



The Route to
Qualification as a
Guernsey Advocate

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To become an advocate in Guernsey requires several years of dedicated training in English, French and Guernsey law.

An advocate's role comprises both that of a barrister and solicitor in England – it is a dual role.

To obtain a place at university on a law degree course will require good 'A' Level grades, as competition for places to study law is fierce.

Degree Level

If you do not have either a law degree, or a combined law degree, you will be required to take the Common Professional Examination in Law ('CPE'), or Graduate Diploma in Law ('GDL') which takes 1-2 years' study following completion of a non-law degree, depending on whether study is undertaken full-time or part-time. The GTA University Centre in Guernsey offer GDL training, full details of which can be obtained from GTA University Centre, Richmond House, Ann's Place, St Peter Port, Guernsey, GY1 2NU. Tel: 01481 721555: Fax: 01481 701155: Email: admin@gta.gg.

The principal criteria for admission to the full-time and part-time courses are:

- The applicant's academic record (at least an actual or predicted 2:2 or equivalent, and references)
- Previous qualifications and work experience (whether legal or otherwise)
- Demonstration of an interest in legal work
- Fluency in written and oral English

The Solicitors Regulation Authority ('SRA') may allow mature non-degree holding candidates to apply to complete the GDL with the desire of going on to complete the LPC.

The SRA states that all applicants must have:

- Considerable vocational experience at middle management level (minimum 10 years)
- Sufficient standard of education
- Good command of spoken and written English

To be eligible for the CPE or GDL, your original degree must be recognised as a qualifying degree. Generally these would be traditional subjects such as the Sciences, Humanities, Maths, English and Languages.

During your studies, either for your law degree or CPE or GDL, you will be required to study the seven key areas of law:

- Contract
- Criminal Law
- Equity and Trusts
- European Union Law
- Land Law
- Public Law
- Tort

Once you have achieved either a law or combined law degree, or the CPE or GDL, the next stage is to study for the Bar or become a solicitor.

Legal Qualification

Barrister

In order to qualify as a barrister, it is necessary to follow the vocational training route, the Bar Professional Training Course ('BPTC'). The BPTC, which comprises 1-2 years' full or part-time study, involves a significant practical element in that students are examined not only on their knowledge of the law, but also in advocacy, drafting, negotiation, opinion writing and other legal skills. It is necessary to join one of the four Inns of Court in London. These are:

- Middle Temple
- Inner Temple
- Gray's Inn
- Lincoln's Inn

Prior to being called to the Bar on Call Day, you must have passed the bar examinations and have acquired the requisite number of 'dining points' with your Inn of Court. Traditionally, a student barrister would have to dine twelve times at their Inn. This is no longer practical now that many law schools are situated outside London, so a number of other events have been set up. One dinner at the Inn is usually worth one dining point. The introductory weekend, or a residential weekend or a weekend course in London are worth more dining points. Other events can be held at locations outside of London, such as the Inns of Court dinners held by each BPTC provider. A student barrister must accumulate 12 dining points in order to be eligible to be called to the Bar.

Dining is an interesting experience in the ancient dining hall of your Inn of Court. Everyone sits on long benches and a three-course meal is served. There are various themed evenings such as 'guest night' (where you can take guests) and 'senior benchers night' (where you will be seated amongst senior barristers and have the opportunity to discuss law and legal practice with them).

On completion of the BPTC you will be called to the Bar. Once called to the Bar, you will be a barrister, but will not be able to practise as a barrister in England and Wales unless you sit one year's pupillage.

Solicitor

If you wish to become a solicitor, you must also complete the academic stage of training by passing the Legal Practice Course ('LPC'). This is 1-2 years' duration depending on whether it is undertaken full-time or part-time. This highly practical course is run by various institutions and comprises 3 core subjects and 3 elective ones from a wide list (although these will vary throughout the various institutions). For information as to core and elective subjects, the website of the College of Law, Guildford, gives an up to date list of subjects covered by their LPC course. www.college-of-law.co.uk.

Assessment comprises a mixture of written examinations and in-course assessment of skills, including role-play.

It is always worth checking with your university to establish whether they have a reciprocal agreement with a particular Law School. Some faculties do have such an arrangement, and as competition to obtain places is intense, this could be of benefit.

Once the LPC has been successfully completed, it is necessary to undertake a two year training contract (formerly known as 'Articles') before you can be admitted as a Solicitor of the Supreme Court. Various firms of solicitors across the country offer training contracts. During this two year period there is a requirement for training in at least four different departments. There are also a series of courses to attend and short examinations to pass. These include accounting and further development of legal skills. Once this has been achieved you will be admitted as a Solicitor of the Supreme Court.

The Guernsey Bar

Unless you are a native of the island, you are required to be ordinarily resident in the Bailiwick of Guernsey for a period of 2 years (after attaining the age of 16 years) before you can be admitted to the Guernsey Bar.

You must be:

- a member of the Bar of England and Wales, or
- a member of the Bar of Northern Ireland, or
- a member of the Faculty of Advocates in Scotland, or
- a Solicitor of the Supreme Court of England and Wales, or
- a Solicitor of the Supreme Court of Judicature of Northern Ireland, or
- a Solicitor in Scotland.

Examinations

French Qualifications

As Guernsey law is derived from Norman Law, it is important to have insight into French customs and laws. Norman customary law (known as 'Coutume') is still cited in Guernsey courts today.

Aspiring advocates ('aspirants') will attend full-time study at the University of Caën for a period of approximately 13 weeks (from September to December), at the end of which time a series of oral examinations are held. It is useful to have studied French to "A" level, or alternatively to have taken French lessons prior to going to France. There are various companies or private individuals who undertake such tuition. An intensive course in French is available at the University itself for the first two weeks of September.

To proceed further towards your qualification as a Guernsey advocate, you must acquire:

- A 'Certificat d'Etudes Juridiques Françaises et Normandes' from the University of Caën (or its equivalent); or
- A Diploma stating that you are a 'Bachelier' of one of the Faculties of Law of France.

Three subjects are studied: Coutume, Norman Institutions, and the modern French law of Obligations (contract and tort).

Guernsey Bar Examinations

The examinations are conducted by a Committee under the authority of the Royal Court.

The examinations are sat in or around May/June in each year. If you are unable to satisfy the Royal Court that you have undertaken pupillage of at least six months in the relevant jurisdiction in the case of a member of the Bar of England and Wales, a member of the Bar of Northern Ireland or a member of the Faculty of Advocates in Scotland, you are required to undertake pupillage for at least twelve months in Guernsey, accredited to an advocate of the Royal Court of at least five years' standing. In any other case, this would be a period of at least six months.

Pupillage may take place before or after the exams, but it remains a requirement.

As advocates in Guernsey have full rights of audience in the courts of Alderney and Sark, they must be familiar with the laws of these islands (which form part of the Bailiwick of Guernsey).

The final stage is to pass four examinations in the following areas of Bailiwick Law, two compulsory and two optional. As at 2010, these are:

- The Constitution and Law of Guernsey (Compulsory)
- Ethics (Compulsory)
- Criminal Practice and Procedure
- Civil Practice and Procedure
- Property Law (including trusts and inheritance)
- Family Law (which includes child care)
- Company and Financial Services Law

You are then eligible to be called to the Guernsey Bar. This is a short ceremony held at certain sittings of the Royal Court. The Bailiff or Deputy Bailiff will introduce you to the attendant advocates with a short biography. You will then be escorted to a side room to be robed by the last person to be called to the Bar before you, and will don your gown and 'toque' (a small hat similar to a biretta) for the first time. You will then be required to swear the oath of an advocate before the Royal Court.

Once qualified, at certain sittings of the Royal Court, you are required to attend fully robed. The robes comprise bands and a gown (which are the same as those worn by a barrister in the UK), and a toque. There is no requirement for wigs to be worn. Gowns, bands and toques are not worn before the Magistrate's Court.

For anyone considering a career in law, the following websites may be of interest:

- www.lawsociety.org.uk
- www.barcouncil.org.uk
- www.guernseybar.com

If you would like to discuss any issues within this information sheet, or about life as an advocate generally, please contact:

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