**Draft Interview Schedule [Full]**

*For defence professionals with experience of doing CCRC work.*

|  |
| --- |
| **Introductory questions**   1. How many years have you been working in criminal defence? 2. What is your current position/job role? |
| **CCRC work**   1. Do you have any experience making or assisting with applications to the CCRC?    1. If so, roughly how many?    2. In general, how were the cases funded? 2. Can you tell me a bit about your experience of the application process?    1. Without revealing anything confidential, could you talk me through a recent example?    2. What information and resources did you need to navigate the process?    3. What kind of engagement did you have with CCRC staff? 3. How were you supported or supervised in doing the work by the firm you work in? 4. Have any of your cases resulted in a referral to the Court of Appeal?    1. Without revealing anything confidential, could you talk me through a recent example? 5. What do you think about the tests used by the CCRC when assessing cases and deciding whether to make a referral?    * *Probe for specific tests* 6. Do you or your firm currently accept cases that potentially involve CCRC applications?    1. If not, what has influenced your/the firm’s decisions about CCRC casework? 7. Within the firm, what kinds of people tend to be involved in CCRC work?    * *Seniority? Gender? Politics?* 8. Roughly how many requests would you say your firm receives?    1. What proportion of those cases do you take on?    2. Is there a screening process? If so, how does it work? 9. Are there any patterns you see in who is requesting assistance with CCRC applications?    * *Type of person / demographic?*    * *Type of issue / grounds for appeal?* 10. What do you know about the cases you don’t take on, if anything?     1. Do you know whether they go on to apply or seek advice elsewhere? |
| **Legal aid policy**   1. What are your thoughts on legal aid payment rates for work on CCRC applications? 2. How have you found the procedure for obtaining legal aid in CCRC cases?    1. What do you think about the 'sufficient benefit' test in CCRC cases?    * *Right level?* |
| **Effects of legal aid on practice**   1. Research suggests that the 2014 changes to legal aid funding and rates have affected lawyer’s ability to do legal aid work. Have the changes affected your ability to conduct CCRC cases? If so, how? 2. Have the changes affected the number of applications you take on? How? 3. Have the changes affected the quality of the applications made? How? 4. How much has your firm played in a role in shaping your work on CCRC applications? 5. Has your firm’s approach to CCRC applications changed since the 2014 changes to legal aid? 6. Have the changes affected the resources available to you for CCRC work? How? 7. Have the changes affected who does CCRC work? How? 8. Have the changes affected what work gets done and how? How?    * 1. Why do you think their approach changed? *(Was it inevitable?)* 9. Do you, or have you ever done pro bono work for clients wishing to apply to the CCRC? 10. What’s your decision-making around that? 11. If they do pro bono work…     * 1. How often would you say you do pro bono on these type of cases?       2. Has the level of pro bono work you do changed over time?          + To what extent is the change a result of legal aid changes?       3. Is your current level of pro bono work sustainable?       4. Do you think work being pro bono, as opposed to paid, makes a difference?          + Could you talk me through a recent example? 12. Have you noticed any change in the use of expert evidence in the context of applications to the CCRC since 2013 (when expert fees were cut)? If so, what changes have you noticed? 13. What do you think are the implications for defendants who cannot find legal representation? 14. Based on your experience of criminal defence and CCRC applications, how effective do think defendants would be in putting together their own applications, without legal help? 15. What do you think about the easy-read form? 16. Is it sufficient to help defendants put an adequate case together? 17. Thinking about what lawyers bring to the process, what would you say is the value of lawyers doing this work?     1. What value do lawyers bring for defendants?     2. What value do lawyers bring for the CCRC?     3. Intrinsic value of due process? |
| **Suggestions**   1. Is there anything that would encourage, enable or help you/your firm to do more CCRC work? 2. Besides increasing remuneration rates, can you think of anything else that would encourage, enable or help you/your firm to do more CCRC work?    1. Is there information/training/guidance that would be useful? 3. Are there any areas where you think the CCRC could improve? 4. Do you believe the CCRC should have a role in advocating for changes to the Criminal Justice System? |
| **Concluding**   1. We’ve talked a lot about funding but are there other factors, besides funding problems, which affect your ability to conduct CCRC cases? 2. Are there any broader issues which you think are feeding into the problems we’ve talked about? 3. Is there anything else you think is important to mention? 4. Can you think of anyone else we could talk to? 5. Did you complete our survey?    1. If not, are they any particular reasons why you preferred to have an interview? |

**Draft Interview Schedule [Mini]**

*For defence professionals without experience of CCRC work.*

|  |
| --- |
| 1. How many years have you been working in criminal defence? 2. What is your current position/job role? 3. Do you or your firm currently accept cases that potentially involve CCRC applications?    * If not, what has influenced your/the firm’s decisions about CCRC casework? 4. Did you or your firm used to do CCRC work?    * If so, when did it change and why? 5. Is there anything that would encourage, enable or help you/your firm to do more CCRC work? |