

Application for the Care and Protection Panel

This application form will need to be completed if:

1. Panel Law Practices (including barristers) that are not on the Care & Protection Panel (the Care Panel) and are seeking appointment; or
2. Eligible Associates of a Law Practice that is currently on the Care Panel but who has not yet been nominated or approved to undertake Care & Protection work;

Only the authorised Principal of a law practice or a barrister can submit this application form.

Applicants seeking to undertake legal aid work as a member of the Care Panel must satisfy the [individual eligibility requirements](#).

A copy of the referee report **must** be uploaded with the application. You can upload a copy of the report when submitting your application through Panels Application web site. If you are unable to upload the report, you can email the report to panels@legalaid.nsw.gov.au.

A referee report template is available [here](#).

Please note Legal Aid NSW will not follow up Working with Children Checks or referee reports. Application forms without this information included will not be approved.

Applications will be assessed by Legal Aid NSW and eligible applicants will be invited to attend the [Legal Aid NSW Care and Protection Representing Children: Workshop](#).

Final approval to carry out legal aid work under the Law Practice's Care Panel membership will be confirmed once **all** the individual eligibility requirements are satisfied.

For more information about the Care Panel, go to the Private lawyer panels [webpage](#).

To complete and submit the online panel application form go to the [Panels Application Website](#) and use your Grants Online username and password to log in.

1. Are you applying as a:

- Principal of a law practice
- Barrister

2. Is your law practice currently appointed to a Legal Aid NSW Panel?

If Yes, go to question 9.

3. Do you have a current Principal of a law practice or barrister's practising certificate and have more than 3 years post admission experience?

If No, you do not meet the [Panel Requirements](#) and the application will not be approved.

4. Are there any non-standard conditions or undertakings on your practising certificate?

5. If yes, please provide concise submissions that address:

- i. What are the non-standard conditions or undertakings on your practicing certificate;
- ii. When were they imposed and for how long;
- iii. Why were they imposed; and
- iv. How LANSW can be confident that you meet the [Quality Standards](#).

6. Have you been denied appointment to any Legal Aid NSW panel within the last six (6) months?

7. If yes, please provide concise submissions that address:

- i. What reason did LANSW provide as to why you were denied appointment; and
- ii. Please outline the material change in circumstances relevant to your application. (LANSW will only consider your application if there has been a material change to the circumstances outlined in question i. above.)

8. Indicate your type of law practice:

Please note, pursuant so S.49(2) of the *Legal Aid Commission Act 1979* Community Legal Centre's are not eligible to apply.

- Sole practitioner – solicitor or barrister
- Law Practice (Partnership)
- Incorporated legal practice
- Unincorporated legal practice

9. Is your law practice a current member of the Care and Protection Panel (Care Panel)?
10. List the full names of the legal practitioners who are being nominated to carry out legal aid work for the Care Panel.
11. What is the date of admission for each nominated practitioner?
12. Is your law practice a current member of the Family Law Panel or Independent Children's Lawyer Panel?
13. If yes, please advise whether the nominated practitioner/s applying to carry out legal aid work for the Care Panel are a nominated associate for your law practice's Family Law Panel or Independent Children's Lawyer Panel membership?
14. Does the nominated practitioner/s for the Care Panel have five years post-admission experience in care and protection?
15. If the nominated practitioner/s does not have the 5 years post-admission experience in care and protection, and you seek to apply for an exemption to this individual requirement, please provide any additional information that can be considered?
16. Does the nominated practitioner/s have current NSW Law Society Specialist Accreditation in Children's Law?
17. Does the nominated practitioner/s have a current [Working with Children Check \(WWCC\)](#) number?
18. If yes, please provide the WWCC number for each nominated practitioner.
19. Has the nominated practitioner/s completed the [Care and Protection: Representing Children module](#) on the [Lawyer Education Series](#)?
20. If yes, please provide the date of completion for each nominated practitioner.
21. Has the nominated practitioner/s completed the [Care and Protection: Representing Parents module](#) on the [Lawyer Education Series](#)?
22. If yes, please provide the date of completion for each nominated practitioner.

ADDITIONAL INFORMATION AND DISCLOSURES

23. Have you, or the nominated practitioner/s listed in this application, been the subject of any complaint to the Office of the Legal Services

Commissioner, the Law Society of NSW or the NSW Bar Association (or an equivalent body in another state) or any Tribunal which has resulted in:

- **being cautioned**
- **being reprimanded**
- **conditions being imposed on a practising certificate**
- **findings of unsatisfactory professional conduct or professional misconduct or**
- **current proceedings or investigation of a complaint**

24. If yes, please provide the following information:

- i. Who was the complaint handled by, e.g. the OLSC, the Law Society of NSW, the NSW Bar Association, equivalent bodies in another State or a Tribunal?
- ii. Name of the practitioner at the law practice who was the subject of the complaint
- iii. What was the nature of the complaint?
- iv. What was the outcome of the complaint?
- v. Provide concise submissions that address how, despite this disclosure, Legal Aid NSW can be confident that your law practice, and the nominated practitioner/s listed in this application, meet the Legal Aid NSW [Quality Standards](#).

25. Are you, or the nominated practitioner/s listed in this application, named as a defendant in any pending proceedings relating to an apprehended domestic violence or apprehended personal violence order (or other state equivalent)?

26. If yes, please provide the following information:

- i. Name of the practitioner at the law practice this relates to;
- ii. What is their relationship to the person in need of protection?
- iii. If the matter is pending:
 - a. When and where is it next listed?
 - b. If an interim order has been made what are the conditions of this order?
 - c. Are there any associated charges listed alongside the proceedings relating to the order? If yes, what are they?
- iv. If the matter has finalised:
 - a. What are the conditions of the order and when does it expire?

- b. Were there any associated charges listed alongside the proceedings relating to the order and what are the outcome of these?
 - v. Provide concise submissions that address how, despite this disclosure, LANSW can be confident that your law practice, and the nominated practitioner/s listed in this application, meet the [Quality Standards](#).
- 27. Do you, or the nominated practitioner/s listed in this application have any criminal convictions or pending criminal charges for any other offence (except in relation to minor traffic offences)?**
- 28. If yes, please provide the following information:**
 - i. Name of the practitioner at the law practice this relates to
 - ii. What is the nature of the criminal conviction/s/pending criminal charge/s? When did the offences occur/allegedly occur?
 - iii. If the charges are pending:
 - a. When and where is the matter next listed?
 - b. Are they subject to bail conditions and, if so, what are the bail conditions?
 - c. At this stage is the intention to plead guilty or not guilty to the charges?
 - iv. In relation any criminal convictions:
 - a. When were they convicted of the offence/s and in which Court?
 - b. What was the penalty imposed?
 - c. Did they advise the Law Society of NSW or the NSW Bar Association of the conviction/s?
 - d. As a result of the conviction/s are they a registrable person pursuant to the *Child Protection (Offenders Registration) Act 2000*?
 - v. Provide concise submissions that address how, despite this disclosure, LANSW can be confident that your law practice, and the nominated practitioner/s listed in this application, meet the LANSW [Quality Standards](#).
- 29. Have you, or the nominated practitioner/s listed in this application, ever been removed or suspended from any LANSW panels?**

(If yes, an application will not be considered if removal was within the last three (3) years)
- 30. If yes, please provide the following information:**
 - i. Name of the practitioner at the law practice this relates to
 - ii. When were they removed or suspended from a LANSW panel/s?
 - iii. Why were they removed or suspended from a LANSW panel/s?

- iv. Has there been a material change in circumstances since the removal or suspension?
- v. Provide concise submissions that address how, despite this disclosure, LANSW can be confident that your law practice, and the nominated practitioner/s listed in this application, meet the LANSW [Quality Standards](#).

31. Do you consent to the publication by Legal Aid NSW of the name of your law practice, business address and telephone number in a list of members of the Panel?

This information will appear on the Legal Aid NSW website and in any other form that Legal Aid NSW considers necessary to assist in the administration of services provided by Legal Aid NSW.

32. I consent and undertake to obtain consent from any nominated associates undertaking legal aid work, that to the extent it is reasonably necessary:

- I may disclose to Legal Aid NSW our information for the purpose of determining eligibility to undertake legal aid work;
- Legal Aid NSW may use our information collected for this application, or collected in relation to any audit or investigation, in considering eligibility to undertake legal aid work;
- Legal Aid NSW may disclose our information, to any selection committee in considering eligibility to undertake legal aid work, which may include representatives of the Law Society of New South Wales and the New South Wales Bar Association.

I acknowledge that if such consent is not provided we cannot undertake legal aid work.

33. CERTIFICATION

By checking "I agree" you acknowledge and certify that:

- All information disclosed in this application is true and accurate at the time of submission
- You understand that Legal Aid NSW may check internal and/or publicly available records to verify the accuracy of information provided in the application or requested as part of the application process
- You will ensure that legal practitioners and staff in the law practice have the appropriate education, training, skills, experience and meet individual panel requirements to undertake legally aided work competently

- You understand that Legal Aid NSW may conduct further reference checks
- You will regularly review and consider practitioners' caseload to ensure that it is manageable
- You will adequately supervise work done on the files by the legal practitioners in the law practice

34. DATE CERTIFIED