



Hosted by Nottingham Law School
Your Future Your Legal Career Conference

Wednesday 13 November 2013

Introductory Remarks

- Paula Moffatt, Principal Lecturer NLS, Solicitor
- Professor Andrea Nollent, Dean of NLS
- Peter Kay, Senior Careers Consultant, University of Nottingham

If you would like to tweet about the conference, please do!!
#mylawfuture

Session 1

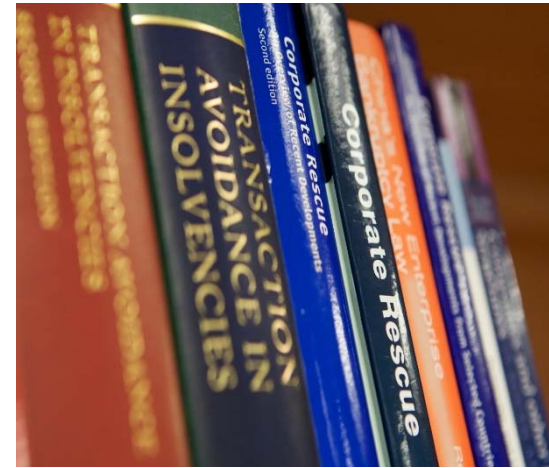
Chair: Professor Rebecca Huxley-
Binns

Professor Jane Ching,
Professor of Professional Legal Education
An Overview
of the
Legal Education and Training Review



Legal Services Education

Jane Ching



Not everyone who does a law degree will enter (one of the) legal professions, but...

Legal Professions in England and Wales

- Regulated under the Legal Services Act 2007
 - Solicitor
 - Barrister
 - Chartered Legal Executive
 - Patent Attorney
 - Licensed Conveyancer
 - Notary
 - Registered Trade Mark Attorney
 - Costs Lawyer
 - [some accountants]
- Regulated separately
 - Claims Manager
 - Immigration Advisor
- Not currently regulated
 - Paralegals
 - Will writers

Legal Professions in England and Wales

- Regulated under the Legal Services Act 2007
 - Solicitor (120,000)
 - Barrister (15,300)
 - Chartered Legal Executive (7,500, but c 20,000 CILEx members)
 - Patent Attorney (1,700)
 - Licensed Conveyancer (1,100)
 - Notary (850)
 - Registered Trade Mark Attorney (620)
 - Costs Lawyer (400)
 - [some accountants]
- Regulated separately
 - Claims Manager
 - Immigration Advisor
- Not currently regulated
 - Paralegals
 - Will writers
- And law librarians, legal secretaries and accountants, barristers' clerks, legal publishers, legal journalists, legal academics and professions that have yet to be invented

Legal Service Act 2007

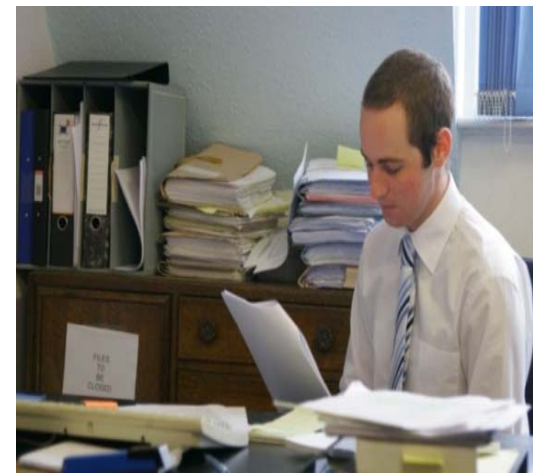
- The regulatory objectives
 - (a) protecting and promoting the public interest;
 - (b) supporting the constitutional principle of the rule of law;
 - (c) improving access to justice;
 - (d) protecting and promoting the interests of consumers;
 - (e) promoting competition in the provision of services within subsection (2);
 - (f) encouraging an independent, strong, diverse and effective legal profession;
 - (g) increasing public understanding of the citizen's legal rights and duties;
 - (h) promoting and maintaining adherence to the professional principles.
- “reserved legal activity”
 - (a) the exercise of a right of audience;
 - (b) the conduct of litigation;
 - (c) reserved instrument activities;
 - (d) probate activities;
 - (e) notarial activities;
 - (f) the administration of oaths.

Who Can Do Which Reserved Activity?

- Advocacy
 - Barristers, solicitors, CILEx members, patent attorneys, registered trade mark attorneys, costs lawyers [may involve obtaining additional qualification]
- Conveyancing
 - Solicitors, CILEx members, licensed conveyancers, some notaries
- Probate
 - Solicitors, CILEx members, some licensed conveyancers, some notaries, some accountants
- Litigation
 - In-house barristers, solicitors, CILEx members, patent attorneys, registered trade mark attorneys, costs lawyers

Professional Bodies/Regulators

Professional body	Regulator
Law Society of England and Wales	Solicitors Regulation Authority
Bar Council	Bar Standards Board
Chartered Institute of Legal Executives	ILEX Professional Standards
Association of Costs Lawyers	Costs Lawyer Standards Board
ITMA/CIPA	Intellectual Property Regulation Board
Society of Licensed Conveyancers	Council for Licensed Conveyancers
Notaries Society/Society of Scriveners of the City of London	Master of the Faculties
	Legal Services Board



Different ways of training for different regulated professions ...

Different ways of training

Based on a law degree

- Solicitors (plus LPC, plus training contract)

- Barristers (plus BPTC, plus pupillage)

(At least one) degree required and possible credit for a law degree

- Patent attorneys

- Registered trade mark attorneys

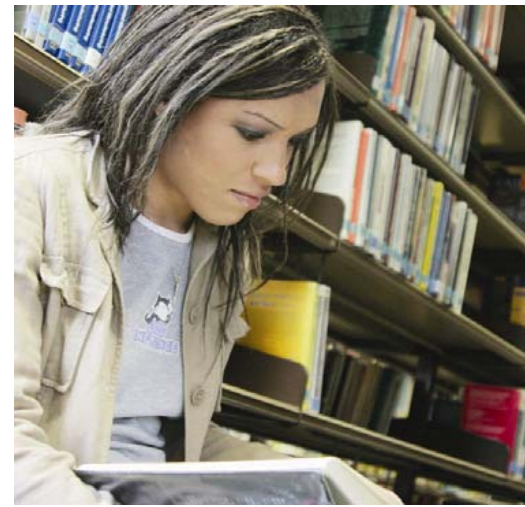
- Notaries

A degree not required (but you might get credit if you have one)

- Chartered Legal Executive

- Costs lawyer

- Licensed conveyancer



New jobs, new roles, new “lawyers”?

New Roles For Lawyers

- Someone who gives legal advice through a call centre?
- Someone who works for Co-Op Legal Services?
- Someone who works in an organisation with solicitors, barristers and patent attorneys
- Someone who only does advocacy, or only does document drafting
- Someone whose job is about supervising paralegals; or trouble shooting; or managing an online system; or just in client relations
- Someone who works globally



The Legal Education and Training Review

Legal Education and Training Review research phase

- Joint project of BSB, IPS, SRA
- Sector-wide review
- Commenced in May 2011; reported in June 2013
- Evidence-based approach
- Consultation Steering Panel (CSP) chaired by Dame Janet Gaymer and Sir Mark Potter
- CSP Equality, Diversity and Social Mobility Expert Advisory Group chaired by Prof Gus John
- Independent research team from the universities of Warwick, London, Northumbria and NTU

The LETR research questions

1. What are the skills/knowledge/experience currently required by the legal services sector?
2. What skills/knowledge/experience will be required by the legal services sector in 2020?
3. What kind of legal services education and training (LSET) system(s) will deliver the regulatory objectives of the Legal Services Act?
4. What kind of LSET system(s) will promote flexibility, social mobility and diversity?
5. What will be required to ensure the responsiveness of the LSET system to emerging needs?
6. What scope is there to move towards sector-wide outcomes/activity-based regulation?
7. What need is there (if any) for extension of regulation to currently non-regulated groups?

What the research team did

- Read a lot of literature on regulation of legal education
- Compared other jurisdictions and professions
- Carried out three online surveys (the largest of which had 1,128 respondents)
- Talked in focus groups and interviews to another 307 people (including practitioners, regulators, academics and students)
- Did an experiment to find out what skills solicitors actually use in their work

Looked at context, content, systems and structures

- Context: including new business models, new methods of delivery legal services, technology, international trends, competition between regulated and unregulated providers, changes in regulation
- Content: what knowledge, skills and attributes do people need? Where are the gaps?
- Systems and structures: what works? What creates barriers? Standards; access, progression and transfer, equality and diversity issues

Drew conclusions about

- Quality
 - Professionalism and ethics
 - An appropriate baseline level of competence
 - Addressing “gaps” such as
 - Legal research and digital literacy
 - Communication skills (including writing and advocacy)
 - Commercial and social awareness
 - Management skills
 - Equality and diversity outcomes
 - Thinking about continuing competence

Drew conclusions about

- Consistency and quality assurance
 - Assessing outcomes
 - Supervision and learning in the workplace
 - Specialist accreditations
 - CPD and continuing learning
- Cost of training
 - Apprenticeships
 - Blending work and study differently
 - Accrediting work in different environments

Drew conclusions about

- Access and mobility
 - Equality and diversity in entry
 - Fast track entry for people with experience
 - Mobility between routes and professions
 - Information
- Flexibility
 - Different routes to the same end
 - Different configurations
- Future research
 - Just the beginning of a process

Recommended

- Outcomes and standards
 - Outcomes defined by reference to the knowledge, skills and attributes of a competent practitioner
 - Standards set
 - Co-ordination and collaboration
- Content
 - Ethics, legal research, written and oral communication skills
 - Morality and law, values and the role of lawyers
 - Post-qualification: professional conduct, management and equality and diversity
 - Adjust the balances in the LLB/GDL
 - Assess research, writing and critical thinking in the LLB/GDL
 - Adjust the vocational courses

Recommended

- Structures
 - Working and studying in different configurations
 - Adjusting periods of supervised practice (such as the training contract)
 - Focusing CPD on learning, not just “hours”
 - Supporting apprenticeships, access to internships and placements, progression for paralegals, voluntary regulation of paralegals outside regulated organisations
- Information
 - On diversity
 - On careers, options, research, opportunities

Regulators' responses

- BSB: <https://www.barstandardsboard.org.uk/media-centre/press-releases/bar-standards-board-responds-to-the-legal-education-training-review/>
- IPS: http://www.cilex.org.uk/ips/ips_home/notice_board/ips_responds_to_letr.aspx
- SRA: <http://www.sra.org.uk/t4t/>

<http://letr.org.uk/the-report/>

Session 1

Chair: Professor Rebecca Huxley-
Binns

Alan Sinnett

Partner and Regional Head of
Shakespeare's
South West Midlands Practice

The legal profession in 2013 – what it
means for students

Refreshments on level zero



Please use lower exit of lecture theatre
Please return to your seats by 3.25pm

Session 2

Chair: Paula Moffatt

Round table discussion of the implications of
LETR and other changes to the legal profession

Alexia Binns, Solicitor HW Martin

Catarina Sjolin Knight, Senior Lecturer NLS,
Barrister

Andrew Pike, Assistant to Paul Bleasdale QC

Peter Kay, Senior Careers Consultant University
of Nottingham

Alan Sinnett, Partner and Regional Head of
Shakespeare's SW Midlands Practice

Close

- Thank you for coming along and participating in today's event
- Please complete an evaluation form as we would welcome your feedback and it will help to make our next conference even better!