"/>

C6WEAK CIVIL 6_Weaknesses

	Yes (1)	No (2)
Failing to indicate need to wait until end of cross examination to interrupt (1)	<input type="radio"/>	<input type="radio"/>
Failing to give client chance to remedy situation (2)	<input type="radio"/>	<input type="radio"/>
Telling court true position (3)	<input type="radio"/>	<input type="radio"/>

C6OTHER Other Comments