

Police Station Representatives Accreditation Scheme
- PSRAS -

REGULATIONS
2026

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Introduction

The aim of the Police Station Representatives Accreditation Scheme (PSRAS) is to ensure that the advice provided by police station advisors is of a sufficiently high standard. The scheme was introduced in response to concerns about the standard of advice being provided, and as such the Assessment Board takes an advisor's responsibility towards the client very seriously. The PSRAS is not, and should not, be viewed as a qualification that is easily obtained. Completion of the Legal Practice Course, Law Degree or Solicitors Qualifying Examination do not make obtaining accreditation a certainty. The scheme will, by its very nature, identify incompetent or unsafe representatives.

The PSRAS can be undertaken by anyone who wishes to give advice in the police station for which payment is claimed from the Legal Aid Agency (LAA). The LAA will not pay for advice given by such a person unless they are registered with the Agency as a Probationary Representative, or registered as an Accredited Representative under the Solicitors Regulation Authority (SRA)'s scheme. The PSRAS may be undertaken by anyone, including those who are unqualified.

It is the responsibility of the representative to ensure that both the LAA's requirements for registration, and the Assessment Organisations (AO)'s requirements with regard to the assessment procedure, are complied with. Failure to satisfy these requirements could result in claims for payment for police station work being refused by the LAA. It is important therefore, that representatives and their Supervisors understand the requirements and ensure that they are satisfied.

The scheme is designed to ensure that representatives giving advice to suspects in the police station have demonstrated their competence to undertake the work. The scheme is also designed to ensure that solicitors who employ representatives to advise clients at the police station consider their representatives' training and development needs and exercise adequate supervision over them.

These notes for guidance have been prepared to assist candidates undertaking the PSRAS through Datalaw. They set out the rules candidates must follow if they are to successfully complete the accreditation process.

Datalaw can offer guidance and assistance via email and over the telephone. **However, if a candidate has clearly not read the Regulations document, they will be referred to this in the first instance**. Datalaw staff can not advise on matters regarding the law; any such queries should be directed to the candidate's Supervising solicitor.

Candidates are strongly advised to read and become familiar with these Regulations before undertaking any assessment or police station attendance. This document should be read in conjunction with the SRA Standards of Competence.

It is the sole responsibility of the candidate to ensure that they comply with all relevant rules and requirements relating to police station practice and the accreditation process. Datalaw accepts no liability for the actions of persons who take or refrain from taking any action on the basis of the content of these notes.

Section One
The Assessment Organisation

Datalaw is an Assessment Organisation which is authorised by the Solicitors Regulations Authority and Legal Aid Agency to provide the PSRAS.

Datalaw, in common with all Assessment Organisations, operates the accreditation scheme in accordance with the regulations governing the PSRAS published by the SRA, the Law Society and the LAA, which can be found within their websites – www.sra.org.uk , www.lawsociety.org.uk and www.gov.uk/government/organisations/legal-aid-agency respectively. These notes reflect the content of those documents and set out how Datalaw will operate the scheme in accordance with those rules.

Accreditation Queries

Datalaw endeavour to deal with queries and provide assistance as soon as possible. In order to ensure the most accurate advice is provided, occasionally there may be a short time period between request and response.

As queries and issues are dealt with on a ticket basis, please be mindful that a request that is made multiple times may take longer to respond to due to the ticket being pushed to the most recent date.

Equality and Diversity

Datalaw is committed to the promotion of equality of opportunities. Upon registration candidates are asked to complete an Equal Opportunities and Social Mobility markers form online. We would appreciate it if the form could be completed at the earliest opportunity. Any sensitive personal data that is collected is used solely for monitoring equality and diversity and to produce statistics to be shared with the SRA. Please note, candidates are not identified individually in any such statistics.

Policy on Supporting Candidates with Disabilities and Reasonable Adjustments

As an organisation we are aware of our duties to disabled candidates in terms of acceptance for assessment, and the assessment process. We rely on candidates to disclose the nature of any disability and where a disability is disclosed, we will work with the candidate with a view to arranging any reasonable adjustments that will ensure that they are fully able to participate in the assessment process. We hope that you will find us supportive in our efforts to accommodate any request you may have for particular arrangements. Please be aware that supporting medical evidence will be required before adjustments can be made; the evidence provided should refer to the nature of the condition and the recommendations as to its management during the accreditation process.

Candidates should make their disclosure **at the earliest opportunity** to the Accreditations Department on accreditations@datalaw.org. Please be assured that any such disclosure will be strictly confidential and will not be disclosed to persons other than members of Datalaw's Assessment Board as appropriate.

Confidentiality

Candidates' data is used in the processing of bookings, in the assessment process and to process results. Any information collected about a candidate during the application and accreditation process is kept confidential and is stored on secure systems.

Complaints Procedure

Datalaw's complaints procedure operates at two tiers; informal procedure and formal procedure. Candidates are advised in Datalaw's terms and conditions to contact the Qualifications Manager using any of the contact details provided. An informal complaint is dealt with by the Qualifications Manager, wherein the complainant receives a satisfactory response and takes no further action. A formal complaint, wherein the complainant believes a satisfactory response has not been received, will be sent to one of Datalaw's Directors. The Director will appoint an Investigative Officer who will determine the seriousness of the complaint, the appropriate action to be taken and if disciplinary action is necessary. Datalaw are also obligated to inform the Regulatory Body if necessary.

Training and Support

Datalaw offer a number of online training courses to assist candidates throughout the accreditation process. These include theory and practical courses.

The courses are not intended to be the sole source of study for the accreditation and can not provide the sufficient law knowledge base required.

It is not a precondition of accreditation to undertake training courses offered by Datalaw and the Assessment Board will not take participation on such courses into account when considering any part of the assessment process.

The Assessment Board

Datalaw has established a Board of Assessors which includes amongst its membership the Assessors who will assess each of the elements of the accreditation programme.

The terms of reference for the Assessment Board are

- To ensure all draft accreditation assessments are properly scrutinised and approved;
- To ensure that all assessments are properly conducted;
- To ensure that all assessments are properly marked and assessed;
- To determine whether a candidate has passed and assessment;
- To determine what action should be taken in accordance with relevant assessment regulations;
- To determine what action should be taken in respect of a candidate who asks for extenuating circumstances to be taken into account;
- To determine what information should be given to a candidate who fails an assessment;
- To make representations to the AO on any matter concerning accreditation assessments.

Membership of the Assessment Board may change from time to time. At any time at least 50% of the Board's membership is comprised of current duty solicitors. Other members of the Board are recruited from Academic Lawyers with experience of skills assessment.

The membership of the Board shall also include an appropriately qualified External Moderator whose role is to ensure that the accreditations are carried out to a consistent manner and the appropriate standard having regards to the Standards of Competence and to liaise with the SRA External Examiner.

The Assessment board shall be quorate when five members of the Board are present and where at least 50% of the membership of the board are current duty solicitors.

Section Two
The Accreditation Process

The Police Station Representatives Accreditation Scheme consists of three parts:

1. The Written Exam
2. The Portfolio (Part A and Part B)
3. The Critical Incidents Test (CIT)

Register with Datalaw to receive a candidate number and Regulations.



Take the Written Exam if not exempt.



Submit Part A of the Portfolio.



Apply for probationary status from the LAA.



Complete the CIT and Part B in either order.

Written Exam Exemption

The LAA provide exemption from the Written Exam to candidates who have completed:

- Legal Practice Course (LPC),
- Bar Professional Training Course (BPTC) or to
- Fellows/Members of the Chartered Institute of Legal Executives (CILEx) who have passed Level 6 Professional Higher Diploma in Law (previously known as Level 4) which must include a pass in the criminal law and litigation papers.

The Solicitors Qualifying Examination (SQE) does not provide exemption from the exam.

There is no exemption from the Portfolio or CIT.

Candidates who are not exempt must pass the Written Exam before starting Part A.

Upon successful completion of Part A, candidates will be provided with an application form to register with the LAA as a Probationary Representative. The LAA will then issue a PIN number, enabling the candidate to attend the police station unsupervised and claim payment for their attendances.

Once the PIN has been received, the Part B and CIT can be completed in either order. One of these elements must be passed within 6 months of obtaining the PIN. If this is not done, the PIN is suspended until an assessment is passed. You will then have a further 6 months to successfully complete the remaining element.

As the PIN is issued by the LAA, Datalaw are not able provide advice on the provision of the PIN, such as issue date and remaining probationary periods.

When all assessments are passed, accredited status is confirmed by the LAA.

Assessment Schedule

Datalaw endeavour to run all advertised examination dates, wherever possible. In the unlikely event of a cancellation, candidates will be notified in advance and offered alternative dates.

Datalaw reserves the right to vary or cancel any examinations where the occasion necessitates. Datalaw accepts no liability if, for whatever reason, the examination does not take place.

Booking an Assessment Place

Datalaw's timetables can be found on the Datalaw website and in candidates' accounts. To request a place on an assessment, candidates should email the accreditation department on accreditations@datalaw.org / suzannegwilliams@datalaw.org specifying the assessment and date they wish to book. If the date requested is not available, they will be offered an alternative date as close as possible or referred to the timetable.

Candidates can only request a place for an assessment up to 5 days in advance. Any outstanding fees must be paid before booking an assessment place.

Transfer Policy

A transfer fee of £25 plus VAT will apply. Candidates should inform Datalaw of their intention to transfer their assessment at the earliest opportunity.

If a candidate does not attend an assessment without informing Datalaw, the assessment fee will be forfeited.

Notification of Results

Results of assessments are released via email, provided that the candidate has paid all outstanding fees. Candidates should retain their emails as certification of their result.

Results will not be given over the telephone in any circumstances; this is a breach of data protection laws. Nor will a result email be issued prematurely at the request of a candidate/Supervisor. Results are released as promptly as possible by 5pm on the result deadline. Candidates who call or email to request their result only serve to delay this process.

Requests for additional payment to be made in order to receive a result early will be ignored.

Correspondence from Third Parties

Where Datalaw receives correspondence from third parties about a candidate's assessment result, e.g., from the candidate's employer or Supervisor, Datalaw cannot respond unless the request is accompanied by written or verbal confirmation from the candidate authorising Datalaw to deal with the third party.

Provision of Assessment Scripts

Datalaw do not, under any circumstances, release Written Exam scripts or CIT assessments. Requests for marked assessments will result in the candidate/Supervisor being directed to the Regulations. Assessments are used on a continual basis; an exam sat by a candidate will still be in use and to release into the public domain would render the exam invalid.

Completed exam scripts and assessments are securely stored for a period of 12 months.

Provision of pass/fail rates

Pass and fail rates are not published for any accreditation assessments.

Candidate Behaviour

Datalaw staff are entitled to work in a safe environment, free from the risk of verbal abuse. Any candidate who verbally abuses Datalaw staff over the telephone will be asked to

moderate their behaviour. Should the candidate fail to do so, Datalaw staff will have the right to terminate the telephone call.

During a live assessment, any candidate who is threatening, aggressive or verbally abusive towards a Datalaw member of staff will not be allowed to take the assessment and will be removed from the assessment platform immediately. Depending upon the seriousness of the candidate's behaviour, the candidate may be prevented from sitting any further assessments with Datalaw.

Datalaw do not discuss candidate's assessment results or feedback over the telephone. Datalaw is an impartial assessment organisation and any indication of attempting to influence members of staff to reconsider results/give preferential treatment by way of threats or any other behaviour will be taken seriously and reported to the Assessment Board. If the Assessment Board is of the view that the professional conduct of the candidate has been brought into question, the SRA and LAA may be notified.

Validity of Assessments

Once registered for an accreditation, candidates must attempt the first stage of the assessment process within 12 months of the date of registration. If a candidate is unable to do so, they must contact the accreditation department to request the period be extended.

If a candidate fails to request this extension within a reasonable period, their candidate number will expire and they will be required to reregister for the first stage of the accreditation. The fee for the first stage of the accreditation will lapse. The remainder of the fees paid, if any, will remain on the candidate's account until they are in a position to proceed with the accreditation.

Cancellations

Accreditation bookings cannot be cancelled or refunded outside of the 14-day cooling off period.

An accreditation may be transferred to another candidate upon request, in the event that no assessments have been attempted or support courses accessed. Such requests must be made by email to the Accreditations Department.

Where a booking is paid for by a candidate's employer, the candidate and the firm are jointly liable for this booking.

The Role of the Supervising Solicitor

Candidates must have a Supervising Solicitor throughout the accreditation process and beyond.

Datalaw, as an Assessment Organisation, are not able to assist in sourcing a Supervisor.

Candidates should select a Supervisor carefully, ensuring they are able to provide the candidate with the necessary level of supervision, support and guidance required.

When registering with the LAA for probationary status, the Supervising Solicitor must provide their details and a Certificate of Fitness for the candidate. If at any point a candidate changes Supervisor or moves to another firm, they must notify the LAA as soon as possible.

The Supervising Solicitor and their firm are responsible for the candidate and their actions whilst at the police station/advising clients.

The main role of the Supervising Solicitor is to act as mentor; monitoring a representative's progress and offering guidance.

Eligibility and the Supervisor's Role

In order to supervise a candidate under the PSRAS, Supervisors must be employed by a holder of the Standard Crime Contract and be a **current police station duty Solicitor** or alternatively, a Solicitor who is acceptable to the LAA as meeting the Crime Category Supervisor Standard.

All probationary and accredited representatives must have a recognised Supervising Solicitor at all times. The purpose of this role is to oversee candidate's progress and offer guidance. The Supervisor will be required to monitor the candidate closely, particularly during the early stages of the accreditation.

Portfolio Supervision

The Portfolio forms one element of the accreditation and the Supervisor must play an active role in its compilation.

Part A Stage 1 consists of two cases in which the candidate observes a Solicitor giving advice in a police station. These cases may be conducted by any eligible duty solicitor. They may be duty or own client cases and the matters may be summary, either way or indictable.

Part A Stage 2 consists of two cases in which a Solicitor observes the candidate giving advice at the police station. Wherever possible, it should be the designated Supervising Solicitor who observes these cases, though candidates can attend with any eligible duty solicitor.

The candidate must not offer advice in duty cases or on indictable only matters. If the Supervisor has to intervene during these cases, at any stage, then the case will not be suitable for submission. The Supervisor must provide specific and individual feedback to the candidate for these cases.

Upon successful completion of Part A, the Supervisor is required to undertake a certificate of fitness; this is a component of the application form which the candidate must submit to the LAA in order to be registered as a Probationary Representative.

Although Part B cases do not require written feedback to be submitted, a feedback session should take place following each case undertaken. The purpose of these feedback sessions is to review the quality of advice provided by the candidate and to advise the candidate on areas for future improvement.

It is recommended that the feedback session take the following format:

- The representative should outline the details of the case and identity the prevalent issues and explain how they proceeded.
- Both the Supervisor and representative should discuss whether the case could have been dealt with more effectively and if so, how. Future actions to help the representative improve performance should be agreed.
- Where practicable the feedback sessions should take place immediately following an attendance or no more than 7 days after, and before the next case that is to be included in the Portfolio.

Monitoring Arrangements

The Police Station Register Arrangements 2001 (as amended 20 February 2020) states that a Probationary Representative must pass one of the accreditation tests (Portfolio or Critical Incidents Test) within 6 months of the date of registration as a Probationary Representative with the Legal Aid Agency, and must pass all the tests within 12 months of the date of registration. Failure to meet these requirements will result in the representative being suspended from the Register.

It is the responsibility of the representative and their Supervisor to monitor the progress of the representative in passing the relevant accreditation tests within the prescribed timeframes, as the LAA will not remunerate for any police station advice and assistance given by a representative who is suspended.

Ongoing requirements

Supervising solicitors are encouraged to play an active role in the supervision of a representative once they have gained accreditation. In general terms, this means monitoring the quality of the representative's work and helping to provide the representative with the tools and support required for the representative to perform as effectively as possible in advising suspects at the police station.

If a Solicitor ceases to supervise a representative or no longer meets the definition of Supervising solicitor, the candidate must notify the LAA immediately.

Section Three
Controlled Remote Assessments

The Written Exam and Critical Incidents Test are undertaken on an online assessment platform.

The assessment platform is an advanced online proctoring system which uses real time detection of candidate movement, eye movements, screen navigation and audio and environmental changes.

The Written Exam and Critical Incidents Test must be undertaken using a laptop/desktop with working webcam and microphone. The assessment platform system is not supported on any type of tablet.

Advanced facial recognition and ID software is used to verify candidate ID.

Screen navigation is monitored to ensure candidates do not access materials/communicate with others during the assessment. Any navigation away from the examination screen is reported in real-time to the invigilator.

Audio software records ambient noise during the assessment; any voices other than the candidate detected during the assessment is reported to the invigilator.

Exam responses are recorded and stored by the system and shared only with the assessment proctor and relevant examining body.

A system compatibility test is undertaken by the candidate before the assessment date in order to ensure their device is compatible and their webcam and microphone enabled.

Requirements

Candidates must have the following in order to take an assessment online:

- An internet connected device
- Webcam
- Microphone
- Speakers

Identification

Photographic ID is required to undertake any assessment. Candidates must produce photo ID in the form of a Passport, Driving/Provisional Licence, PASS Card or National ID Card. If photo ID is not provided, the candidate will not be permitted to undertake the assessment, or any assessment completed will not be valid and will not be sent for marking.

Role of the Proctor

The proctor is responsible for conducting and supervising the assessment or parts of an assessment.

The candidate is supervised by a live proctor in a separate physical location connected via the assessment platform.

The proctor must:

- Ensure all candidates have an equal opportunity to complete the test to the best of their ability.
- Ensure the security of the assessment before, during and afterwards.
- Prevent possible candidate transgression.
- Manage possible administrative issues.
- Make an identification check on each candidate.
- Be present for the duration of the assessment.
- Record and retain scripts and recordings for a minimum of 12 months.

Candidate Conduct

The proctor is present to supervise and ensure the security of the examination. The proctor cannot provide feedback on any aspect of the performance of the candidate during or following the assessment. For the duration of the assessment the candidate is monitored and must adhere to the guidelines set out for their examination.

Assessment Room

Candidates must undertake assessments alone, in a room where they will not be disturbed.

Candidates are monitored via webcam and microphone throughout the examination and presence of any individual other than the candidate will result in the assessment being terminated and invalidated.

A space with adequate warmth, ventilation and lighting should be used if possible. Candidates should not sit with a lamp behind them as it can make it difficult for the invigilator to see the candidate's face. Similarly, candidates should not sit with their back to a window. The workspace and chair should be in a good state of repair to avoid distraction.

If a candidate has specific support needs that require a carer or other adult to be present, this should be requested in advance of the assessment. A scribe or reader may also be present in the assessment room if approved by the appropriate examining board.

Candidates must have a fully charged or power connected device with a sufficient resolution webcam in order to take an assessment.

A reliable internet connection is required.

Candidates will be visible to a proctor and should therefore be appropriately dressed and conduct themselves in a reasonable manner.

Before the assessment

Any questions regarding the examination should be dealt with in advance by contacting the relevant accreditations department.

If a candidate feels they will not be able to meet the controlled remote assessments requirements they must inform Datalaw before the assessment. Any candiate that is found

to not adhere to the controlled remote assessments requirements will be removed from the assessment.

The link/s required for the assessment will be sent in advance of the assessment date. It is the candidate's responsibility to access the link at the appropriate time.

To ensure smooth running of the assessment, candidates should:

- Use the bathroom before the start of the assessment.
- Inform others in advance that they are taking an assessment so as not to be disturbed.
- Place an 'Assessment in Progress' sign outside the room if in a shared space.
- Check equipment before the start of the exam.
- Have a drink of water to hand.

During the assessment

Candidates must remain visible to the proctor at all times. Candidates should not contact/interact with the proctor unless there is a problem with the assessment.

For timed assessments, it is the candidates' responsibility to have a clock/watch visible.

Late Arrival

Candidates should access the assessment platform at the time assigned to them.

Time for registration and ID checks is taken into consideration; any timed portions of an assessment will not start until this process if completed.

Candidates who arrive later than instructed will not be permitted to undertake the assessment.

Online Written Exam

Written Exams are undertaken on the Mettl assessment platform.

This Written Exam Tutorial (please click link) demonstrates the layout of the platform.

The exam must be taken using the Google Chrome browser. Although the exam may be accessed on other browsers, there is a risk of loss of connection and technical issues occurring. Chrome can be downloaded and installed safely here - Google Chrome Download

An email containing a link to a compatibility test will be sent in advance of the exam. The compatibility test must be undertaken at the earliest opportunity to identify and technical issues.

The email will also contain a link to access the exam on the specified exam date and time.

An ID verification check will take place before the examination starts. Candidates must have photo ID available to produce to the webcam before the test.

Navigating away from the exam browser window during the assessment will result in a warning appearing on the screen and the proctor will be notified. A total of four warnings can be issued before the assessment is terminated.

Any software/notifications should be turned off as this can disrupt the assessment program, be read as cheating and will result in the assessment closing.

Critical Incidents Test

CITs are undertaken on the Mettl assessment platform.

This CIT Tutorial (please click link) demonstrates the layout of the platform.

The assessment must be taken using the Google Chrome browser. Although the assessment may be accessed on other browsers, there is a risk of loss of connection and technical issues occurring. Chrome can be downloaded and installed safely here - Google Chrome Download

An email containing a link to a compatibility test will be sent in advance of the assessment. The compatibility test must be undertaken at the earliest opportunity to identify and technical issues.

The email will also contain a link to access the assessment on the specified exam date and time.

An ID verification check will take place before the examination starts. Candidates must have photo ID available to produce to the webcam before the test.

Navigating away from the exam browser window during the assessment will result in a warning appearing on the screen and the proctor will be notified. A total of four warnings can be issued before the assessment is terminated.

Any software/notifications should be turned off as this can disrupt the assessment program, be read as cheating and will result in the assessment closing.

For each question, there is an audio file to play on the left-hand side and a timer on the right-hand side.

The timer on the right-hand side of the screen will show the 'thinking time'. This is the time that it takes for the question to be played plus 30 seconds. The learner must start responding before the end of the thinking time. At the end of the thinking time, the system will automatically start recording.

Section Four
Registration with the Legal Aid Agency

Making an application

In order to register with the LAA as a Probationary Representative, candidates are required to pass, or be exempt from, the Written Examination and submit a Part A Portfolio.

Exemption from the Written Exam does not need to be provided to Datalaw. Candidates are required to provide appropriate proof of exemption to the LAA when making their application for a probationary status.

If a candidate is unsure of their eligibility to receive an exemption from the Written Exam, advice must be sought from the LAA.

After a technical compliance check of the Part A Portfolio has taken place, candidates will be issued with an LAA 'ADMIN2' application form.

The ADMIN2 form, Written Exam pass letter OR evidence of exemption from the Written Exam and Part A pass letter should be sent to the LAA by email as directed in the Part A Result email.

The ADMIN2 form must be signed by the candidate's Supervising Solicitor and submitted to the LAA within three months of the date on which the technical compliance check took place (as indicated by date of result email). The LAA will register the candidate as a Probationary Representative within 14 working days of receipt of the application form. The LAA will then provide the candidate with a PIN number and notify the candidate and their Supervisor of the date of registration.

Probationary Period

Probationary Representatives must have a Supervising Solicitor whilst going through the accreditation process. This should be the same Solicitor throughout. If exceptional circumstances make this arrangement impractical, the candidate must contact the LAA requesting permission to change Supervising solicitors, setting out the reasons why.

The candidate should aim to complete the Accreditation within 12 months from the date of registration with the LAA.

Either the Portfolio (Part A and B together) or CIT must be **passed** within six months of the date of registration with the LAA. Failure to pass one of these assessments within six months will result in suspension from the register.

When a candidate's PIN number is suspended, the firm cannot claim legal aid funding for any cases in which the candidate attends. The only way to lift suspension from the register is to pass an assessment. When as assessment is passed, the candidate has the remaining 6 months of the probationary period to pass the outstanding element.

It is the responsibility of the candidate and Supervising Solicitor to monitor progress and ensure all assessments are passed within this timeframe.

For full details of the Legal Aid Agency's powers of suspension and removal from the Police Station Register, please refer to the 'Legal Aid Agency's Police Station Register Arrangements 2001' as amended 20 February 2000.

Permitted Cases

Candidates can only take cases from the firm for which their Supervising Solicitor is employed. In August 2002, Part B, Rule 3.3 of the General Criminal Contract was amended to include the provision that: '*From 1 April 2003, a Probationary Representative may only provide Police Station Advice and assistance for the firm at which his or her Supervising Solicitor is based. The firm must hold a General Criminal Contract.'*

Probationary Representatives can only provide advice on own client cases. Duty cases are not permitted.

The offences on which advice can be given can be summary only and either way. Indictable offences are not permitted.

Any questions regarding case selection and classification of cases **must** be sought from the LAA.

Datalaw are not able to offer any information or assistance regarding payment for police station attendance or suspensions from the LAA register.

Section Five
The Written Exam

The purpose of the Written Exam is to assess candidates' understanding of the advisor's role, the skills need to perform that role effectively, underpinning knowledge of criminal law evidence and procedure.

The exam will also assess whether candidates can apply that knowledge to a given set of facts, in order to advise a client.

For example, candidates may be required to advise on the elements of criminal offences. It is expected that candidates set out the elements as they may be explained to a client, such as explaining the meaning of legal terms such as 'appropriate' or 'reckless'. Candidates must also assess whether the offence is made out on the facts. As another illustration, when advising the client prior to interview, the candidates' role is to provide sufficient information on all options to enable the client to make an informed choice.

It is advised that candidates approach the Written exam as though they are advising a real client, or safeguarding their rights by demonstrating a clear understanding of police duties in respect of vulnerable clients, or the ability to argue for bail, for example.

The Written Examination must be passed by those who are not exempt prior to completion of Part A of the Portfolio and registration with the LAA.

Assessment Format

The examination is a two hour assessment. The examination consists of five questions. Each question is worth 25 marks. Candidates are required to attempt **four** questions out of the five questions set. Candidates who submit answers to five questions will only be assessed on the first four questions attempted.

Datalaw may change the format of the examination so as to include multiple choice questions. In such circumstances, the multiple choice section will only account for 25% of the total mark.

Each question will have a number of marks allocated to it. The mark is set out in brackets next to the question. These marks are an indication of the level of detail an answer requires and should help candidates plan their time effectively. In order to pass the Written Examination candidates must score at least 50%.

Permitted/Authorised Materials

The examination is designed to test a candidate's ability to apply legal principles in a criminal context, wherever possible, in a practical way. Candidates are required to apply current law as at the date of the assessment, unless it is otherwise clearly indicated in the body of the assessment paper.

As the examination is not a mere test of candidate's memory, the assessment is 'open book'. Candidates may take into the examination text books, printed versions of books/statutes (e.g. PACE etc.) and online materials purchased from Datalaw.

Not permitted –

Annotation – candidates must not annotate their materials – they can not contain handwritten notes on the pages.

Personally prepared notes – candidates must not use either typed or handwritten personally prepared notes, such as lecture notes or flash cards.

Electronic devices – candidates must not use tablets, laptops or phones to access materials.

Permitted –

Textbooks – candidates can utilise any textbook they may find useful

Printed materials – candidates can print off sections of books/legislation

Highlighting and tabbing – candidates can highlight sections of their materials and use labelled tabs

Identity Checks

Before an assessment can commence the candidate must produce valid photographic ID to be checked by the remote invigilator or a remote assessment software. If photographic ID cannot be produced, the candidate will not be permitted to take the assessment.

Provision of Assessment Scripts

Datalaw do not, under any circumstances, release exam scripts.

Assessments are used on a continual basis; an exam sat by a candidate will still be in use and to release into the public domain would render the exam invalid.

Completed exam scripts are securely stored for a period of 12 months.

Transfer Policy

Candidates can only request a place for an assessment up to 5 days in advance. Any outstanding fees must be paid before booking an assessment place. Upon request of an assessment slot, Datalaw will issue candidates with guidance enabling the candidate to transfer their assessment within the following 24 hour period. After this period, the terms and conditions below regarding transfers will apply.

A transfer fee of £25 plus VAT will apply. Candidates should inform Datalaw of their intention to transfer their assessment at the earliest opportunity.

If a candidate does not attend an assessment without informing Datalaw, the assessment fee will be forfeited.

Candidate Conduct

The assessment proctor is present to ensure the smooth running of the examination. The proctor cannot provide feedback on any aspect of the performance of the candidate during

the test. The proctor is not an Assessor. Any instances of a proctor being pressed by a candidate for feedback or an attempt to influence the proctor will be reported to the Assessment Board.

Written Exam Assessment Criteria

The criteria on which candidates are assessed during the Written Exam is set out in the SRA's Standards of Competence. The standards can be accessed in candidates' online accounts and on the SRA website.

Progression to Part A

Candidates must pass the Written Exam before submitting Part A of the Portfolio.

It is not recommended for candidates to attend Part A cases before receiving a pass result. Part A must be submitted within three months of the date of the first case, so in the event of an unsuccessful result, it is likely the attended cases would go out of date.

After passing the Written Exam, there is no timeframe within which the remainder of the accreditation must be started or completed.

Section Five
The Portfolio

The process of completing the Portfolio has been designed to:

- Encourage the Supervising Solicitor to review the representative's performance and to address any deficiencies.
- Enable AOs to assess a representative's competence in the police station.

Portfolio Assessment Criteria

The criteria on which candidates are assessed during in the Portfolio is set out in the SRA's Standards of Competence. The standards can be accessed in candidates' online accounts and on the SRA website.

The Portfolio will contain summaries of nine cases in which the candidate has been involved with both the giving of advice, and attendance at an interview between the police and the client, at a police station.

The Portfolio consists of two parts, to be completed in the following chronological order:

1. **Part A**

Four cases of police station attendance undertaken with a Supervising Solicitor. The first two cases are conducted by the Supervisor and observed by the candidate. The following two cases are conducted by the candidate and observed by the Supervisor who provides written feedback to the candidate on their performance.

2. **Part B**

Five cases of police station attendance, unsupervised.

Portfolio Guidance

Case Selection

The following guidance applies to both Part A and Part B of the Portfolio.

The assessment guidelines require that each reported police station attendance includes attendance at an interview. If an interview does not take place, even if advice has been given to a client, the case is not suitable for inclusion in the Portfolio.

Candidates may only use cases where the suspect is being questioned by a constable (which for the avoidance of doubt includes Customs Officers and members of the Serious Organised Crime Agency). Candidates must not use cases where the interview is being conducted in the absence of a constable (such as Local Authority or Department of Work and Pensions investigations where the suspect is not being interviewed under arrest). Different rules apply in such circumstances and such interviews are beyond the remit of PSRAS.

Interviews which take place outside of a police station, such as a prison or hospital, can be included so long as the interview is conducted under PACE and meets all other mandatory requirements, however we do not recommend including these in the Portfolio as the complex issues which can arise may not be covered sufficiently in the case report.

All cases used in the Portfolio must be identified by the Criminal Defence Services (CDS) Unique File Number (UFN), which is required to be allocated to cases under the general criminal contract.

All cases must include:

- Date of attendance
- UFN number
- Time of arrest (if applicable)
- Time of arrival
- Name of police station attended

The following cases **CAN** be included in the Portfolio:

- Either way or summary only offences, which involve the firm's own client.
- Volunteer cases. Candidates must ensure that the case involves sufficient issues and that there is sufficient detail to support a substantive case. There must be at least 3 arrest cases in the Portfolio (see page 29)
- Attendance at an identification procedure will only be suitable if the case also includes an interview conducted under caution.
- Two cases concerning the same client, provided that separate issues/offences are dealt with and the candidate makes it clear that the matters are separate.
- Bail backs, provided that an interview takes place under caution. The candidate must demonstrate a complete analysis of the evidence. Please note, these cases are not recommended. As the analysis of the evidence is normally done on the first

attendance, the candidate may not have initially carried this out and may struggle to provide the level of detail required.
- Breach of bail cases can be used, provided that an interview is conducted under caution. The candidate must ensure that there is sufficient detail to support a substantive case.
- Privately paying clients. In such cases where a UFN number is not generated, candidates should state 'Private' in place of the number.
- Immigration cases may be used provided a criminal offence has been alleged.

The following cases **CANNOT** be included:

- Duty cases (except for Part A cases 1 and 2 which are undertaken by a Supervisor)
- Co-defendants (used as two separate cases)
- Indictable offences (except for Part A cases 1 and 2 which are undertaken by a Supervisor)

The Portfolio must have a good range of issues. It is the candidate's opportunity to demonstrate their competence as a police station representative. This is most easily achieved by ensuring that a range of different types of offences are covered. Datalaw recognise however that some practices specialise in certain areas of work and in those situations candidates will not be specifically penalised for only dealing with those sorts of cases, provided that a satisfactory range of issues are included. If the Assessment Board are of the view that a sufficient range of issues has not been demonstrated, they may request a wider variance in offences upon resubmission.

Voluntary Attendances

It is becoming increasingly common that candidates will attend more voluntary cases than arrest cases. The Portfolio must contain **at least three arrest cases**, wherein the candidate is able to demonstrate they are able to deal with any issue regarding this, such as the custody record and those set out below. **At least one of these cases must be undertaken by the Supervising Solicitor** (Part A case 1 and/or 2) for training purposes, and at least one of these cases must be undertaken in Part B where the candidate is advising unsupervised. If a candidate does not include any case in which a client has been arrested, the Portfolio will fail technically even if all cases pass on merit.

Remote Attendances

Candidates may include cases in the Portfolio wherein the attendance has taken place remotely. There is no limit on how many of these cases can be included. The candidate should make it clear how the case was attended, such as via telephone, zoom etc. and discuss any issues that may have arisen due to this and how these were dealt with.

Arrest and Detention

An arrest always involves the deprivation of a suspect's liberty which is a serious imposition on their right to liberty. Candidates should ensure that in any reported case where their client has been arrested that they record and have tested:

- The reasons for their client's arrest as tested against section 24 of the Police and Criminal Evidence Act 1984;
- The reasons for their client's detention tested against section 37 of the Police and Criminal Evidence Act 1984.

Candidates are expected to demonstrate an understanding of the grounds that must apply before an arrest can take place and what must be recorded by the arresting officer to justify that arrest. Where there are no proper grounds or inadequate recording of the reasons for arrest, the Assessment Board will expect to see that the candidate recognised the extent of those failings and took appropriate steps to challenge that arrest. This also applies in respect of detention.

The Custody Record

In any arrest case, candidates must demonstrate that they have examined the Custody Record. It is not sufficient to say that it has been viewed; what has been noted – this is what is being assessed.

What is noted may not be the same in each case and the Custody Record will reflect the position and information for each individual client.

At the very least a case study should confirm the following:

- Times of arrest, arrival and detention.
- The reason for the arrest
- Details of any reviews and any complaints by the client.
- Whether the client reported any injuries.
- Any medical conditions and whether the client was attended upon by a medical professional.
- Details of any Appropriate Adult required and the reason recorded.

Contact with Clients and Delays

The General Criminal Contract requires contact to be made with a detained suspect within 45 minutes of notification being received from the DSCC. Such initial contact will usually be made by telephone. Such attempts to provide telephone advice should be recorded, including if the client was on a rest period. If this is the case, candidates will be expected to state the rules that apply to the provision of legal advice during a rest period.

Any delay in dealing with a client should be properly explained by the candidate, for example:

- Why was there a delay in the suspect arriving at the police station after their arrest?
- If a suspect was transferred from one police area to another, what effect does that have on the custody clock?
- If a suspect was transferred to hospital during their detention what effect does that have on the custody clock?
- Why was it necessary to place a suspect on a period of rest? (The fact that they were arrested at an anti-social hour is not an appropriate reason).

Client Confidentiality in Interview

During interview between the client and police, candidates must ensure at no point is there a breach of privilege. If a candidate chooses to make an opening statement to the police, it is important that the advice to client is not disclosed, in particular the reasons that the client has been advised on how to proceed in interview.

Inferring Knowledge

The onus is on the candidate to demonstrate that they have sufficient knowledge and competence to pass the Portfolio assessment and be an accredited police station representative. The Assessment Board can not infer that the candidate possesses an understanding of matters raised within their case study, if those matters are not sufficiently recorded.

Portfolio Content

Candidates must ensure that they follow the guidelines within this document and that both Part A and Part B cases contain sufficient information to demonstrate the candidate's competence.

All cases must include:

- Date of attendance
- UFN number
- Time of arrest (if applicable)
- Time of arrival
- Name of police station attended

The following headings should be used when compiling a case report, encompassing the issues listed:

Case Description

The purpose of the case description is to provide the assessor with a summary of what happened throughout the attendance. In this section the candidate should consider the following issues:

- What offence(s) were alleged
- What issues were raised
- What happened at the police station
- What was the outcome

Obtaining Information

In this section, the candidate should:

- State all the evidence against their client disclosed to them by the police, how this information was obtained and at what stage this was done. If disclosure from the police expanded as the case progressed, then set out at what stage each item of disclosure was given.
- State what documents were obtained e.g. the custody record
- State any evidence that was obtained from third parties
- State the client's account of events, and set out at what stage the client provided this information. If the client's instructions changed as the case developed, the differing instructions should be set out in the chronological order that they developed. If any difficulties in dealing with their client were encountered, these should be addressed in this section.

Assessing Information and Advice to the Client

In this section, the candidate should:

- Assess the information received and identify, where relevant:
    - The strengths/weaknesses of the evidence and the case against your client;
    - The admissibility of the evidence;
    - Whether or not there is a prima facie case
- Detail how the analysis of the evidence/information was explained to the client, including any points of law.
- Include an assessment of the law relating to the offence(s) and state how this was explained to the client.
- Assess the law in relation to each offence and apply this to the information obtained.
- Identify whether the client had a defence and if so, what was it? Detail how was this communicated to the client
- Identify whether the client's account was credible and how this was tested.
- Describe the client's demeanour/condition and what affect this had on the client's conduct in interview
- Describe and explain what advice was given to the client at the police station, including advice relating to:
    - The way in which the interview would be conducted and any other procedure that the client may be subjected to;
    - The caution;
    - The circumstances where inferences may be drawn and what constitutes an inference
    - The advantages/disadvantages of speaking
    - The advantages/disadvantages of remaining silent
    - The advantages/disadvantages of providing a written statement
- Detail what advice was given to the client, i.e. to speak, remain silent, provide a statement
- Explain why the advice given was considered to be the best advice in the circumstances. Explain what other options were considered and why they were considered inappropriate.
- State what instructions the client gave after hearing your advice and, if appropriate, how the instructions were dealt with.
- State the outcome of the interview and what ultimately happened to the client i.e. charged/refused charge/police bailed/kept in custody etc.

Dealing with the Police and Third Parties and Making Representations

In this section, the candidate should:

- State what happened during the interview. State how the police dealt with the interview and any interventions or representations that they had to make.
- Identify any issues that arose outside of the interview that required them to make representations.

Below are examples of suitable subject matter to include in this section. If appropriate, the candidate should reflect upon how the following issues were dealt with:

- Any delay between the client's arrival at the police station and their notification

- Being kept waiting on arrival at the police station
- Access to the custody record was delayed
- Police reluctance to disclose evidence in any depth
- Searches, which in the candidate's view had been unlawful
- Mistreatment of client in some way
- The client was suffering from some disability and/or in the candidate's view was unfit
- The appropriate adult did not understand his/her role
- The interview was conducted in an oppressive manner and/or improper question caution/special warnings were wrongly or inappropriately given
- The client was refused bail when it ought, in the candidates view, to have been granted

Professional Ethics

In this section, candidates should:

- Identify and professional or ethical issues that arose during the case and describe how they were dealt with.

Feedback and Reflection

In this section, candidates should:

- Give a brief description of the case, identifying any issues which the case presented and how they were dealt with.
- Discuss with their Supervising Solicitor whether the case could have been dealt with differently and if so, how.
- Reflect upon their own performance and discuss with their Supervisor how this could be improved in the future
- Provide any written feedback from the Supervising solicitor.

Candidates should ensure that their approach in preparing each case report is:

Analytical

Candidates must demonstrate that they have considered the elements of the offence(s) and have applied these to the evidence of the case and the client's instructions. A simple narrative account will not be sufficient.

Professional

Candidates must honestly and accurately record the advice given to the client and how the case was handled. In some circumstances the Assessment Board may request sight of suitably anonymised notes of the actual attendance. The candidate must not name the client or provide any details which could lead to the client being identified. If a client were identified within one of the case studies, this would constitute a breach of client confidentiality and would cause the Portfolio to automatically fail.

Informative

The candidate must explain not only what was done, but why it was done, so that the reasoning behind the advice provided to the client is clear to the Assessment Board.

Unique

Candidates should avoid using standard forms of words and should instead set out how they dealt with each individual case. For example, when explaining the caution to the client, the candidate should state exactly what they said and did and how this was tailored to the client and the situation. Candidates should also remember that any mistake in a standard form of words that is copied from case to case could result in errors being repeated.

Candidates who demonstrate that they have committed a serious professional error during their reported attendance may fail the Portfolio not withstanding their overall performance, wherein the judgement of the Assessment Board, the error was sufficiently serious to justify such a result.

It is the candidate's responsibility to ensure that the Portfolio is complete and has all relevant enclosures whenever a Portfolio is submitted for assessment or re-assessment. Incomplete or technically defective Portfolios cannot pass the assessment process.

Part A

Part A must be completed by all candidates, prior to registration as a Probationary Representative.

Part A must be submitted to Datalaw for a technical compliance check no later than 3 months from the date of the first case. Cases submitted outside of this timeframe will fail the technical compliance check and the candidate will be required to start the Part A again. For example, if the first case in Part A is dated 01/07/2026, the submission must be made no later than 01/10/2026.

Part A consists of two stages to be completed in the following chronological order:

Stage One

Two cases in which the candidate observes a Solicitor providing advice and assistance to a client at the police station. These cases may be conducted by any eligible duty solicitor.

Candidates may observe the Solicitor conduct cases which have been referred to him/her as Duty Solicitor Cases or where the suspect is being questioned about an offence which is summary, either way or triable only on indictment.

Stage Two

Two cases where the candidate provided advice and assistance to a client at the police station, whilst being observed by their Supervising Solicitor. These cases should be attended by the designated Supervising Solicitor wherever possible, though any eligible duty solicitor can attend.

The LAA does not permit Probationary Representatives to provide publicly funded police station advice and assistance to persons suspected of committing an offence which is triable only on indictment or where the case has been referred to the candidate's Supervising Solicitor as a duty Solicitor case. Candidates must NOT use such cases within Part A Stage 2 or Part B of the Portfolio.

If the Supervising Solicitor has to interject during the course of a case, it will not be acceptable for submission.

It is not recommended that cases take place in a very short period of time, and certainly not on the same day. This is particularly important for cases 3 and 4. The candidate should have adequate time for supervision and reflection on the attendance and the feedback provided by their Supervisor.

Submission of Part A Portfolio

All Part A submissions are made online at www.datalawonline.co.uk via candidates' account.

If candidates do not know the log in details of their account, they must contact Datalaw. Candidates can not cite not knowing their log in details as a reason for failure to submit their Part A on time.

Part A should be submitted within office hours; if any difficulties occur Datalaw can be contacted for assistance. Candidates citing technical difficulties for not submitting on time will not be considered.

The submission of the Portfolio is final. When cases are submitted they cannot be recalled, either via the website or by contacting Datalaw. By uploading the cases the candidate is confirming they are to be assessed.

When logged into the Datalaw account, select 'PSRAS Submission' from the menu. All declaration forms are completed here, along with the upload of cases.

Cases can only be uploaded in a PDF format.

The completion of the online forms and upload of cases can take time – do not attempt to start this process within a short space of time of the deadline.

Each case is uploaded individually. The UFN, name of Solicitor and roll number of Solicitor must be completed for each case.

Training and Personal Study

As part of the Part A submission, candidates will provide details of the training and study undertaken, together with details of the support and guidance offered by the firm and Supervising Solicitor. This will not be taken into account when the Portfolio is considered by Datalaw. If the Portfolio were not satisfactory, however, the training/support section of the Portfolio may be referred to. If it was clear that the candidate had not undertaken sufficient or appropriate training, or had been offered little support, advice might be given to the candidate by Datalaw on the type of training that should be undertaken and any additional support required from the firm.

Failure to to complete the Training and Personal Study section of the online form will result in the candidate not being able to upload their Portfolio cases.

Supervisor Feedback

Part A cases 3 and 4 must contain signed, written feedback from the Supervising Solicitor detailing the candidate's performance. Ideally the candidate will receive feedback within 7 days of the case concerned and prior to the next case being conducted. The Supervisor should review the strengths and weaknesses of the candidate's performance and identify any issues where the candidate could have acted differently. The Supervisor should also identify any training needs and suggested areas for improvement. The Portfolio may fail if the Assessment Board is not satisfied that a satisfactory feedback session took place.

Pro-forma feedback forms may be used to outline the feedback session which took place, though they are not mandatory. The forms are available in candidates' online accounts.

Candidate's Certificate

As part of the online submission, candidates will be required to certify that:

- All sections have been completed.
- The four cases for Part A and nine cases for Part B (where appropriate) are presented in chronological order.
- The reports are real cases which the candidate personally conducted or observed.
- Each case involves a separate client in respect of which the candidate personally attended at a police interview with their client, or if the same client has been advised for two cases separate issues were dealt with.
- Each police station attendance took place within 3 months of the date of submission for Part A and 12 months of the date of submission for the full Portfolio.
- All the information provided within the Portfolio is true to the best of the candidate's knowledge and belief.

Technical Compliance Check

Part A can be submitted at any time subject to the age of the cases and is checked for technical compliance. Result of the technical compliance check will be sent within 10 working days.

The technical compliance check will ensure:

1. There are four cases in total;
    a. Cases 1 and 2 are undertaken by a Supervisor.
    b. Cases 3 and 4 are undertaken by the candidate.
2. All cases are within 3 months of the date of submission.
3. The cases are in chronological order.
4. Each case has a UFN number.
5. Clients, complainants, candidate, Supervisor and firm cannot be identified from the case – IF THE CASES CONTAIN ANY IDENTIFYING NAMES, THEY WILL FAIL.
6. Individual feedback from the Supervisor for cases 3 and 4

It is the candidate's responsibility to ensure all elements of the technical compliance check are adhered to. All elements listed above **must** be submitted together. Datalaw will not accept any additional information subsequent to the Part A being submitted, under any circumstances.

Datalaw advise that Part A is submitted well in advance of the candidate's three month deadline; should an element be omitted or need amending this can be done and resubmitted within the relevant timeframe. If the technical compliance check fails and the cases are now older than three months, the candidate will need to start the Part A again.

If Part A satisfies the technical compliance check, it will be certified by Datalaw. The candidate will be issued with an LAA ADMIN 2 application form, which will enable the candidate to register with the LAA as a Probationary Representative. Once registered as a Probationary Representative the candidate may continue with the Part B or the CIT.

The certification of Part A concerns the technical content only and does not infer that the legal content of Part A has been assessed as satisfactory. The legal content of Part A will only be assessed when it is sent to an Assessor along with the Part B cases.

If unsuccessful, candidates will be informed of the area(s) of non-compliance and will be asked to re-submit Part A. On re-submission candidates must ensure that each case within Part A has been completed within the three months prior to the date of resubmission.

Part B

Once registered as a Probationary Representative, the candidate may begin Part B of the Portfolio. The candidate's firm can claim legal aid funding for cases in which the candidate attends unaccompanied.

Part B is made up of five case reports where the candidate personally provided advice and assistance to a client at a police station which included attendance at an interview.

These five unsupervised cases must follow the Part A chronologically.

When completed, the Portfolio (parts A and B together) is marked for legal content.

All nine cases of the Portfolio must be dated within 12 months of the chosen submission date of the Part B – **candidates must submit Part B within 12 months of the date of the first Part A case.**

Although Part B cases do not require written feedback from the Supervising Solicitor, candidates should partake in regular feedback sessions with their Supervisor regarding their progress and may include these sessions in the Portfolio if they wish.

Submission of Part B Portfolio

All Part B submissions are made online at www.datalawonline.co.uk via candidates' account.

If candidates do not know the log in details of their account, they must contact Datalaw. Candidates can not cite not knowing their log in details as a reason for failure to submit on time.

Part B submission deadlines take place monthly as indicated by the timetable available in candidates' online accounts. It is the candidate's responsibility to ensure they submit the cases on time for their chosen deadline.

Part B should be submitted within office hours; if any difficulties occur Datalaw can be contacted for assistance. Candidates citing technical difficulties for not submitting on time will not be considered.

The submission of the Portfolio is final. When cases are submitted they cannot be recalled, either via the website or by contacting Datalaw. By uploading the cases the candidate is confirming they are to be assessed.

When logged into the Datalaw account, select 'PSRAS Submission' from the menu. All declaration forms are completed here, along with the upload of cases.

Cases can only be uploaded in a PDF format.

The completion of the online forms and upload of cases can take time – do not attempt to start this process within a short space of time of the deadline.

Each case is uploaded individually. The UFN and date must be completed for each case.

Each case is uploaded individually. As Part A is already uploaded, only five Part B cases are uploaded at this time. **All nine cases are assessed together.**

It is the candidate's responsibility to ensure that the Portfolio is complete when submitted for assessment. Incomplete or technically defective Portfolios cannot pass the assessment process.

Presentation of the Portfolio

Candidates should submit a word processed or typewritten Portfolio in a reasonably sized font. Handwritten Portfolios are not acceptable.

There is no formal minimum or maximum limit to the length of each case study. It is suggested that a case report should usually be 1,500 to 3,000 words.

A header or footer should be included indicating the page number.

Candidates must not include any information that could lead to their client being identified, as this would be a serious breach of client confidentiality and will cause the candidate to fail the assessment.

In order to avoid the inclusion of any information that might lead to the identification of their clients, candidates may refer to the recipient of their advice and assistance as “my client”, Mr X, Miss Y or the “detainee”. If candidates choose to substitute a fictitious name to disguise the identity of their client they should make this abundantly clear to the Assessment Board, otherwise it may be assumed that the client’s real details have been given.

Notwithstanding this requirement, candidates will need to identify some of their client’s personal details, such as their age or if the client had a mental or physical difficulty that introduced some specific issues into their attendance. Provided that the client is not identified, this will not infringe this rule.

Candidates must not include any information within the case studies, other than their candidate number, that would identify them, their firm or their Supervising solicitor. These details should only be provided when completing the online submission forms.

All cases must have been completed within the twelve months prior to the date of submission.

Portfolio Resubmissions

Wherein a candidate fails a Portfolio, detailed feedback will be provided by the Assessment Board on which cases failed the assessment, the reason(s) why, and the number of cases required for resubmission.

When a resubmission is required, a candidate must replace the failed cases in a new submission in accordance with the following requirements:

Cases that failed the initial assessment **cannot** be re-worked or amended and must be replaced with new cases that are no more than 12 months old on the date of resubmission.

Cases that passed the initial assessment must be no older than 24 months on the date of resubmission. Any cases older than 24 months must be replaced with new cases to be assessed.

Cases must be replaced like for like, e.g., if a Part A case failed in which the candidate was observed by their Supervisor, it must be replaced by a case in which the candidate is observed by their Supervisor and feedback is provided.

There is no chronological requirement for a resubmission. Therefore, a replacement Part B case may pre-date a replacement Part A case if applicable.

New cases are uploaded to candidates' Datalaw account. The previously passed and failed cases remain with this account and do not need to be uploaded again.

It is the candidate's responsibility to make themselves familiar with the resubmission requirements. If an incomplete resubmission is received by Datalaw, it will not be sent for assessment and the candidate will be notified.

Resubmissions from other Assessment Organisations

If a candidate wishes to re-submit a Portfolio previously assessed by an AO other than Datalaw, the time limits for re-submissions will still apply. In such circumstances, Datalaw will view the Portfolio as a 'new' submission. As such a full Portfolio submission fee, not a resubmission fee will apply. The resubmitted Portfolio must be accompanied by evidence of the assessment carried out by the previous AO and must identify which cases passed and failed, and the feedback provided for each failed case.

Suspension from the LAA Register

In the event of suspension from the LAA register, candidates can replace failed cases with cases undertaken prior to suspension so long as they remain in the required timeframe. Alternatively, suspended candidates can complete cases at the police station as long as payment from the legal aid fund is not claimed for such work.

Section Six
The Critical Incidents Test (CIT)

The purpose of CIT is to assess a candidate's effectiveness in advising and assisting their clients at the police station and takes the form of a role play assessment under exam conditions.

The test comprises of a number of scenarios presented to candidates on an audio file. Candidates are required to respond to the scenario audibly. An audio recording will be made of the candidate's responses to the scenarios presented to them.

The CIT can only be attempted by candidates who have been issued with and are in possession of an LAA PIN number.

Assessment Format

Candidates are tested individually. Candidates will be played extracts of typical police station situations and are required to respond appropriately to each question presented. Their responses are recorded. The appropriateness of the responses and the candidate's oral communication and assertiveness skills will be assessed.

Questions cannot be repeated.

Questions must be responded to in role play. For example, if candidates start their answer with, "I would tell the client" etc., the question will fail. Each question is designed so candidates can respond as though they are speaking directly to someone. It will be made clear who the candidate is speaking with. Failure to engage with the role play element of the assessment or coming out of role paly during a response, will result in that question not being awarded any marks.

Two practice questions will be included at the commencement of the test. These practice scenarios are not assessed and are included to enable candidates to become familiar with the process. Candidates do not have to partake in these practice questions if they wish, but it is recommended that the opportunity to practice engaging in role play is utilised.

At the end of each question, the candidate has **30 seconds** in which to begin their response. If the candidate does not start their response within this timeframe the response for that question will fail.

Candidates should always speak clearly and concisely. There is a maximum of **5 minutes** to answer each question. Important information should not be left out of answers; candidates should undertake some practice responses before the assessment (such as asking disclosure/giving client advice) which are concise and to the point.

The format of the test will follow the normal chronological order of a police station attendance from beginning to end. Scenarios may cover some of the following:

- Initial telephone contact – this may be from the DSCC, the client or someone on behalf of the client.
- Initial attendance at the station – dealing with Custody Sergeant, examining custody record etc. Alternatively, attending with a volunteer.
- Disclosure – obtaining information relevant to the scenario presented.
- Attendance on the client –

    - Obtaining relevant personal information, an explanation of the matter about which the client is to be interviewed, specifically, the offence and the elements to be provide.
    - Advice regarding police procedure, the interview procedure, the caution, client's options in interview.
    - Advice regarding the appropriate course of action to be taken.
- Specific queries raised by the client such as taking of samples, identification procedures, mental health concerns etc.
- The PACE interview – interview procedure and police conduct
- Post interview – bail

Permitted/Authorised Materials

The CIT is designed to test a candidate's ability to apply legal principles in a criminal context, wherever possible, in a practical way. Candidates are required to apply current law as at the date of the assessment, unless it is otherwise clearly indicated in the body of a particular assessment.

As the CIT is not a mere test of a candidate's memory, candidates may take any materials into the assessment including photocopied information, downloaded information, personally prepared notes and books. Candidates should understand that time for referring to such texts is limited and should not rely upon the use of permitted materials in the test to replace thorough study and revision prior to the test.

The time allowed to take the test is sufficient for candidates who have a thorough understanding of the examinable subject area to answer questions, but it does not give time for answers to be looked up in permitted materials. Candidates must be thoroughly prepared before the test and simply use the permitted materials as aids for reference.

Electronic devices such as iPads are permitted to access documents. Candidates must not attempt to access materials on the device they are using to take the test as this is not permitted on secure assessment platform.

Identity Checks

Before an assessment can commence the candidate must produce valid photographic ID to be checked by the remote invigilator or remote assessment software.

If photographic ID cannot be produced, the candidate will not be permitted to take the assessment.

Provision of Assessment Recordings

Datalaw do not, under any circumstances, release recordings of assessments.

Assessments are used on a continual basis; a test sat by a candidate will still be in use and to release into the public domain would render the test invalid.

Completed tests are securely stored for a period of 12 months.

Candidates are not permitted, under any circumstances, to record their CIT assessment. Any candidate found to have made such a recording will be in breach of the Copyright, Designs and Patents Act 1988 (CDPA) and the Assessment Offences, as set out on page 54.

Transfer Policy

Candidates can only request a place for an assessment up to 5 days in advance. Any outstanding fees must be paid before booking an assessment place. Upon request of an assessment slot, Datalaw will issue candidates with guidance enabling the candidate to transfer their assessment within the following 24 hour period. After this period, the terms and conditions below regarding transfers will apply.

A transfer fee of £25 plus VAT will apply. Candidates should inform Datalaw of their intention to transfer their assessment at the earliest opportunity.

If a candidate does not attend an assessment without informing Datalaw, the assessment fee will be forfeited.

Candidate Conduct

The assessment proctor is present to ensure the smooth running of the examination. The proctor can not provide feedback on any aspect of the performance of the candidate during the test. The proctor is not an Assessor. Any instances of a proctor being pressed by a candidate for feedback or an attempt to influence the proctor will be reported to the Assessment Board.

Assessment Criteria

Candidates are assessed according to the following criteria:

Content

This criterion is concerned with the legal, procedural and factual content of the candidate's response, including whether the candidate has analysed the facts correctly and whether the candidate has applied the law to those facts correctly.

Confidence

This criterion is concerned with the extent to which the candidate acts with self-assurance in responding to the problem or issue posed.

Control

This criterion is concerned with the extent to which the candidate is able to demonstrate appropriate control in the context of the problem or issue raised.

Each criterion above is given equal weighting.

In order to pass, a candidate must achieve at least 50% in respect of each criterion in each question.

Marks are specifically weighted to reflect the importance of information gathering from the police and the advice given to the client.

Even if a candidate achieves or exceeds the pass mark they may nevertheless fail if, in the context of the assessment, they commit a gross professional error. It will be the responsibility of the Assessment Board to decide what constitutes a gross professional error. Examples of serious professional errors include, but are not limited to:

- Breaching client confidentiality;
- Misleading the investigating officers or custody officer;
- Assisting the client manufacture a defence.

During the CIT, candidates will be assessed against the SRA's Standards of Competence. The standards can be accessed in candidates' online accounts and on the SRA website.

Section Seven
Assessment/Marking Process

Datalaw, in common with all AOs, mark each assessment against the CLAS Standards of Competence for the Accreditation of Solicitors and Representatives Advising at the Police Station, published by the Law Society and the SRA Standards of Competence for Police Station Representatives.

Datalaw is committed to ensuring that the marking process is always fair and consistent. The procedure Datalaw adhere to is robust and rigorous. All assessments are blind marked. The assessor is only provided with the individual's candidate number.

Datalaw will not discuss candidate's results or feedback over the telephone.

The procedure is three tiered and as follows:

First Marking

All assessments are sent to a member of the Assessment Board for first marking. Once returned, assessments are reviewed to check that the marks awarded have been added correctly.

- Second Marking
  Only where a first Assessor specifically requests that an assessment is reviewed, will it be second marked by another member of the Assessment Board

Moderation

Datalaw has appointed External Moderators who will review all submissions that have failed to demonstrate sufficient competence on initial assessment and a random selection of submissions that have been certified as passing the necessary competence standards.

The External Moderator will consider the submission and may:

- Confirm the Assessor's findings;
- Vary the Assessor's findings or feedback; or
- Overturn the Assessor's findings

Assessment Board

Before results are communicated to the candidate, the Board of Assessors must meet to:

- Consider the results obtained by each candidate in the assessment process;
- Consider mitigating or extenuating circumstances notified by Datalaw;
- Agree and confirm those candidates who have
  (a) Passed an assessment
  (b) Failed an assessment – where a candidate has failed to demonstrate sufficient levels of competence, the Assessment Board will decide on the level and content of feedback to be provided to the candidate

A Gross Professional Error committed in the context of any of the assessments, may lead to a candidate failing the assessment even though their numerical score equals or exceeds the

pass mark. It is the responsibility of the Assessment Board to decide what constitutes a gross professional error.

Appeal Procedure

As each assessment undergoes the three tier marking process, as outlined above, the appeal process is automatically put into place upon first marking. Candidates are unable to appeal the academic judgement of the Assessment Board.

If a candidate is unclear on any aspect of their feedback, they may put this query to Datalaw in writing for further clarification from the Assessment Board. This does not guarantee that further feedback can be provided in all circumstances. The Assessment Board will not respond to any communication attempting to outline why a candidate, or their Supervisor, disagrees with feedback received or calls into question the integrity of the Board.

Reassessment

If the candidate is of the opinion that their assessment was not assessed according to the Law Society's Standards of Competence, SRA Standards and the procedure set by the LAA, they may request that it is re-assessed. A non refundable fee is payable for this service.

As each assessment goes through a rigorous marking process, candidates are encouraged to engage with a request for clarification of feedback before requesting reassessment. **The fees below do not relate to a re-take/resubmission of an assessment.**

Fees payable for reassessment:

Assessment	Service	Fees Payable
Written Exam	Reassessment	£100 plus VAT
Portfolio	Reassessment	£100 plus VAT
CIT	Reassessment	£100 plus VAT

Marked Written Exams and CITs are not released to candidates under any circumstances.

Section Eight
Assessment Offences

Assessment Offences include (but are not limited to):

- Copying, stealing, appropriation or use of the work of another
- Permitting or assisting another to copy, appropriate or use one's own work
- Taking into an assessment any materials or aids other than permitted materials
- Consulting unauthorised material, in or outside the assessment room during an assessment
- The use of a mobile telephone during the assessment
- Leaving the assessment room to refer to concealed notes
- Using or assisting another to use any other unfair, improper or dishonest method to gain advantage in any part of the formal assessment process.
- Attempting to use or attempting to assist another to use any other unfair, improper or dishonest method to gain advantage in any part of the formal assessment process
- Obtaining an unseen assessment in advance of the assessment
- Making false declarations in order to receive special consideration by the Assessment Board
- Falsifying information
- Plagiarism i.e. where the published work or ideas of another person are presented as a candidate's own
- Presenting or submitting work that is not the candidate's own unaided work.
- Disclosing the details of an assessment to another candidate prior to that candidate taking the assessment.

The above list is not exhaustive.

Any allegation of cheating will be considered by the Assessment Board. A candidate who is found to have cheated in any examination shall fail that assessment.

If a candidate commits an assessment offence, is suspected of committing an assessment offence or is accused of committing as assessment offence they will be reported to the Assessment Board. Any evidence will be reported to the Assessment Board and an investigation will be undertaken.

If the Assessment Board is of the opinion that the offence has a bearing on the candidate's character and suitability to be a police station representative, the Assessment Board will determine whether the candidate should be reported to the SRA.

[END OF DOCUMENT]