



# Lawyers training systems in the EU

## Scotland

Information provided by: The Law Society of Scotland

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### DESCRIPTION OF THE NATIONAL TRAINING SYSTEM FOR LAWYERS in Scotland

#### 1. Access to the Profession

Higher education / university education	YES
A law degree is compulsory	YES
Steps to becoming a fully-fledged lawyer:	<ul style="list-style-type: none"> <li>• Assessment of the candidate by the Law Society Following completion of the <b>PEAT 1</b> Diploma, all applicants must satisfy the Law Society of Scotland that they are fit and proper to become solicitors before they will be granted an <b>Entrance Certificate</b> to enable them to commence a traineeship (<b>PEAT 2</b>). The post university diploma course is called <b>PEAT 1</b> and the practical training in a solicitors office together with the compulsory courses (The <b>TCPD - Trainee Continuing Professional Development</b> ) represents <b>PEAT 2</b></li> <li>• Completion of an induction period</li> <li>• Registration with the Law Society of Scotland</li> </ul>
Alternative routes to the profession:	<p>YES</p> <p>Instead of studying a law degree it is possible to sit the Law Society of Scotland's own professional exams combined with a 3-year "<b>pre-PEAT 1</b>" traineeship with a practising Scottish solicitor.</p> <p>Following completion of this stage, all aspiring solicitors must complete the Diploma in Professional Legal Practice (<b>PEAT – Professional Education and Training</b>) – stage 1 (<b>PEAT 1</b>)</p>

2. Training during induction period		
Is there an induction period?	YES	<p><b>Legal basis:</b>  <a href="#">Solicitors (Scotland) Act 1980</a></p> <p>This Act gives powers to Law Society of Scotland to make training regulations including both practical training and training courses</p>
Compulsory	YES partially	<p><b>Set length:</b>  <b>2 years full time or the equivalent of 2 years full time –</b>  but not for all categories of candidates</p>
Types of structures responsible for organising induction training	<ul style="list-style-type: none"> <li>• Private practice firms</li> <li>• Non-private practice organisations (such as national and local government bodies and in-house legal departments of private companies)</li> <li>• Other providers authorised by the law Society of Scotland, providing <b>TCPD (Trainee Continuing Professional Development)</b>  <b>TPCD:</b> 40 hours must come from a provider authorised by the Law Society of Scotland + minimum of 4 hours of the 40 must be a mandatory Ethics course (This is about the induction period as these are online training courses that must be completed at any time during the traineeship (practical work experience with a solicitor).</li> <li>• Commercial providers and Universities (only authorised providers and recognised diploma courses count at trainee level)</li> </ul>	
Form of induction training	<ul style="list-style-type: none"> <li>• Apprenticeship supervised by a private practice</li> <li>• Training on non-legal professional skills</li> <li>• Training on legal professional skills</li> </ul> <p><b>All these three elements are part of the induction period</b></p>	
Entrance exam / check before induction period	YES	Check/verification of diploma
Set curriculum during induction period	NO	
Specificities regarding EU law and linguistic training:	There are no linguistic requirements	EU law is compulsory in the undergraduate degree, however it is not taught as a separate subject in the diploma stage of qualification because these courses are more practical and relate e.g. to appearing in court, land transactions etc, but there are EU elements covered in e.g. family law, business law etc.

Induction period divided into different stages	NO	
Post-induction period assessment / exam	YES	The supervising solicitor must complete quarterly performance reviews with the trainee. These are submitted to the Law Society of Scotland for monitoring. At the end of the traineeship the supervising solicitor must certify that the trainee has met all the outcomes which the Law Society of Scotland specifies must be achieved during the traineeship
<b>3. Continuous training system</b>		
Differentiation between continuous training / specialisation training	NO	There is no specialisation training in the Scottish system
Obligations regarding continuous training	YES	Compulsory training obligations as stated in the internal regulations of the Law Society  <u>Legal basis:</u>  <a href="#">Solicitors (Scotland) (Continuing Professional Development) Regulations 1993</a> and <a href="#">CPD Requirements and Guidance for Scottish Solicitors</a>
Obligations regarding specialization training	NO	Specialisation is not mentioned either by the state law or internal regulations
Obligations regarding learning foreign languages	No obligations	
Obligations regarding EU law content in relation to continuous / specialization training?	No obligations	
<b>4. Accreditation systems and training providers</b>		
Possibility for accreditation		The training system in Scotland does not provide this possibility  Only providers of compulsory training courses during the induction period practical stage (so called <b>TCPD</b> (Trainee Continuing Professional Development)) need to be authorised, providers of CPD to qualified solicitors do not need to be authorised

Number of training providers offering continuous training activities	N/A <b>No accreditation regime</b> The onus is on the individual solicitor to undertake CPD activity which is relevant to his own practice	
Type of training providers developing accredited continuous training activities	N/A <b>No accreditation regime</b> The onus is on the individual solicitor to undertake CPD activity which is relevant to his own practice	
<b>Activities and methods</b>		
Type of training activities accepted under the obligations of continuous or specialization training	<ul style="list-style-type: none"> <li>• Attending face to face training sessions</li> <li>• Completing e-learning modules</li> <li>• Attending training conferences</li> <li>• Participating in training activities as trainer or teacher</li> <li>• Writing/publishing</li> <li>• Since the onus is on the solicitor to undertake training relevant to his/her practice, it is possible that some other activity may be claimed</li> </ul>	<b>Participation in training activities in another member state:</b>  <b>Yes</b> Continuous training obligations can be fulfilled through participation in training activities in another Member State
<b>5. Supervision of training activities</b>		
Organizations involved in supervising continuous training activities	<b>NO</b>	The Law Society is not engaged in supervising training activities in continuous training
Supervision process	N/A There is no supervision process for training activities	

Source: Pilot Project – European Judicial Training: "Lot 2 – Study on the state of play of lawyers training in EU law", carried out by the Council of Bars and Law Societies of Europe (CCBE) and the European Institute of Public Administration (EIPA)