

WHAT IS A SOLICITOR?

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Once we knew!

- The technicians of the legal system
- Developed expertise and specialisation
- Part of the 'legal profession'; liberal professionals; *Volljuristen*



Currently



Recent trends in training

- From the 1960s a move to university + 2 years from a 5 year apprenticeship model – part of the Robbins revolution
- (C)ILEX route remained/was developed; with a conversion option
- From Ormrod onwards the tripartite structure remained relatively constant
- ACLEC broadly endorsed the status quo, with an updated Joint Statement developed in parallel to the QAA benchmark
- The Training Framework review promised/threatened radical developments, but fizzled out

Legal Services Act and LETR

- Double whammy – liberalisation of business structures, so a range of different entities to regulate
- Emphasis on diversity and access – so alternative routes to qualification
- Independent regulators are concerned with risk management – they are divorced from the regulated profession
- LETR also seen as focussing on diversity – criticised by Neuberger
- Deliberately did not look at activity based regulation/specialism
- No real consideration of other trends in regulation – e.g. medical

Current SRA position

- Day One outcomes approved and in place (generally seen as acceptable)
- Statement of Underpinning Legal Knowledge
 - 13 areas, all apparently compulsory and in depth.
 - Some are foundational, but others are very much defined practice areas:
 - Taxation, probate, criminal litigation
 - Other common practice areas are omitted:
 - Employment, Family, Intellectual Property, Immigration, Housing, Benefits, Discrimination
- Rumour is that these are to be assessed by the same means as the QLTS

Education and training

- No acknowledgment that a solicitor should meet the international basic norm for a lawyer – a graduate level qualification, normally evidenced by a degree
- Clear preference for apprenticeship based schemes.
- These are not objectionable if they are essentially packaged bespoke degrees (e.g. Mayer Brown) or otherwise based on recognised academic qualifications, but are they the preferable option.
- Implications for access to justice?