



THE LAW SOCIETY OF ENGLAND AND WALES
THE LAW SOCIETY OF SCOTLAND
THE LAW SOCIETY OF NORTHERN IRELAND

The Law Societies

JOINT BRUSSELS OFFICE

TRAINEESHIPS AND VACATION PLACEMENTS IN BRUSSELS

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The Law Society of Scotland
The Law Society of Northern Ireland
Joint Brussels Office

Introduction

History

The United Kingdom of Great Britain and Northern Ireland is made up of three legal jurisdictions: England & Wales, Scotland and Northern Ireland. Each jurisdiction has a distinct and separate solicitors' profession and an independent Law Society which represents the profession.

The Law Society of England & Wales was founded in 1825 and officially constituted by Royal Charter in 1845. There are around 80,000 practising solicitors in England & Wales. The Law Society of Scotland was established by statute in 1949. There are some 8,500 practising solicitors in Scotland. The Law Society of Northern Ireland was established by Royal Charter in 1922. There are 1,800 practising solicitors in Northern Ireland.

The Law Society of England & Wales established its Brussels Office in November 1990 and was the first national Law Society/Bar in the EU to have a representative office in the city. In January 1993, the Law Society of Scotland joined the Office, and in May 2000 the Law Society of Northern Ireland came on board. The UK Law Societies are now jointly represented by a team of five people: the Head of Office, who is assisted by a Policy Advisor on Internal Market Issues and a Policy Advisor on Justice and Home Affairs. There is also a Brussels Office Manager and an Administrative Assistant.

Since June 1996, the Brussels Office has been sharing premises with the German Federal Bar (Bundesrechtsanwaltskammer) which represents the interests of some 100,000 German lawyers as well as the interests of the Austrian National Bar.

Activities of the Brussels Office

The office has two main activities:

1) Representing and promoting the views and interests of the solicitors' professions

The Office briefs European Commissioners, MEPs, Member States and EU Officials on EU policy and legal developments which are of importance to solicitors and the Law Societies, and comments on draft legislation.

This function is important for two reasons:

(a) *Professional practice matters*

These are EU developments which affect the way solicitors practise law (for example, the right to open an office in another EU Member State and the ability to re-qualify as a lawyer in another Member State). The following list provides an overview of the main EU policies in which the Brussels Office is involved:

- Competition rules and the professions
- Access to and training in Community law
- Freedom of practice for Europe's lawyers
- Electronic commerce and commercial communications
- Legal Aid
- Money Laundering

b) Law reform matters

These are EU policies which affect the advice solicitors give to their clients. The following list provides an overview of the main law reform areas in which the Brussels Office is involved:

- Civil Law
- Company Law
- Competition Law
- Consumer protection
- Criminal Law
- Employment Law
- Environmental Law
- Financial Services
- Intellectual and Industrial Property Law
- Revenue Law

2) Providing advice and assistance to solicitors

The Office provides a number of services, free of charge, to solicitors from England & Wales, Scotland and Northern Ireland. These services mainly consist of ensuring that our members are aware of key developments in the above areas (professional practice and law reform). The office provides advice and information to solicitors on a regular basis through the monthly newsletter which in turn generates requests for documents and further information. The following list gives details of the form this advice and assistance can take:

(a) EU Documentation Enquiry Service

- Access to Green and White Papers and other consultation documents.
- Access to both proposed and adopted EC legislation (Commission proposals, European Parliament opinions, reports and amendments and Council of Ministers' common positions).
- Access to European Court judgements and opinions of the Advocates-General.

(b) EU affairs consultancy

- Giving seminars and conferences on EU topics.
- Information on the status of proposed EU legislation.
- Advice on how to influence EU decision-makers.
- General political and strategic advice on EU developments.
- Advice on how to keep track of EU developments.
- Advice on EU funding opportunities.

(c) Publications on EU developments

- Brussels Agenda, a monthly newsletter on EU affairs, which goes to over 5,000 people each month including solicitors in England & Wales, Scotland, Northern Ireland, Brussels and elsewhere, as well as MEPs and officials of the UK's permanent representative office to the EU, the European Commission and the European Parliament.
- Guidance note on EU funding.
- Guidance note on EU information sources.
- Guidance notes on a range of law reform topics.

d) *Brussels-based services*

- Organising visits of solicitors to the EU institutions. These study visits typically last two days and cover a visit to the European Parliament and a series of talks by policy makers in Brussels. Study visits are organised for groups of 15-20 solicitors and CPD points are accredited. The visits are tailored to the needs of the group, and to date various groups such as the Food Law Group, the Association of Women Solicitors, the Local Government Group, and the Employment Law Committee have participated. There have also been regular visits by groups from the Law Society of Scotland.
- Assistance in contacting and meeting EU officials.
- Access to the Brussels network.
- EU library.
- Conference and meeting room facilities.

Type of work a trainee solicitor would be asked to do

The type of experience that the Brussels Office would be able to offer a trainee during a 6 month secondment is summarised below:

1. Legal topics

a) A trainee would gain proper training and experience principally in the field of European Community law. This is a vast body of law which is applicable in England & Wales, Scotland and Northern Ireland and which prevails over any conflicting English/Scots/Northern Irish legislation. The trainee would gain proper training and experience in the two main categories outlined above (Professional Practice and Law Reform).

With this division in mind, the trainee would gain experience in some or all of the following areas of Community law:

- Draft EU constitution.
- Consumer protection legislation including access to justice and consumer redress, distance selling Directive and ADR.
- Internal market and financial services legislation including the transparency Directive, commercial communications, electronic commerce.
- Employment law including the equal treatment Directives.
- Company law including the prospectuses Directive and the take-overs Directive.
- Environmental law and measures including liability for environmental damage.
- The right of lawyers to provide services in another Member State (1989 Mutual Recognition of Professional Qualifications Directive).
- The right of lawyers to establish themselves in another Member State (the 1998 Lawyers' Establishment Directive) and the General Agreement in Trade and Services.
- The future Directive on money laundering.

These examples are not exhaustive and the areas in which proper training and experience will be gained will depend to a large extent on the political and legislative agenda of the period in question.

b) A trainee would principally gain experience of non contentious work. As far as contentious work is concerned, the trainee would not be exposed to litigation and/or disputes but would be involved in assisting the permanent members of staff in lobbying the various EU institutions. This is similar to contentious work and advocacy.

2. Skills standards

A trainee would be given the opportunity to practise the following basic skills:

(a) Communication skills: the trainee would be required to communicate in writing and orally with officials from the various EU institutions, with English and Welsh, Scottish and Northern Irish solicitors, with officials from both Law Societies and with the general public. Such skills would be required when assisting the permanent members of staff when they lobby EU officials and prepare briefs for MEPs. The trainee would also be involved in dealing with enquiries from the Law Societies, the profession and the public;

(b) Legal research: the trainee would be required to carry out legal research and analysis in relation to those areas of Community law in which the Brussels Office is involved. This would require studying proposed legislation and analysing its impact on the profession and/or UK legislation. It would also require an analysis of provisions of the various EC Treaties with a view to developing legal arguments which could be used to promote the Law Societies' positions. The trainee would also be required to analyse and research Community legislative procedures and to report on the current status of legislation in relation to the relevant procedure. Finally, the trainee would be required to carry out research with a view to preparing the Office's monthly newsletter (the Brussels Agenda);

(c) Drafting: the trainee would be required to draft or assist in the drafting of the following types of documents:

- Letters to solicitors and members of the public who seek information and advice on EU law and procedures.
- The Office's monthly newsletter (the Brussels Agenda).
- Minutes/notes of meetings with EU officials and MEPs.
- Amendments to Community legislation.
- Briefs for MEPs and EU officials.
- Papers for the Law Society of England & Wales' EU committee.

In addition to these skills, the trainee would be required to organise meetings and events/seminars for solicitors and Law Society staff.

Conditions of the traineeship

The following conditions apply to the Trainee Solicitor Placement Scheme:

- The consent of the trainee's firm/employer is required.
- The traineeship will last for a period of 6 months.
- Traineeships will commence on either the beginning of March or beginning of

- September of each year.
- Only one trainee place will be awarded on each occasion.
 - The trainee's salary should be paid by his/her firm/employer (no remuneration will be paid by the Law Societies except for 1 return trip standard fare to the UK).

Person specification

- Some knowledge of EC law and EC institutions.
- Some knowledge of French and/or German is desirable.
- Computer literate.
- Ability to work independently within a team of 5 people.
- Self-starter.
- Good written and oral communication skills.
- Good planning and organisation skills.

Law Society approval

Both the Training Contracts Casework Committee of the Law Society of England & Wales and the Admissions Committee of the Law Society of Scotland have agreed that the 6 month placement in the Brussels Office would satisfy the requirements of the Training Regulations and could therefore form part of the two year training period.

Application procedure

Trainees interested in applying for the 6 month secondment should send their CV, together with a cover letter explaining why they would like the traineeship and what period they would like to be considered for to June O'Keeffe, Law Societies' Brussels Office, 142-144 Avenue de Tervuren, 1150 Brussels. Alternatively, send applications by e-mail to: june.o'keeffe@lawsociety.org.uk. The closing date for receipt of applications for traineeships for September 2004 will be 30 April 2004. All applications must be supported by a letter from the trainee's firm/employers confirming consent to the application.

The Brussels Office will shortlist 5 or so trainees who will then be invited for an interview. The interviews will take place at the Law Society in London in summer 2004.