



PRESS RELEASE

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Joint press release from HMGoG and Bar Council

HMGoG and the Bar Council have agreed the format for new training requirements for barristers and solicitors wishing to practice in Gibraltar. The scheme has been the subject of consultation between HMGoG, the Bar Council and the Chief Justice who fully supports the new requirements.

The current system is that whilst barristers are able to be admitted and enrolled as barristers of the Supreme Court under the Supreme Court Act upon completion of the Bar Professional Training Course, solicitors are nevertheless required to undertake a further two-year training period after completing the Legal Practice Course before they can be admitted and enrolled as solicitors of the Supreme Court. In addition, solicitors are required to undertake a Professional Skills Course.

Given the fused profession in Gibraltar whereby barristers and solicitors essentially undertake the same type of work and have the same rights of audience in our courts, both HMGoG and the Bar Council felt that the current disparity between the training requirements for barristers and solicitors could no longer be justified. In addition, some local law firms that were previously approved by the Law Society in the UK as training establishments authorised to undertake the two-year training period for solicitors have been told that they can no longer take on trainees. This meant that it would be difficult for all who qualify as solicitors to carry out their training in Gibraltar.

The new requirements will apply to both barristers and solicitors equally. It will involve the following elements:

1. An academic course in Gibraltar law;
2. Practical training over one year in an approved establishment in Gibraltar;
3. A Professional Skills Course.

The academic course in Gibraltar Law will be delivered by the University of Gibraltar as from September 2015. It will involve twenty-four lectures over the academic year with an exam at the end.

The practical training element will require barristers and solicitors to undertake a one year's training contract at an approved establishment. The training would cover at least three of the following four areas of legal practice: Commercial Law, Property Law, Litigation and Private Client. The minimum criteria for approval as a training establishment will be a Gibraltar law firm that is able to provide training in at least three of the areas of legal practice and contains at least three practitioners, one with at least ten years' standing and two with at least seven years' standing. The Chief Justice will have a discretion to amend the



minimum criteria for approval as a training establishment if he felt that this was justified for any particular firm.

The Professional Skills Course is expected to be undertaken towards the end of the year's training and will include Advocacy and Communications Skills, Client Care and Professional Standards and Financial and Business Skills.

The new requirements will apply to any barrister or solicitor wishing to enrol as a barrister or solicitor of the Supreme Court at any time after 1 July 2015 except where a solicitor has already been undergoing training in Gibraltar for at least a year on that date.

The new requirements, as with current practice, may be waived by the Chief Justice for outside counsel wishing to be admitted to the Gibraltar Bar for a particular case. In addition, the Chief Justice would have a discretion to waive the requirements of the practical training and professional skills course, but not the academic qualification in Gibraltar law, for any barrister or solicitor wishing to practice in Gibraltar if he was satisfied that such barrister or solicitor already had the necessary training or expertise.

The Minister for Justice, Gilbert Licudi QC, said:

"The Bar Council has been advocating for some time that the training requirements for barristers and solicitors wishing to practice in Gibraltar should be harmonised. The opening of the University of Gibraltar in September of this year paves the way for such harmonisation with the inclusion of a requirement for an academic course in Gibraltar law. This will result in barristers and solicitors who will be fully qualified and trained in the legal system in which they will be practicing, something which has not happened in this way until now. As both Minister for Justice and Minister for Education responsible for the delivery of the University, it is very satisfying to have been able to work with the Bar Council to bring these two strands together in such a positive way for the legal profession."

The Chairman of the Bar Council, Melo Triay, said:

"The Bar Council is delighted that these new proposals are being implemented. Not only will they help to improve the preparation of new lawyers qualifying to practice in Gibraltar but they correct the anomalies currently affecting the routes to qualification of the two different branches of our profession. The Bar Council is also delighted that the Government has acted so promptly in implementing these recommendations."