

REVIEW



Shake Up to the Manx Bar Qualification Process



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Trainee Advocate Aiza Khan of M&P Legal reviews how qualification as a Manx Advocate is evolving from a traditional pathway by dispensing with the need for a post graduate training course.

In November 2022 the Isle of Man Law Society announced a new route towards qualifying as a Manx Advocate in the Isle of Man after the Advocates Admission Regulations 2022 came into force. This is a monumental shift to the process through which current aspiring lawyers in the Isle of Man will now qualify as Manx Advocates.

The old system towards qualification had been in place since the 1980s and remained largely unchanged until now. Previously, individuals were required to complete a Bachelor of Laws (LLB) or the Graduate Diploma in Law (GDL), followed by the Legal Practice Course (LPC) or Bar Professional Training Course (BPTC). Candidates were then required to undertake two years of on the job training known as 'Articles', more broadly recognised as a 'training contract', with a law firm on the Island under the supervision of a Principal Advocate. During Articles, Trainee Advocates study for and are required to pass the Manx Bar examinations. They are based entirely on Manx law which differs in some significant respects to English law.

The new regulations have removed the need for candidates to complete the LPC or BPTC, however they are still required to complete a legal qualification, either an LLB or GDL, with a minimum degree classification of 2:2 before

being accepted for Articles. The requirement for two-year Articles and completing a new format of the Manx Bar examinations has remained the same; the two-year period of training may be reduced depending on individual circumstances such as having already qualified as a lawyer in a separate jurisdiction.

Under the old system, the Manx Bar examinations consisted of five areas of legal practice that Manx Advocates required to have working knowledge of including Civil Law, Criminal Law, Public and Property Law, Business and Finance Law, and Accounts and Ethics.

Trainee Advocates have also been required to attend a two-day advocacy course held by the Law Society annually in which civil and criminal advocacy skills are developed; this is to reflect the fused profession of being a Manx Advocate which fulfils the roles of both a solicitor and barrister found in England and Wales.

In light of the new regulations, the Law Society is currently in the process of reviewing the Manx Bar examinations to update the exam syllabus and process and increase access to digital and informational resources to Trainee Advocates currently taking the new route towards qualification. While the subject matters will remain, the manner in which they are to be examined may differ compared to the 'old' Manx Bar system. The target date for introduction of the new exam course is autumn 2023. In the interim, the old Manx Bar examinations are still currently being held

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six-monthly for Trainee Advocates who began their Articles prior to the new regulations coming into place.

These changes have been made in the light of a major overhaul of the route towards qualifying as a solicitor in England and Wales by the Solicitors' Regulation Authority in which they replaced the LPC with the new Solicitors' Qualifying Examinations (SQE) in September 2021. The SQE is currently not being accepted by the Law Society for entry towards admission as a Manx Advocate.

This article does not constitute legal advice. Specific advice should be sought for any given circumstances. This article was written by Trainee Advocate Aiza Khan of M&P Legal. Please contact M&P Legal at law@mplegal.im or 01624 695800 if you have any enquiries.

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