

Paralegal News

Ex-Bar Council chairman lays out vision for sector

By Lyndsey Jones

Paralegals could find work in the future by establishing their own set of chambers and providing litigation work directly to barristers, or they could be employed by a barrister running his or her own chambers.

These are two visions of future employment that Nick Green QC, former chairman of the Bar Council, sees as the Legal Services Act brings in alternative business structures in October this year.

Over the next year or so, new working relationships will emerge and it is possible that paralegals could become their own orbiting market, being subcontracted by the Bar.

In fact, Mr Green says he already knows of one QC who is looking into setting up a chambers with three or four paralegals – but that plan is in its “very early days”.

There is no doubt though that the Act will herald major opportunities for paralegals, possibly at the expense of solicitors, he says.

“The burgeoning body of paralegals is already affecting the structure of the profession and will do so, to my mind, increasingly in the near future and beyond,” he told a conference earlier this year in London on the Future of Legal Education.

“It already has a major impact upon the way that solicitors work and, in my view, will over the next five years become of real relevance to the workings of the Bar.”

The Bar Council is looking at more direct access, he says, and if it decides to go into direct contracting, it could look to paralegals to keep costs down.

“With the public spending cuts and pressure on firms generally to keep costs



down, clients want the same work for less money. Barristers can transfer work to paralegals who provide high quality for a lower cost,” Mr Green says. It is crucial that the Bar fosters links with the paralegal market, and in particular those who have been called to the Bar, because it is “in our long-term interest to do so”.

However, at the moment, the paralegal

‘Barristers can transfer work to paralegals who provide high quality work for a lower cost’

Nick Green QC (pictured above), former Bar Council chairman

market lacks structure, in his view, because it is not formally regulated, with no national code of conduct. It would help if there was one body that represented paralegals so that national policy decisions could be made, he says. The Bar Council has held talks with the NALP and other groups in the legal sector on this issue.

“The professions, but from my

perspective in particular the Bar, must address head on the position of regulation and organisation of paralegals,” he told the London conference earlier this year.

“Many paralegals have been called to the Bar and are ‘barristers’ who have membership of an Inn of Court. They do not fall within the regulatory purview of the BSB [Bar Standards Board] because, not having undertaken a pupillage, they are not entitled to a practising certificate and cannot hold themselves out as practising barristers.

“But given that they are perfectly entitled to explain to a client that they have in fact been called to the Bar and can perform unreserved legal services... the dividing wall between the capacious waiting room and the hallowed Chambers might sometimes appear extremely thin to a client.” Many permutations could emerge over the next year or so but one point is clear, there are likely to be good employment opportunities for paralegals.



News digest

Book up for our online library deal

If you ever have to pay for legal research, the NALP has a great opportunity for you to join an online legal library at an affordable rate.

The NALP is considering offering members access to Justcite – an online legal library – for just £75 a year. The usual cost is £900.

“This is a fantastic deal particularly for freelancers or students, who need to research case law.

“Please let us know if you are interested in this offer and we can follow it up for you,” Amanda Hamilton, NALP Chief Executive, said.

If you would like more details about the offer, please contact Julia in membership at the NALP, or email info@nationalparalegals.co.uk.

Plea to fill in your diversity form

This is a plea to all our Level 4 Diploma in Paralegal Studies and Level 7 Diploma in Paralegal Practice students – please fill in and return the diversity monitoring form to the NALP.

“This is just a reminder to students to return their forms to us. The form is an anonymous but vital part of the Ofqual [the national standards agency] regulatory process. We’ve had about 50 students respond so far but we need a lot more to do so,” Amanda Hamilton, NALP Chief Executive, said.

If you have lost the form, please contact the NALP for another one.
Email: info@nationalparalegals.co.uk.

Contact us

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Letter from the chief executive

Offer your expertise to businesses



‘We would like to hear from our members about how they are preparing to meet the demands of ABS’

With the introduction of alternative business structures in October this year, paralegals can look forward to a broader number of opportunities to work with shops, businesses and even superstores offering legal services. Paralegals will benefit from wider options in progressing their career and will no longer face some limits in climbing the ladder.

Opportunities may be found in supermarkets such as the Co-operative, which is widely expected to be an ABS and it has been reported that it is planning to expand its legal services.

Or perhaps, as Nick Green QC suggests on Page 1, you may be considering setting up your own business to offer your services directly to barristers, who may be likely to turn to this type of service rather than a more costly firm of solicitors. Clients aiming to keep their costs down are also likely to seek out competitive prices for the litigation work and put pressure on barristers to likewise keep the bill down. Paralegals can step in to fill this gap in the legal market.

We believe that paralegals are highly qualified to enter this legal arena and compete on pricing while offering a high quality service. We would urge our members to think about approaching these types of businesses and offer their expertise.

We would also like to hear from our members about how they are preparing to meet the demands of ABS, as the impact of the Legal Services Act starts to be felt across the sector. And we would also like to know how your place of work is preparing to meet these new demands and opportunities.

Please email your story to us at:
info@nationalparalegals.co.uk

Amanda Hamilton, Chief Executive



Joint SPA presidents Karen Leslie and Alison Butters (right) at their group's annual conference in Glasgow Photo: Amanda Hamilton

Three training initiatives to boost your career path

The NALP has expanded its training with three initiatives, which offer members broader access to courses that can boost their career development.

The Association is pleased to announce two joint ventures with Reed Learning and Manchester Metropolitan University (MMU) as well as the launch of its training website, www.nalptraining.co.uk.

Reed will be advertising the NALP's courses nationally and the NALP will be marketing relevant Reed courses that are pertinent for paralegals, such as negotiation skills, business writing skills, effective communication and time management.

"This venture will offer a broader selection of short courses that will assist our members to develop and progress their careers," Amanda Hamilton, Chief Executive of the NALP, said.

A joint scheme with the Centre for Innovation and Enterprise at MMU will start in September for school administrators and managers.

The NALP will be moderating and assessing the legal content of the course, called the professional career route for (educational) business administrators and managers. Students on this course will also benefit from membership of the NALP.

"A lot more schools are academies now and so they have to be up to date with legal issues, such as does a parent getting divorced have the legal right to collect their child from school? This course will give them an excellent grounding in this area," Ms Hamilton said.

The NALP has launched its training website to offer a lot more broader and shorter courses to members.

NALP Training is a learning provider for the NALP and it is accredited by the Association, which is an awarding body regulated by Ofqual, the national education standards body.

"Since its inception the NALP has continued to develop and refine its courses to meet the training requirements of the career paralegal," Ms Hamilton said.

Paralegal scheme registers interest

By Amanda Hamilton

Having attended the Scottish Paralegal Association (SPA) annual conference in Glasgow on May 28, I was very interested to see how the new Registered Paralegal Scheme was operating, nine months or so after it commenced in August 2010.

The SPA is very enthusiastic about the scheme and numerous paralegals have already registered, with several dozen going through the system. Is it proving to be success in Scotland? Undoubtedly, yes!

The arrangement is a good one, and mutually beneficial to both solicitors and paralegals. Everyone knows where they stand. Paralegals wishing to be registered have to be vetted by the Law Society, which is now the regulator of the paralegal profession, but the SPA still retains a voice on behalf of its members.

The question on my mind was: would the scheme work in England and Wales?

It is common knowledge that the legal systems between our two jurisdictions differ. While there are similarities in some areas of law, there are also clear distinctions. The structure of the legal profession generally is different as is the court structure. Scotland has solicitors, whereas, in England and Wales, we have solicitors and barristers.

The legal community in Scotland is a

much smaller and closer knit with only approximately 10,500 solicitors in Scotland and with a paralegal workforce estimated to be the same. Figures estimated for paralegals working in England and Wales are around the 200,000 mark and the number of solicitors around 100,000.

Having spoken to members of both the SPA committee and several of the Scottish Law Society personnel involved in the creation of the scheme, I have con-

'The question is, can the registered paralegal scheme work in England and Wales?'

cluded that there has been a compromise of sorts. For the SPA to gain more recognition for its members and to raise their profile, they have traded independence for recognition.

In England and Wales, there is definitely a need for regulation and recognition in the light of the current economic climate and the changes in the profession (alternative business structures). The question is, can the registered paralegal scheme work within our jurisdiction in the same way as it does in Scotland? Personally, I think the jury is out on that one.



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Tell us your story

We would love to hear from you. Tell us what you think of *Paralegal News*, or perhaps you have a comment on our training courses and how they helped you progress in your career or find a job. Letters and articles may be edited at the discretion of the editor. Share your views and news with us by emailing: info@nationalparalegals.co.uk

Letters

I will continue to invest in myself

On passing the Level 4 Diploma in Paralegal Studies, I would like to thank everyone who was involved in that process, especially to Maria Richards, Julia Collier, Sandra Perex and Chief Executive Amanda Hamilton.

I believe also that being with you will bring a lot of benefits in my further education and career. I have not decided yet on my next step. I have to improve my CV and start applying for an apprenticeship. The one thing that is certain is that I will not stop investing in myself and hopefully, we will meet again very soon.

Marcin Typiak, north London, UK

I deserve a place in NALP history too

Thanks for a copy of the latest edition of *Paralegal News* (Spring 2011). I was much appalled by the article about the first student from Dubai to complete the Level 4 diploma. I was in Dubai when I completed the Level 7 course last year; I guess I should have made that piece of history.

Thanks anyway and all the best.

Ameh Azah, Buea, Cameroon

Editor's reply: Aarshi Mahajan was the first Dubai student to gain the Level 4 Diploma in Paralegal Studies.

Ameh is the first student living in Dubai at the time to gain Level 7 Diploma in Paralegal Practice.

Interesting unit fills me with joy

For Unit 2 The Contract of Law, Assignment 1, I have to read the textbook again and again to fully understand the contents. Now I am filled with joy that now I can obtain clear and explicit knowledge about the requirements and formation of contract, which I had only vaguely understood before. This unit may be the most interesting and useful for me.

Fumi Fujinaga, Chiba City, Japan