

**Response of the Council of Legal Education (NI)
to the Consultation Paper on the
Regulation of Legal Services in Northern Ireland.**

1. The Council of Legal Education is the governing body of The Institute of Professional Legal Studies at Queen's University. Its membership comprises representatives of the University, the Inn of Court and the Law Society. The Honorable Society of the Inn of Court of Northern Ireland and the Law Society of Northern Ireland are responsible for the training and admission of barristers and solicitors respectively but have delegated part of the responsibility for training to the Institute.
2. The Institute is the sole provider of vocational legal education in Northern Ireland.
3. For solicitor trainees the year at the Institute is part of a two-year apprenticeship. The apprenticeship starts with a period of four months in-office training before coming to the Institute. It continues with one year at the Institute studying for the Certificate in Professional Legal Studies. During this year trainees return to their Masters' offices during vacation periods and each Monday during term-time. On completion of the year at the Institute trainees complete a further eight months in-office training before qualification.
4. Currently Bar trainees spend four weeks working in Citizen's Advice Bureaux or Law Centres and one week work-shadowing a practising barrister immediately prior to commencing their course at the Institute. The Certificate in Professional Legal Studies course is full-time for one year and for Bar trainees runs from September to June. A further period of in-practice training starts after graduation from the Institute which takes the form of a twelve-month pupillage.
5. At the Institute trainees cover all the subjects necessary to prepare them for the early years in practice. Given the generic nature of the professions in this jurisdiction this means that trainees do not specialise and are required to take all subjects so that they are prepared for general practice. Subjects such as client care and practice management are included in the curriculum. All subjects taught at the Institute are approved by the Council of Legal Education. Each year the professional bodies nominate a number of practitioners to act as subject advisers. This is done on a 'rolling' system to ensure that each subject taught is reviewed once every five years. In addition the Institute operates a quality assurance system whereby all courses are evaluated by the trainees, all practical exercises are evaluated by the tutors and at that end of each course the course lecturer reviews the course and the evaluations with the Director and an agreed subject review is completed. In addition, at the end of their year at the Institute, trainees are asked to complete a pathway questionnaire indicating how they feel the Institute has prepared them for practice. Each spring graduates of the Institute who have been in practice for three years are asked to complete a questionnaire indicating how they,

having been in practice, feel the Institute prepared them for practice. A Curriculum Review Committee has been constituted as a sub committee of the Council of Legal Education. This committee is made up of a nominee of each professional body, a nominee of the University and another from the School of Law and an independent person taken from another provider of vocational legal training. At its meetings the committee considers subject reviews, end of year reviews, three year reviews, examiners' reports, and the reports of subject advisers. It reports to Council and makes recommendations in respect of further subjects to be reviewed and proposed changes to courses or the curriculum. The committee's reports to Council form the basis of an annual report to the University's Academic Council. The Institute has, therefore, a system of quality assurance in place which is accountable to both the Council of Legal Education and the University.

6. The Institute currently admits ninety five solicitor trainees and twenty five Bar trainees each year. Applicants are selected through an Admissions procedure which includes an aptitude test with a weighting being given for the level of law degree achieved by the applicant. This admissions procedure is kept under review by the Council of Legal Education. Solicitor trainees must be registered with the Law Society by a specified date in August otherwise they cannot take up the offer of a place at the Institute. It is a condition of registration that each solicitor trainee must have in place a pupillage with a solicitor master by that date.
7. All trainees are students of the University and of their respective professional body.
8. In addition to the 120 trainees admitted as described above, a number of transferring barristers or solicitors and trainees recommended by the professional bodies are admitted each year.
9. As a constituent part of the University the Institute and its admissions procedure is subject to the regulations of the University.
10. Although entry standards and training are referred to as one of the five core functions of regulation within the professions, this unique and distinctive system of training in Northern Ireland whereby both sides of the profession are trained together and there is close cooperation between the professional bodies and the University in that training, is not mentioned in the consultation paper.
11. The consultation paper is derived extensively from the Clementi review and experience in England and Wales. There appears to be a lack of research and evidence in the paper in relation to the provision of legal services in Northern Ireland. It is a concern that this may lead to inaccurate assumptions being made in relation to the particular situation in Northern Ireland. This, in turn, could lead to the adoption of solutions which may be appropriate to the much larger and very different jurisdiction of England and Wales but which are unsuitable for a jurisdiction which is much smaller and which has a profession with a very different profile.

12. As is highlighted in the paper, maintaining the rule of law and creating the conditions necessary for the delivery of a strong independent and effective legal service are central to the needs of society. However, the paper does not indicate where, even in the very difficult circumstances of Northern Ireland, specific problems have been identified in relation to this.
13. Finally, Council would endorse the note of caution expressed in the consultation paper itself that where regulation is poorly designed or overly complicated it can impose excessive costs and inhibit productivity.