

**Exceptionality:**

Please note this is not an exhaustive list. It contains some examples that might help you in identifying areas of work in which you have been involved that could provide evidence of your exceptional skills. **There will undoubtedly be other areas that we have not covered and you should not be deterred from applying if this is the case.** Please refer to the competency framework when considering the skills required for the Deputy High Court Judge post.

Exceptionality factor	Evidence	Measure/Examples	Issues to consider
<b>Complexity</b>	Substantial case	Supreme Court/Court of Appeal/senior courts in international jurisdictions.  Case reported in series of law reports.  Serious/demanding/sensitive issues e.g.: <ul style="list-style-type: none"><li>- Complex legal and/or factual issues</li><li>- High financial value/high profile</li><li>- Public/media attention</li><li>- Sets a precedent/changes or tests a point of law (e.g. <i>R v Jogee</i>, assisted suicide case).</li><li>- Matters of international, reputational, 'political risk' or similar.</li></ul>	Can be substantial without reaching Supreme Court/Court of Appeal – must remember to focus on nature of case.
	Substantial transaction/non-contentious work	Major planning inquiry (Hinckley Point, High Speed 2, shale gas etc.)  Major public inquiry (e.g. Leveson inquiry, Airports Commission).  International and/or high value and/or market-leading corporate, commercial or financial transaction or restructuring <ul style="list-style-type: none"><li>- international takeovers and mergers</li><li>- major corporate collapses</li><li>- cross-border financings</li><li>- navigating new regulatory regimes or other areas of law</li></ul>	

		<ul style="list-style-type: none"> <li>- developing new products or techniques</li> <li>- preparing market standard documents</li> </ul> <p>e.g BHS sale/interim administration and winding down, Northern Rock liquidation, Lehman Brothers collapse</p> <p>Unusually complex and/or innovative commercial or financial transactions or series of transactions</p> <p>Public/media attention (eg. Transfigura toxic waste case).</p> <p>Advising on new or developing areas of law - e.g. financial technology (FinTech), smart contracts, artificial intelligence applications, climate change, fracking –new commercial or financial instruments e.g. new derivative structured products; innovative responses to minimising the challenges or maximising the opportunities of Brexit etc.</p>	
<b>Exceptional ability</b>	Recognised as expert in your field	<p>Author of well received books, including scholarly monographs or leading textbooks.</p> <p>Author of articles in leading peer-reviewed journals.</p> <p>Acting as expert adviser, for example to Select Committees or other national or international public bodies.</p> <p>Lecture to clients, industry bodies, practitioner organisations or other bodies as a recognised expert</p> <p>Major role on legal and/or industry bodies</p>	

	<p>Successfully modernising, clarifying, changing or innovatively applying the law/legal concepts.</p>	<p>Developing and implementing radical changes to an organisation or profession.</p> <p>Using existing law creatively to develop new routes to justice, or new commercial structures e.g. privatisation of utilities in the UK or abroad or applying existing legal principles in a novel context.</p> <p>Proactively providing fresh insights into law which have actively facilitated positive change.</p> <p>Seeking opportunities to address gaps, inconsistencies or lack of clarity in the law.</p> <p>Advising on interpretation, scope and implementation of new statutory powers/legislation/regulations.</p> <p>Career change e.g. becoming a highly specialist/leading practitioner after a long career in another field.</p>	<p>Note: new/novel does not necessarily mean ground-breaking.</p>
	<p>High level decision-making</p>	<p>Experience of international arbitration.</p> <p>Sits on body or committee making high level decisions (e.g. Solicitors Disciplinary Tribunal, medical disciplinary bodies etc.)</p> <p>Chairing mediation/conciliation meetings, hostile takeovers, other discussions between opposing parties</p>	