

HARNEYS

Why become a lawyer?

Why do you want to become a lawyer? If you decide to study law, lots of people are going to ask you that question. Everyone has their own particular reasons for wanting to become a lawyer. But for all the jokes that people like to tell about lawyers (and there are *a lot* of jokes about lawyers) it is nonetheless a very good profession to consider as a career. It is extremely challenging. It is highly dynamic. It is relatively well paid compared to other professions. And it is one of the things that the British Virgin Islands, as a country, is very good at.

The legal profession in the British Virgin Islands has enjoyed absolutely explosive growth over the previous 10 years with large numbers of new firms opening up, and established law firms from other jurisdictions either buying up local practices or setting up their own branches. For lawyers in the British Virgin Islands, life has never been busier.

The offshore finance industry is a large contributor to the Territory's economy, and directly or indirectly it contributes the vast majority of the Government's revenue. But the offshore finance industry only functions because a number of key groups play their part, and one of the supporting pillars of the industry is the legal profession. If you join a firm in the British Virgin Islands, from your first day you will find yourself working on million dollar deals. Whether it is gold mines in the Congo, offshore gas fields in Siam, cellular networks in Eastern Europe or shipping lines in the Mediterranean; British Virgin Islands companies get involved in all manner of commercial ventures, and as a commercial lawyer in the British Virgin Islands you get to work with the very best lawyers from other countries helping to structure the deals that make the world go around.

Not everybody is cut out for the legal profession. It usually means working long hours and making personal sacrifices. It requires intensive intellectual and vocational training. The drop-out rate is very high. But like all great challenges, the rewards are large too for those that can meet them.

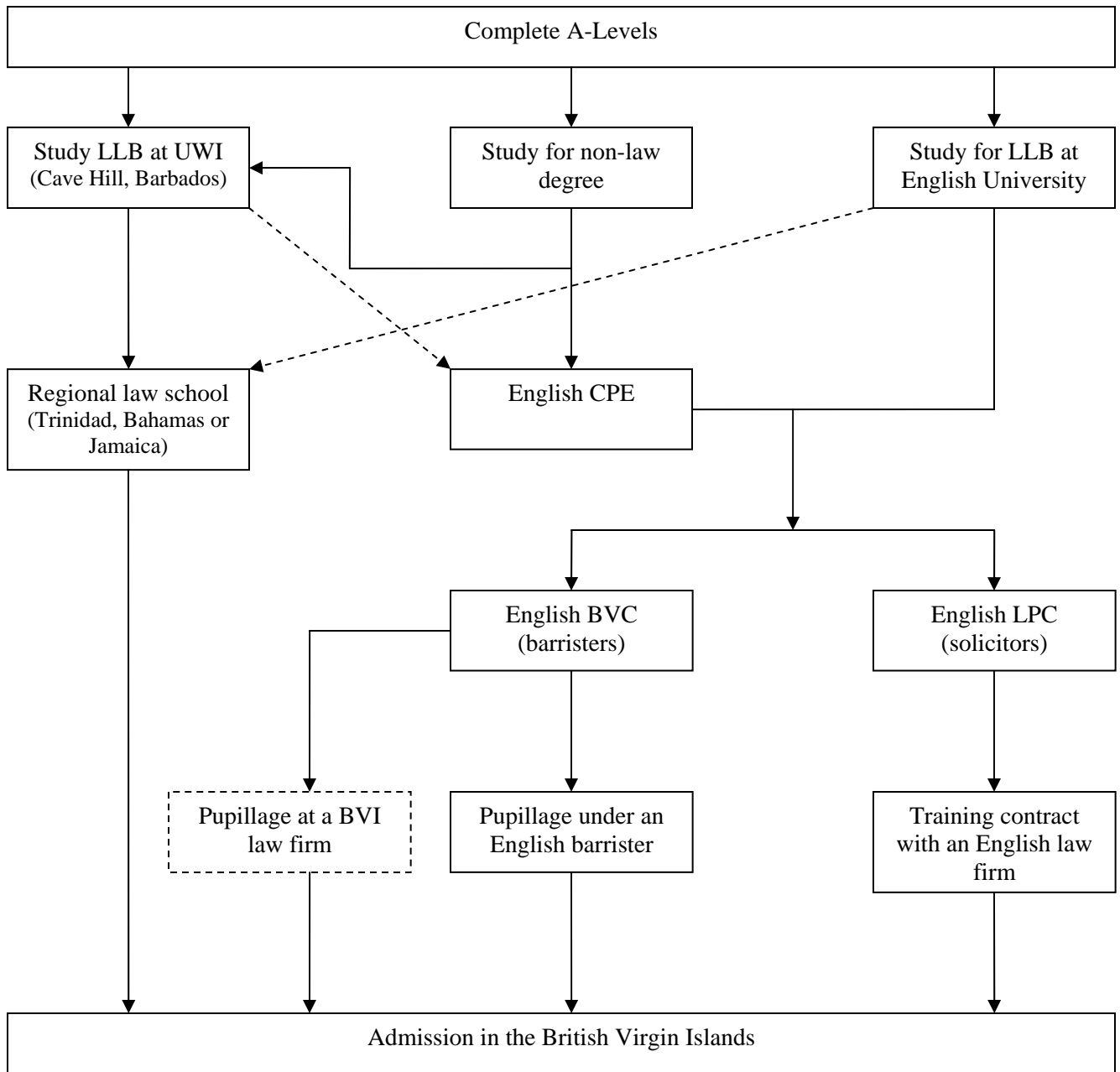
If you are thinking about whether a career in the law is the right one for you, this booklet is intended to help give you some guidance on what is involved in qualifying to practise law in the British Virgin

Islands, and what your next steps should be. Obviously we can't tell you everything you need to know about the process, but hopefully we can give you an idea of what is involved.

Routes to qualification

There are many ways to qualify to practise law in the British Virgin Islands, but traditionally there are two main routes: either qualifying through a regional law school, or by obtaining admission in a recognised foreign jurisdiction (usually England) first.

It is also possible to “cross over” (ie. start along one route and then switch to another). The flow chart below sets out the main possible routes to qualification in the British Virgin Islands.



Qualifying through UWI

Traditionally, people from the British Virgin Islands who wanted to become lawyers studied at the University of the West Indies (UWI) before qualifying through the regional law schools and returning to the British Virgin Islands.

The UWI law degree is taught at the Cave Hill campus in Barbados. It is possible to join the law faculty at UWI having completed A-Levels, which some students do, but in several cases students reading law at UWI have actually read another degree first (taking 3 or 4 years depending on the programme). The law degree takes 3 years if it is your first degree, or 2 years if it is your second degree and you qualify for the “direct entrance” programme (which usually requires that you obtained a first class or upper second class degree for your first degree).

It is possible to read for a first degree at another university, and it is popular for students to study at colleges in the United States first. However, be wary, not all US universities and colleges are regulated, and many of these colleges are not recognised internationally. Before you enrol for a degree at another university, make sure that it is one which is recognised by UWI, or whichever institution you intend to continue your education with later, otherwise you can waste 3 years and thousands of dollars and be left with a potentially useless qualification.

Once you obtain your bachelor of laws degree (your LLB), which should be at least a 2:1, you would then spend 2 years studying at one of the regional law schools for your professional training. British Virgin Islands students normally attend Eugene Dupuch Law School, which is based in the Bahamas. The other law schools are Norman Manley Law School (in Jamaica) and Hugh Wooding Law School (in Trinidad).

Although most people at the regional law schools have obtained their law degree from UWI, it is perfectly possible to obtain a law degree at an English university and then study at a regional law school for professional training. However, to enter the regional law schools without a degree from UWI, you would normally need to sit an entrance exam.

Once you obtain your certificate from a regional law school you are able to be admitted to practise in the British Virgin Islands.

The process at UWI and the Regional Law Schools makes no distinction between ‘barristers’ and solicitors’, and in most Caribbean jurisdictions one is admitted as an ‘Attorney-at-Law’.

Useful links:

University of the West Indies homepage - <http://www.uwi.edu/>

Cave Hill campus homepage - <http://www.cavehill.uwi.edu/>

Qualifying through admission in England

Increasingly, more and more people from the British Virgin Islands are travelling to Britain to study law. There are lots of good reasons for studying law at an English university, not least that with so many new universities in Britain, it is becoming a relatively cheap place to study, and because (at present) you can complete the qualification process towards becoming a barrister in only 4 years.

To qualify as a lawyer in England there are several routes. The most common way to start is to read for a 3 year law degree. However, it is also possible to read for a 3 year degree in another subject, and then study a 1 year conversion course, called the “Common Practice Exam” or CPE. Given the number of persons studying law at any one time it is important that you distinguish yourself from the ‘pack’ and a 2:1 or upper second class degree is really as low as you want to go. After you complete your law degree or CPE, you can then begin your vocational training. If you wanted to become a barrister, you would then study the 1 year “Bar Vocational Course” (or BVC) at one of the licensed providers. After finishing the BVC, if you wanted to practise in England you would then do an additional year’s pupillage at a barristers chambers, but you can apply to be admitted in the BVI once you have completed your BVC – the court’s normal practice recently has been for the court to exercise its discretion to waive the requirement for 6 months’ pupillage where the candidate has completed the BVC, although the court does not always do so (although it is anticipated that the position may change soon if the Government amends the West Indies Associated States Supreme Court Act). If you wanted to become a solicitor (which to date few BVI Islanders do because it takes longer) after finishing your law degree or CPE you would study the 1 year “Legal Practice Course” (or LPC) at one of the licensed providers for that (many licensed providers offer both the BVC and the LPC). After completing the LPC, you would then do a two year training contract at an English firm, after which you are fully qualified in England, and could then (after a total of 6 years) be admitted in the British Virgin Islands. **Although qualifying as a solicitor takes longer, commercial firms in the BVI prize the experience that people acquire doing a two year training contract in the UK, and it is an excellent way to develop an understanding of one of the BVI’s key markets. It is strongly recommended that to the extent possible, BVI students that obtain a two year training contract or pupillage at a reputable law firm or Chambers in the UK should seek to stay with such a firm or similar firm for at least a further 2 years.**

All applications to British universities are handled by UCAS (University Central Admissions System) and you can submit one central application online (the website link is below), for a number of different universities and courses (the actual number varies from year to year, but at the moment it is 6). The application fee is around \$25. And, if you are unsuccessful with all your initial applications, UCAS has a

“clearing” process which tries to match up unsuccessful applicants to remaining course vacancies at the end of the process.

If you intend to apply to a British university to read law, there are a few points you may wish to bear in mind:

- The application process starts about a year before the start date of the courses. So if you want to read law starting in September 2009, you need to make your application between September 2008 and January 2009.
- Avoid law courses that are taught in Scotland or Northern Ireland (ie. Edinburgh, Glasgow, Strathclyde, Queens Belfast and Aberdeen). Scottish law and Northern Irish law is fundamentally different from British Virgin Islands law, and therefore ought not to be your first choice.
- London has a number of excellent Universities (University College London, London School of Economics, King’s College London, SOAS, Queen Mary & Westfield are regularly in the top 20), but London is a very expensive place to work and study, so think hard about finances before choosing a London based university.
- Other outstanding English universities include Oxford University, Cambridge University and Bristol University.
- Whilst there are a large number of excellent universities in Britain, it is fair to say that there are also some that are really not very good. Choose carefully before you invest three years of your life and several thousand dollars on a course. Every year the London Times publishes a list of the top 20 universities in each subject (see link below), and a number of other newspapers publish similar informal assessments. As mentioned previously, it is a competitive environment and a 2:1 from a very good university should be regarded as the low water mark.
- Studying a law degree in the United Kingdom does not mean that you have to do all of your qualifying in Britain. You can do an English law degree, and then complete your professional training at one of the regional law schools in the West Indies.
- At the moment, by completing an English law degree and then doing the BVC you can be admitted in the British Virgin Islands after only 4 years. However, there are proposals to include a requirement that 6 or 12 months pupillage must be completed before admission to the British Virgin Islands. These changes may come into effect before you would qualify.

- If you want to actually qualify to practise in England, competition for pupillages and training contracts is intense. On average, fewer than 40% of students who do vocational training get pupillages or training contracts. Your academics qualifications therefore need to be very good if you are to have a realistic shot at this.

Useful links:

UCAS homepage - <http://www.ucas.com/>

About UCAS -

http://www.reading.ac.uk/Student_Recruitment/advisors/advice/the%20ucas%20application%20process.htm

The Times – University Guide (2008) -

http://www.timesonline.co.uk/tol/life_and_style/education/good_university_guide/

The Guardian – University Guide (2008) - <http://education.guardian.co.uk/universityguide>

Article - “Why study law in Britain” - <http://www.intstudy.com/articles/ec184a08.htm>

Work experience

Most lawyers also spend some time working for a law firm during their law degrees (usually over the summer between second and third year, or after third year and before starting vocational training).

If you study at UWI, many firms throughout the Caribbean (including Harneys) offer summer placements to give you a chance to get some practical experience of the practise of law. It also gives you a chance to see what kind of firm you would like to work for. Practising for a firm which does nothing but criminal litigation is very different from spending your life working on corporate and commercial deals.

If you study in the United Kingdom, you should think very hard about applying for a summer placement scheme with one of the leading firms in London or the British regional centres (all the major firms offer these schemes; its gives applicants a chance to see what life is really like at the firm, and gives the firm a chance to really get to know some of the applicants). London is one of the two great legal centres in the world (with New York), and so an opportunity to spend a summer working with one of the leading firms there is quite a valuable one.

Harneys also takes a number of law students each summer to gain experience either in the main office in Road Town or in its London office. If you would be interested in a summer placement at a Harneys' office, please send a full CV to Human Resources (indicating which office you are applying to work in) by no later than April of the year in which you wish to do the summer placement. Summer placements at Harneys are highly competitive, so it is advisable to apply early.

Afterword

We have tried to keep this brochure as accurate as possible, whilst still keeping it short and readable. But the routes to qualifying do change from time to time, particularly with respect to the exercise of discretion. This brochure is designed to help you get started, but (like a good lawyer) you should make sure that you check all the facts before you commit yourself financially to a certain course.

A copy of this brochure is published online at the Harneys website (at <http://www.harneys.com/files/students.pdf>), and the links in the document can then be followed directly by your web browser.

...a word about Harneys

Harneys is the oldest and, by some way, the largest law firm in the British Virgin Islands, and as well as our main office in Road Town, we have offices in Anguilla, London and Hong Kong.

Our practice is largely based on corporate and commercial law, and most of what we do is closely connected with the offshore industry.

Harneys is committed to helping to develop the legal profession in the British Virgin Islands and to encourage more BVI Islanders to enter the profession. If you are thinking about becoming a lawyer, a lot of people find it helpful to talk to a friend or a relative who is a lawyer, who can tell them more about what is involved. Even if you are not interested in the kind of law that Harneys practises, if you would like to just talk to somebody about how to qualify, or about practising law generally, give us a ring and ask if you can come in and talk to somebody.

It's a big decision, and we'd like to help if we can.