

SCHEDULES

SCHEDULE 2

Section 20.

SPECIFIC FUNCTIONS OF THE ADVISORY COMMITTEE

Education and training: general

- 1 (1) The Advisory Committee shall—
- (a) keep under review the education and training of those who offer to provide legal services;
 - (b) consider the need for continuing education and training for such persons and the form it should take; and
 - (c) consider the steps which professional and other bodies should take to ensure that their members benefit from such continuing education and training.
- (2) The Advisory Committee shall give such advice as it thinks appropriate with a view to ensuring that the education and training of those who offer to provide legal services is relevant to the needs of legal practice and to the efficient delivery of legal services to the public.
- (3) The Advisory Committee's duties under this paragraph shall extend to all stages of legal education and training.

Training in advocacy

- 2 The Advisory Committee shall—
- (a) consider what form of initial academic and practical training is necessary to ensure that those who qualify as persons entitled to exercise rights of audience are adequately trained under supervision (whether by their chambers or firms or otherwise); and
 - (b) consider the extent to which further training for persons exercising such rights is necessary.

Training in the conduct of litigation

- 3 The Advisory Committee shall—
- (a) consider what form of initial academic and practical training is necessary to ensure that those who qualify as persons entitled to exercise rights to conduct litigation are adequately trained under supervision (whether by their firms or otherwise); and
 - (b) consider the extent to which further training for persons exercising such rights is necessary.

Status: This is the original version (as it was originally enacted).

Practical training in other areas

- 4 The Advisory Committee may consider what form of practical training is necessary in other areas concerned with the provision of legal services.

General advisory functions

- 5 (1) The Advisory Committee may make such recommendations with regard to any matters which it is required to keep under review or consider as it thinks appropriate.
- (2) Any such recommendation may be made—
- (a) by being included in the Advisory Committee’s annual report;
 - (b) by being addressed to any professional body or group of professional bodies;
 - or
 - (c) in such other manner as it thinks fit.
- (3) The Advisory Committee may from time to time give advice to the General Council of the Bar, the Law Society and other authorised bodies on all aspects of their qualification regulations and rules of conduct, whether or not relating to advocacy or the conduct of litigation.
- (4) Any body—
- (a) to which a recommendation under this paragraph is addressed; or
 - (b) which is given advice by the Advisory Committee under sub-paragraph (3),
- shall have regard to it to the extent that it applies in relation to matters connected with advocacy or the conduct of litigation.

Specialisation schemes

- 6 (1) It shall be the duty of the Advisory Committee—
- (a) to consider whether specialisation schemes should be established by any representative body in any particular area of legal services; and
 - (b) to keep under review specialisation schemes maintained by representative bodies.
- (2) In this paragraph—
- “representative body” means a professional or other body which represents persons (whether or not barristers or solicitors) who offer to provide legal services; and
- “a specialisation scheme”, in relation to any representative body, means a scheme for recognising those members of the body who—
- (a) have undergone training relevant to the area of legal services to which the scheme relates;
 - (b) have acquired expertise in that area; and
 - (c) specialise in providing legal services in that area.
- (3) Where the Advisory Committee considers that any specialisation scheme should be established it shall make the appropriate recommendation to the representative body concerned.
- (4) The Advisory Committee shall give to the representative body concerned such advice (if any) as it considers appropriate with respect to any specialisation scheme maintained by that body.

Status: This is the original version (as it was originally enacted).

- (5) The Advisory Committee shall consider any proposed specialisation scheme which is referred to it by the representative body which proposes to establish it.
- (6) Where the Advisory Committee has considered any such proposed scheme, it shall give such advice (if any) to the representative body concerned as it considers appropriate.
- (7) In considering any such proposed scheme, the Advisory Committee shall have regard, in particular, to—
 - (a) the basis on which, and method by which, members of the representative body are chosen to participate in the scheme;
 - (b) the education, training and experience which are required in order for any person to provide the legal services in question at a satisfactory standard;
 - (c) whether that body is likely to be able to ensure that those requirements will be complied with in relation to members of the scheme; and
 - (d) whether that body is likely to be able to maintain and enforce satisfactory standards of conduct on the part of those who are members of the scheme.

Persons with special needs

- 7 In discharging its functions under this Schedule, the Advisory Committee shall have regard to the need for the efficient provision of legal services for persons who face special difficulties in making use of those services, including in particular special difficulties in expressing themselves or in understanding.