QATAR INTERNATIONAL COURT
AND DISPUTE RESOLUTION CENTRE

محكمة قطر الدولية ومركز تسوية المنازعات

THE DEVELOPMENT OF PROFESSIONAL LEGAL AND JUDICIAL EDUCATION IN QATAR

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A REPORT BY

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EXECUTIVE SUMMARY

INTRODUCTION & VISION (CHAPTER 1)

In the Qatar National Vision 2030, His Highness the Emir, Hamad bin Khalifa Al-Thani, set out a blueprint for his country's development; a dynamic vision which has inspired, and been followed by, other countries in the region and beyond. Having made an influential impact both at home and abroad, the Emir's plans are now referred to simply as the 2030 Vision - shorthand for an indomitable ambition for international excellence and leadership in all fields, including human, economic, environmental and social development.

The Emir's 2030 Vision accompanies Qatar's emergence onto the world stage as an important player in the realms of economics, politics, diplomacy and culture. Reflecting ingenuity, humanity and foresight, the 2030 Vision expresses the Emir's wish to develop his people and his country in order for Qatar to sustain its influence, as well as lead, in these – and other – fields.

Seen through the prism of the Vision's principles, judicial and legal education is key to Qatar's continued advancement in human, social and economic development. Educational investment in the professional development of Qatari lawyers and judges translates into a social investment in the architecture of Qatar's legal and judicial system and the service it offers its individual and business customers. This, in turn, supports a commercial investment in building a stable and diverse economy where businesses may invest and resolve disputes safely and confidently, as well as a reputational investment through Qatar's evolution into an international centre of legal and judicial excellence.

As a young nation state, Qatar has made significant strides towards achievement in all spheres, with the law being no exception. The pace of development has been impressively rapid, by any country's standards. And yet, keen to continue developing apace and maintain its modernising momentum, Qatar has engaged in more legal and judicial developments including hosting the first ever Global Symposium on Judicial and Legal Education in March 2012.

The proposals in this report are designed to support this vision.

UNDERSTANDING THE PRESENT (CHAPTERS 2 AND 3)

Recognising the key role for legal and judicial education in the delivery of the 2030 Vision, the Qatar International Court and Dispute Resolution Centre commissioned this report[2] into how legal and judicial education in Qatar might be improved even further. Plans for the future must be founded on an understanding of what already exists in Qatar. They must also take into account examples of good practice from around the world, drawing on the papers and discussion at the Global Symposium on Judicial and Legal Education. They must reflect the opinions of national and international judges and lawyers in Qatar, as well as internationally renowned experts who we interviewed.[3]

BUILDING THE FUTURE: JUDICIAL AND LEGAL EDUCATION IN QATAR (CHAPTERS 4 – 7)

Our proposals are designed to enable Qatar to create a structure for judicial and professional legal education which, while drawing on best practice from around the world, fits the specific context, which exists in Qatar and the Gulf region.

Step 1: The creation of the Qatar International Judicial and Legal Education Institute

The Centre for Legal and Judicial Studies (CLJS) has established a proven record of training aspiring Qatari judges and lawyers. Building upon past and present achievements, we propose that there should be created a new state-of-the-art International Judicial and Legal Education Institute. This could be achieved by the existing Centre working in partnership with other key Qatari stakeholders, in particular the Qatar Foundation, Qatar University[4] and/or the new Hamad Bin Khalifa University or through the creation of a new stand-alone Institute.

Step 2: Defining principles for the International Institute

The new Institute would draw upon recognised international benchmarks for professional legal and judicial education and work in partnership with leading national and international institutions and educators to create a system of professional legal and judicial education that is tailor-made for the development of Qatari judges and lawyers to work to international standards.

The Institute would offer specially devised accredited programmes for trainee, junior and senior judges and lawyers. Courses would also be offered to international lawyers who practise in Qatar to enable them to better understand the local context in which they operate. A key feature of the new arrangements would be the provision of opportunities for Qatari lawyers and judges to spend some studying overseas.

This would lead to the creation of a high calibre corps of judges and lawyers well-equipped to serve the needs of an increasingly globalised legal marketplace within a local, Qatari framework.

The institute would serve as a model for excellence in the region, attracting judges and lawyers from neighbouring countries at all stages of their careers.

Step 3: The development of a holistic, flexible approach to judicial and legal education

Looking back at the evolution of judicial and legal education across the world, we have observed how new and pioneering developments can all too often crystallise into rigid and inflexible teaching methods, processes and institutions. As a modern and modernising country, Qatar has the energy and ability to excel across all fields, and to introduce a fresh, holistic approach towards its legal and judicial training needs. We recommend that, through the proposed Institute, Qatar takes an innovative approach towards crafting a flexible and responsive education strategy which

2. The Terms of Reference for the project are set out in Appendix 2.
3. A short note on our methodology is set out in Appendix 3.

incorporates a diverse range of training styles and methods to facilitate its constant evolution. Our specific recommendations relate to:

- Introducing collaborations with domestic and international partners from across the world as regards content design and delivery;
- Providing a mixture of annual and ad hoc courses comprising a wide spectrum of qualifications including accredited modules, as well as vocational and postgraduate programmes;
- Taking a geographically innovative approach to course instruction including: utilising national and international teaching talent to deliver courses in situ; providing online instruction; and granting travel scholarships (of differing lengths and formats) to enable travel to overseas courses and conferences as well as participation in training placements;
- Using cutting-edge technology to aid flexible delivery of courses and facilitate international dialogue on legal issues of mutual importance (e.g. online streaming of lectures; webinars; podcasts; videoconferencing); and
- Increasing emphasis upon professional skills, work placements and mentorships to provide students with relevant context for their studies as well a solid grounding in their chosen vocations and professional support from the beginning of their careers.

Step 4: Shaping the curriculum
Drawing on current best international practice, the Institute would develop programmes for both professional legal education and judicial training designed to ensure that Qatari lawyers and judges have the skills and confidence to perform at the highest international levels.

LONG-TERM STRATEGY (CHAPTER 8)

In Chapter 8, we consider the longer-term issues which a judicial and legal education initiative might encompass, including: regulation of domestic and international lawyers; opening up alternative points of entry to the legal and judicial profession; and the development of a specialised judiciary.

CONCLUSION (CHAPTER 9)

Qatar has developed with a modernising pace that is unparalleled in the rest of the world. Yet, it is a sign of the wisdom and foresight of Qatar's leadership that important advances continue to be made, and planned, across all fields of development. With the enthusiasm for reform that has been displayed in areas as diverse as economics, politics, diplomacy, technology and culture, Qatar shows particular promise for excellence and leadership in the areas of judicial and legal education, which are of pivotal importance to the overall success of the 2030 Vision.

4. HBKU and Harvard Law School, via its Institute for Global Law and Policy (IGLP) have recently discussed the possibility of establishing a graduate law school (a doctoral programme, a research institute and a faculty development programme).

CHAPTER 1

INTRODUCTION AND VISION

INTRODUCTION AND VISION

In the Qatar National Vision, 2030, His Highness the Emir, Hamad bin Khalifa Al-Thani, set out a bold and challenging vision aimed at transforming his nation into an advanced country by 2030. He wants Qatar to be capable of sustaining its own development and providing a high standard of living for all its people for generations to come.

Delivering Qatar's National Vision, 2030 relies on four principles:

1. Human Development, to enable Qataris to sustain a prosperous society.
2. Economic Development, to create a competitive and diversified economy capable of meeting the needs of, and securing a high standard of living for, all its people for the present and for the future.
3. Environmental Development, to manage the environment so that there is harmony between economic growth, social development and environmental protection.
4. Social Development, to ensure there is just and caring society based on high moral standards, and capable of playing a significant role in the global partnership for development.

At the heart of these ambitions is education. The National Vision, 2030 states that Qatar aims to build a modern world-class educational system that provides students with a first-rate education, comparable to that offered anywhere in the world. The system will be designed to provide citizens with excellent training and opportunities to develop to their full potential, preparing them for success in a changing world with increasingly complex technical requirements.

In this context, the National Vision, 2030 argues that educational curricula and training programmes should

- respond to the current and future needs of the labour market;
- offer high quality educational and training opportunities appropriate to each individual's aspirations and abilities; and
- put in place accessible educational programmes for life-long learning.

The National Vision, 2030 also wants to ensure increased and diversified participation of Qataris in the workforce. This is to be achieved through:

- Broad investments in certification and training programmes by public and private institutions;
- Incentives for Qataris to enter professional and management roles in the business, health and educational sectors;
- High quality training opportunities for all citizens, corresponding to their ambitions and abilities; and
- Increased opportunities and vocational support for Qatari women

It is against this aspirational background that this report presents proposals for ways to develop legal and judicial education which will contribute to the Emir's vision. Our proposals are designed:

- To enable Qataris to participate at international standards in the practice of law; and
- To ensure that Qataris can play a full part in the adjudication and resolution of disputes, in particular those associated with the major international activities in which Qatar is engaged.

These proposals also support Qatar's desire to promote the rule of law and transparency.

The focus of the project and this report is on the legal and judicial education that is particularly appropriate for lawyers and judges working in international civil and commercial contexts in Qatar. The Qatari economy depends on global businesses having confidence that Qatar is a country that upholds the rule of law with a strong and impartial judiciary and with well-trained and -educated legal professionals, all of whom understand the international legal context within which global business has to operate. Thus we do not specifically consider the requirements for those judges and lawyers who practise in Qatar dealing with exclusively Qatari issues, such as criminal and family law. Of course, developments in legal and judicial training in the international civil and commercial law context may have an impact on Qatari legal and judicial training more generally. However, this is not the focus for this report.

CHAPTER 2

UNDERSTANDING WHAT ALREADY EXISTS

UNDERSTANDING WHAT ALREADY EXISTS

> The Islamic, customary and Western civil law influences upon Qatar's legal development have been followed by Western common law influences.

The Qatari legal system and its laws are built on a complex mixture of Islamic, customary, Egyptian and Western civil and common law influences.

Historically, Qatar drew its law from custom which had developed amongst its different tribes. Disputes were resolved by local sheikhs.

With the advent of the Shari'a courts in the 18th century, custom was combined with Islamic law and used as the formal method of resolving disputes. Power accordingly shifted from local sheikhs to the courts. This development marked the end of some customary practices such as blood feuds. Where any gaps in Shari'a law existed, they were often filled by customary law. Shari'a remains integral to Qatar's legal system and Article 1 of the Constitution states that, "Islamic Shariah is the main source of Qatar's legislation".

During the time of the British protectorate between 1916 and 1971, the British established a special court to deal with disputes involving non-Muslims who were typically foreign workers in the petroleum industry. The court applied British common law and any appeals resulting from its decisions went to the Privy Council. This system supplemented rather than supplanted the Shari'a courts already in existence in Qatar.

When the protectorate ended in 1971, so too did the court that the British had created. A civil and commercial court, known as the Adlia court, was established to take its place and the duality of Qatar's Shari'a and Adlia judicial system continued until these courts were unified into a single structure in 1999. At the same time, a third (upper) tier of court - the Court of Cassation – was added to the Courts of First Instance and the Court of Appeal.

As a young nation, Qatar looked to Egypt as the source of inspiration for the development of its own legal and judicial system. As with many other countries in the region, Qatar's early laws and constitution were drafted by Egyptian jurists and modelled on Egyptian versions. The Egyptian legal system had in turn inherited influences from the Ottomans as well as the French, including the Napoleonic Code. This diversity was transplanted to Qatar adding to its rich legal tradition. With a legal framework inspired by Egypt and a dearth of local jurists, legal and judicial talent was recruited from Egypt, as well as other Middle Eastern countries. Over forty years after gaining its independence, the link between Qatar and Egypt continues to endure; for example, a twinning agreement between the Courts of Cassation of both countries was signed in February 2012.

The Islamic, customary and Western civil law influences upon Qatar's legal development have been followed by Western common law influences. The globalisation of business activity has been accompanied by the globalisation of law, leading to the increased use of UK and New York common law. With the discovery of oil and gas, Qatar has attracted many international businesses to its shores, and with these businesses has come the increased use of common law contract.

The Qatar Financial Centre (QFC) was established in 2005 to attract international financial services institutions and major multi-national corporations and to encourage participation in the growing market for financial services in Qatar and elsewhere in the region by providing the stability, security and certainty required for investment; allowing 100% ownership by foreign companies and creating the Qatar International Court and Dispute Resolution Centre (QICDRC) to resolve any disputes which may arise in the course of business. The QICDRC adopts practices and procedures which are similar to those found in common law systems.

THE COURTS AND THE JUDICIARY

There are three main tiers of domestic courts in the state of Qatar:

- the Court of First Instance;
- the Court of Appeal; and
- the Cassation Court which was created in 1999.

There also exist courts with specialised jurisdictions, including family, labour, administrative, constitutional and military courts.

In addition to this, the Qatar International Court and Dispute Resolution Centre (QICDRC) was established in 2005. All judges are appointed by Emiri Decree based on the recommendation of the Supreme Judicial Council for renewable three-year terms.

All of the country's courts are based in Doha.

The Judicial Authority Law requires all judges who sit in Qatar's three main tiers of domestic courts to be either Qatari nationals or nationals of other Arab countries. At present, approximately 60% of judges originate from other Middle Eastern countries. The majority of non-Qatari judges are Egyptian whilst Sudanese judges form the next largest category of non-Qatari judges. Non-Qatari judges are also recruited from other regional nations.

The recruitment of regional judges may be attributed to the influence exerted by Egypt and Sudan to legal development in Qatar; similarities shared between the Qatari legal system and those of other Middle Eastern countries; and the comparatively small numbers of Qatari jurists available to fill these roles.

The QICDRC (as it is now known) was established by His Highness The Emir Sheikh Hamad bin Khalifa Al-Thani as part of the national strategy to attract international business and financial services into Qatar, and to provide a modern specialist court with international expertise to resolve disputes between institutions and other bodies in Qatar.

In a very important innovation, the QICDRC has also introduced alternative dispute resolution (ADR) services for those parties who are in disputes but who prefer to resolve their differences through mediation or arbitration rather than litigation. This is a remarkable innovation given that in most jurisdictions, ADR is offered outside the court structure, rather than as a service which is integral to the work of the court.

A Regulatory Tribunal has also been established to act as an appeal body for decisions of the Qatar Financial Centre Regulatory Authority. The Court and Tribunal are courts of the State of Qatar. Its judges are all lawyers who have considerable experience of resolving complex disputes in their own countries. At present, the large majority of judges appointed to the Court and Tribunal originate from common law jurisdictions.

A Global Symposium on Judicial and Legal Education was held in Doha

LEGAL PRACTITIONERS

There are three categories of legal practitioner we consider here:

- Those working in local law firms;
- Those working for international law firms under Qatari licences;
- Those working for international law firms under licences granted by the Qatar Financial Centre Authority

LOCAL LAW FIRMS

Local law firms are typically headed or co-founded by a Qatari national. Nevertheless, the majority of lawyers currently employed in these firms are non-Qataris. This reflects the shortage of Qatari national lawyers qualified and available to work in these firms.

As Arabic is the lingua franca of much local legal business, the majority of non-Qatari lawyers working in local law firms originate from other Middle Eastern countries where they have been educated and trained.

> The Qatar International Court and Dispute Resolution Centre (QICDRC) was established in 2005.

INTERNATIONAL LAW FIRMS WITH QATARI LICENCES

Only three international law firms are currently licensed by the Qatar Government to practise law in the state of Qatar:

- Simmons & Simmons (UK);
- Patton Boggs (USA); and
- UGGC (Fr).

There are no plans to widen access to the local legal market to other international law firms. There are two key benefits of having a government licence: such law firms are able to give advice on Qatari law as well as appear at local court hearings and arbitrations without the need for an affiliation with a local law firm.

INTERNATIONAL LAW FIRMS LICENSED BY THE QFCA

Firms conducting financial services in or from the QFC are regulated by the Qatar Financial Centre Regulatory Authority, the independent regulatory body of the Qatar Financial Centre.

International law firms that wish to practise within the QFC must be licensed by the Qatar Financial Centre Authority. International law firms are prevented by law from providing advice on Qatari law. In practice, this limitation is ameliorated by firms establishing affiliations with local Qatari law firms which are able to provide opinions on Qatari law. Unlike local law practices, international law firms may be 100% foreign-owned.

When deciding whether to award a licence, the QFCA applies a list of criteria[5] , as well as any other factors it deems relevant in order to further its objectives to establish, develop and promote the QFC as a leading location for international finance and business with a legal and regulatory structure that complies with international best practice. Twenty-two law firms currently hold active licences from the QFCA.[6]

The licence is issued once and a fee paid in respect of it on an annual basis. The QFCA has the power to fine firms or even to revoke licences in the event of misfeasance. However, as legal regulation falls outside of the scope of the QFCA, responsibility for this lies with individual law firms and the legal professional bodies in the home jurisdictions from which they have come.

> The Judicial Authority Law states that preparation for a judicial career should take 3-5 years following graduation from law school.

JUDICIAL AND PROFESSIONAL LEGAL EDUCATION

JUDGES SITTING IN QATARI COURTS

The Judicial Authority Law states that preparation for a judicial career should take 3-5 years following graduation from law school. The judicial training process currently takes three years. Aspiring judges must first follow a vocational course for ten months, which is held by the Centre for Legal and Judicial Studies, a division of the Qatar Ministry of Justice. They must then complete a two-year apprenticeship as an Assistant Judge. The CLJS course is similar in focus to the vocational training offered to prospective lawyers (see description below).

Judges in Qatar are not required to undertake post-qualification training courses. However many have chosen to take optional courses offered to them including short and longer-term programmes both at home and abroad. In addition, Qatar has explored the possibility of, and embarked upon, judicial co-operation schemes with other countries, including France, and the appointment of a liaison judge has facilitated relations and knowledge exchange between the two countries.

LEGAL PRACTITIONERS

1 THOSE PRACTISING IN LOCAL LAW FIRMS:

Those intending to practise law in Qatar choose to study at home or at other universities in the

5. (i) a list of the professional bodies to which the Applicant is associated and/or regulated by; (ii) details of any codes of practice or rules to which the Applicant complies; (iii) a list of the laws and jurisdictions in which the Applicant and its lawyers are qualified to practise; (iv) a list of any investigations undertaken by any regulatory body that regulates the Applicant; (v) details of the types of Clients and matters that the Applicant has worked on in the past; (vi) the extent to which the Applicant has shown its qualification to practice particular areas of law in support of different Permitted Activities to the standard that shall apply in the QFC; (vii) the extent to which the Applicant has demonstrated that its core areas of practice are not readily available from provider

Middle East and the West.

Although Qatar boasts a range of universities, at present only Qatar University teaches law. Qatar University was established in 1977. However, the College of Law was not created until 2004. Until then, law was taught under the auspices of the College of Sharia, Law, & Islamic Studies. In 2011, the College of Law admitted about 120 students.

Since 2004, the College of Law has made several amendments to its curriculum, including the core subjects which law students are required to take. While these core subjects share similarities with mandatory curricula taught elsewhere (e.g. the law of obligations; criminal law; constitutional law; administrative law), there are also important differences which reflect Qatari needs and commercial priorities. For example, Oil and Gas Law is a compulsory subject, as are procedural and practical subjects such as advocacy, legal research and drafting, and a mandatory externship. Indeed, recent years have seen increased emphasis placed upon practical "lawyering" skills.

Upon graduation from law school, those intending to practise law in the state of Qatar must follow a six-month vocational course held by the Centre for Legal and Judicial Studies. This course has recently become a mandatory requirement for prospective lawyers. The course is taught by staff from Qatar University's College of Law as well as external consultants. It is not held at a fixed time each year but rather once a sufficient number of students have enrolled onto it. The course covers academic subjects including public law; civil and commercial law; Islamic law; and criminal law. In this sense, its material overlaps substantially with the undergraduate law programme taught at Qatar University. The course also covers practical subjects including legal research; drafting; legal reasoning; and field visits.

Since 2006, prospective lawyers have also been required to undertake an apprenticeship following successful completion of the vocational course. Prospective lawyers must complete an 18-month placement at a law firm or a two-year placement in public legal service (e.g. the judiciary, public prosecution, Ministry of Justice or legal departments of other government ministries, public institutions or bodies).

Although there is no obligation upon Qatari lawyers to undertake continuing legal education, individual law firms have made differing levels of investment in training, and ad hoc training initiatives have been set up. For example, the American Bar Association's Rule of Law Initiative (ABA ROLI) conducted a continuing legal education ("CLE") programme in May 2009 which focused upon recent developments in Qatari legislation. Between 2011 and 2012, ABA ROLI in association with Qatar University and the U.S. Department of State Middle East Partnership Initiative (MEPI) has also created and delivered several intensive CLE courses called Essential Skills for New Lawyers and Legal Professionals. The focus of these courses was upon developing lawyering skills for new Qatari and other Middle Eastern practitioners, encompassing such subjects as advocacy, negotiation, arbitration and drafting. In addition to this, ABA ROLI and Qatar University hosted a two-day conference in 2009 on "Legal Education in the Arab World" which brought together legal academics from across the region.

The Law Society and College of Law of England and Wales have also established the Gulf Lawyers' Professional Training Programme, which provides courses to lawyers from all jurisdictions at an early stage in their career on substantive law as well as practical skills.

2 THOSE PRACTISING IN INTERNATIONAL LAW FIRMS

International law firms in Qatar are staffed by a majority of non-Qatari nationals who have qualified as lawyers in jurisdictions overseas. There is no single approach taken by international law firms towards continuing legal education. Although largely individual in character, their policies on training depend to varying extents upon the rules of their home professional bodies. Although much training is delivered in-house, international law firms have also taken part in such initiatives as the Gulf Lawyers' Professional Training Programme.

Prospective lawyers must complete an 18-month placement at a law firm or a two-year placement in public legal service

of legal services already available in the State of Qatar or elsewhere in the region; (viii) details of the Applicants professional indemnity insurance cover; (ix) such other criteria as the QFCA may consider relevant or necessary.

6. A copy of the QFCA Public Register as it relates to licensed law firms appears at Appendix 7.

CHAPTER 3

THE GLOBAL SYMPOSIUM, MARCH 2012

THE GLOBAL SYMPOSIUM, MARCH 2012

The organisation and delivery of the Global Symposium on Legal and Judicial Education took place in the early months of 2012. The event was held in Doha on March 6th 2012. [7]

The Symposium was opened by the then-President of the Centre for Legal and Judicial Studies (CLJS), Dr Mubarak bin Nasser Al-Hajri, who explained that the aim of the Symposium was to consider different models of educational provision for lawyers and judges with a view to developing international standards, as envisaged in the 2030 vision.

Dr Al-Hajri presented a very valuable account of the current role of CLJS to the symposium, which described the current arrangements and future ambitions for the Centre and the work it undertakes in relation to professional and judicial legal education[8]. This set the context against which the experience of other countries was considered[9].

The presentations and discussion at the Symposium considered judicial and professional legal education.

We have also taken into account comments made on professional and judicial training at the Doha Forum on the Rule of Law, held in May 2012.

From these discussions, we have drawn the following examples of good international practice. They are listed under the following headings:

1. Judicial education and training
   a. Basic principles – recruitment to the judiciary
   b. Educational objectives
   c. The teaching approach
   d. The requirements for an elite court
   e. Implications for the rule of law

2. Professional legal education
   a. The structure of professional legal education
   b. Determining the core curriculum and setting standards
   c. Continuing professional development
   d. Implications for the rule of law

> In Qatar, judges who work in the domestic courts are recruited and trained through the Qatar Centre for Legal and Judicial Studies

1. JUDICIAL EDUCATION AND TRAINING

a. Basic principles – the point of recruitment to the judiciary
The Global Symposium demonstrated that, worldwide, there have been significant developments in judicial education in recent years. One of the basic issues that arose from the papers and the discussion is that the shape of judicial education and training varies fundamentally between jurisdictions that operate with a career judiciary, where judges may be recruited at an early stage after leaving university (for example in France) and do not have prior experience as a law practitioner, and those jurisdictions where judges are recruited from lawyers only after they have had a number of years' experience of the practice of law.

In Qatar, judges who work in the domestic courts are recruited and trained through the Qatar Centre for Legal and Judicial Studies. Similarly in France, judges undergo an extended period of education. This involves instruction in substantive law and procedure and periods of practice-based experience.

Where, as in many common law jurisdictions, judges are recruited from lawyers with practice experience, it was for many years assumed that their practical experience meant that they had all the legal skill required to become a judge. This complacent view has been supplanted over the last 20-30 years by the recognition that the skills of the practitioner, though useful and relevant, are not the same as the skills needed to become a judge.

7. The programme for the Symposium is set out in Appendix 4. A summary of the papers and discussion is at Appendix 5.
8. The full text of his paper is reproduced at Appendix 6.
9. Tables summarising legal and judicial education in the countries represented by the Symposium speakers are contained in Appendix 7.

b.Educational objectives
Whether judicial training is for a career judiciary or for the conversion of legal practitioners to become judges, the objectives of judicial education remain broadly similar. These were well summarised by Judge Oxner in her presentation to the Symposium as:

- impartiality;
- competency;
- efficiency; and
- effectiveness.

She added that the achievement of these objectives was essential as it would lead to community confidence in the judiciary.

The fundamental and obvious difference between judicial training for a career judiciary and for a 'conversion' judiciary was in the amount of time that had to be devoted to the former as opposed to the latter.

As regards the curriculum for judicial training, this was in general determined by the judges themselves. In some countries this followed a 'needs analysis' in which judges were asked both what subjects they would find useful to study and also how they would like to study.

One of the trends that emerged from the papers and discussion is that in recent years judicial training has in many jurisdictions moved from instruction in substantive rules of law, practice and procedure, and has become more focused on core judicial skills such as listening, decision writing, and managing cases being presented to the court. (These courses in judgecraft, the skills of performing the judicial role, were of course in addition to more traditional courses and seminars on substantive law and court procedure.)

One of the trends that emerged is that in recent years judicial training has in many jurisdictions moved from instruction in substantive rules of law, practice and procedure, and has become more focused on core judicial skills

In some jurisdictions, attention was now also being given to judicial training in different forms of alternative dispute resolution such as mediation and arbitration in order that judges might have a better understanding of the potential value of these techniques in the resolution of disputes, particularly civil and family disputes.

It was also important that judges undertake continuing education and training. It is something required throughout a judicial career. Obviously training is important to enable judges to keep abreast of changes in the law. Further, experience shows that even experienced judges benefit from further training. It has to be acknowledged that this is not always welcomed, but the problem can be overcome by making the training sessions attractive and part of the judge's working time.

Professor Martin Partington and Sir David Keene at the Global Symposium on Judicial and Legal Education

c.The teaching approach
In addition to the expansion of the curricula of judicial education in many jurisdictions, there have also been significant changes to the teaching approach. Early practice, of having formal classroom/lecture based modes of instruction had been replaced by a wider variety of learning and teaching approaches including: workshops; role-play; and small group discussion. In addition in some jurisdictions, judicial education modules were available online or through tutorials provided by electronic means. A significant advantage of instruction in small groups is that it encourages trainee or inexperienced judges to ask questions, which they may be reluctant to do in large groups.

These approaches had been developed from educational research that suggested that more mature students responded more positively to these forms of educational approach, and that the outcomes of such approaches were more effective.

d.The requirements for an elite court
The symposium did not directly address the question of what particular skills might be needed for judges who sat in the most senior/elite courts. Indeed there was some evidence that in some jurisdictions, 'elite judges' were excused from formal judicial training requirements.

However, a number of observations were made which, by implication reflected on judicial requirements for an elite court. These included: experience at other judicial levels; awareness of the social and economic contexts within which they performed their roles; the importance of the elite judiciary being independent and above corruption. It was thought to be very important that judges themselves play a central role in the development and delivery of courses for the elite judiciary.

In the specific Qatari context, it was observed that – given the potential functions of an elite judiciary in the resolution of international commercial disputes – ability in the English language as well as Arabic would be an essential requirement.

e.Implications for the Rule of Law
The importance of the rule of law for Qatar has already been clearly recognised by the creation of the International Centre for Rule of Law and Anti-Corruption, a key element in the country's modernisation programme. Qatar has clearly acknowledged that international acceptance that Qatar is a country where the rule of law is maintained is essential for Qatar's diplomatic and commercial reputation.

Attendees at the Qatar International Law Forum on the Rule of Law also spent much time considering the meaning of the rule of law and, in particular, the role of the judiciary in protecting the rule of law. The following points in particular were made:

- Judges must be independent from interference by government. One of the key responsibilities for the judiciary is to ensure that individual rights and protected from unjustified government interference;
- A judicial career must be seen as a goal that talented lawyers should aspire to; this means that judges must be treated with the same respect as other key figures in society;
- Judges must be recruited through an open and transparent appointment process.
- In addition, and to protect judges from the temptations of corruption, it is important that they are paid at salary levels that reflect this objective; nothing undermines the legitimacy of the judiciary more quickly than a belief that decisions can be bought by parties, irrespective of legal merit;
- Judges need to be immune from the possibility of losing their jobs, except where corruption or other clear indications of unfitness to be a judge can be proved; and
- Judicial education should embrace discussion of ethical issues, such as considering the constraints on behaviour in court and in a judge's private life, and understanding when there are conflicts of interest which prevent a judge from deciding a particular case.

> The importance of the rule of law for Qatar has already been clearly recognised by the creation of the International Centre for Rule of Law and Anti-Corruption

2.PROFESSIONAL LEGAL EDUCATION

a.Structure of professional legal education
Despite enormous variations of detail, the discussions at the Global Symposium and the knowledge derived from our wider researches reveal that there are a number of common features which have evolved over the years in relation to professional legal education.

The most significant is that professional legal education has developed to cover three principal stages of professional formation:

a. an academic stage;
b. a professional training stage; and
c. a continuing education stage.

In many countries the professional training stage is further divided into a taught component and an apprenticeship/experiential component.

Although for the purpose of analysis these three stages may be seen as quite separate, in practice

they are often mixed up with, for example, some experiential learning in law firms (which might be regarded as part of the professional training stage) being undertaken as part of the academic stage. The compulsory externship programme required by the College of Law at QU is a clear example.

THE ACADEMIC STAGE

The academic stage consists, generally, of instruction and evaluation of student performance in those key subjects which it is thought that all those intending to practise law in a particular country should understand. The size and content of the core curriculum varies as between different countries and different jurisdictions.

Elements of the core curriculum may also, of course, be determined by local conditions. As noted above, instruction in oil and gas law is a core element in the Qatar law programme – for obvious economic and commercial reasons.

Although the key elements of professional legal education may be clearly defined, different jurisdictions vary very widely in how they deliver these components.

For example, in many countries, notably the US and Canada, the academic stage of legal education is undertaken as a postgraduate course, following the completion of an undergraduate degree in another subject. In other countries, such as Australia, the academic stage is taken at the undergraduate level but as a combined degree with another subject also studied at the undergraduate level. In the UK, the academic stage is most often taken either as a stand-alone undergraduate degree lasting three years, or as a much shorter one-year postgraduate diploma course.

In Qatar, many Qataris study law at the undergraduate level either at QU or in other law schools in the Middle East and the West.

THE PROFESSIONAL TRAINING STAGE

The key feature of the modern professional training stage is to ensure that potential young practising lawyers are introduced to the key skills that they will need in their professional lives.

In some countries these programmes are offered through traditional classroom-based activities such as lectures and seminars. Increasingly, however, such programmes are also taught through practical workshops, with more formal tuition being provided online.

However much instruction is provided in the classroom, the ability to practise effectively as a lawyer cannot be developed without practical experience. This is why in many countries a period of apprenticeship is required before a new lawyer can start to practise on his/her own. For example, in England, after finishing formal instruction in the academic and professional training stages, potential solicitors must complete 2 years of employment in a law firm undertaking a variety of different types of legal activity (at least 4 different types). This is known as the training contract. Barristers are also required to undertake a period of apprenticeship known as pupillage; this must last for at least 12 months.

There are also variations in what is known as the 'point of qualification'. There are different points at which those intending to become professional lawyers can legitimately label themselves as a lawyer. For example, again in England, a potential solicitor cannot under current rules describe him or herself as such until completion of their training contract; by contrast barristers can describe themselves as such immediately after they have successfully completed the Bar Professional Training Course, though they cannot earn fees for the first six months of pupillage. In Canada, Australia and France, the point of qualification is generally located after the completion of academic, vocational and practical training (i.e. after the apprenticeship stage).

However much instruction is provided in the classroom, the ability to practise effectively as a lawyer cannot be developed without practical experience

b.Determining the curriculum and setting standards
Responsibility for determining the content of the core curriculum of the academic stage also varies. It is common for the principal elements to be determined by the legal profession, for example bar associations or other bodies representing the legal profession. In some countries these standards are linked to other regulatory activity designed to ensure that qualified legal practitioners are in a position to deliver high quality legal services to their clients.

In relation to the curriculum for the professional stage of training, it is often assumed that because the core knowledge of substantive law has been studied at the academic stage of legal education, many jurisdictions now accept that it is more important to introduce those intending to practise law to the skills needed for the practice of law. Thus, in addition to traditional skills of legal research and legal procedure, these professional training courses frequently now also include other key skills, for example:

- legal writing;
- legal drafting;
- problem solving;
- client interviewing;
- negotiation;
- litigation; and
- the use of alternative dispute resolution such as mediation and arbitration.

As with the core curriculum the curriculum for the professional stage of training is determined in many countries by the bar associations or other bodies representing the legal profession.

c.Continuing professional development (CPD)
The third element in professional legal education which is now widely required is continuing professional development. Given that law claims to be a 'learned profession', it follows that those practising law should ensure that they have kept themselves up to date in developments in the law. This is particularly important in an increasingly globalised economy where knowledge about the substantive and procedural law of more than one jurisdiction is crucial to serve international global clients.

Despite the importance in principle of CPD, many jurisdictions are extremely flexible in the methods by which legal practitioners may receive their CPD. They may include: attendance at conferences; reading legal journals; and delivering presentations to legal seminars. In most jurisdictions, practitioners are required only to certify that they have fulfilled their CPD requirements – which in the main are determined by their bar association (or equivalent).

This has led some to ask whether the CPD requirement should be made more rigorous, for example by requiring practitioners to undergo some form of assessment of their newly acquired knowledge. Others argue to the contrary that such assessments not needed as the knowledge of practitioners is tested in practice through the work that is done for clients. There is debate about the extent to which practitioners should be subjected to external standard setting by regulators; moves to improve consumer protection may lead eventually to a stricter regime for compliance with CPD requirements.

d.Implications for the Rule of Law
Discussion at the Qatar Law Forum on the rule of law emphasised a number of important issues which relate to the legal profession as much as to the judiciary.

a. It is important that questions of ethics should be included in the training of modern legal professionals;
b. It is important that lawyers are able to demonstrate their independence, so that they can take on unpopular cases or cases that may be seen as challenging official government policies;
c. It is important to recognise that lawyers do have an important role to play in society, in both the social and economic spheres;
d. The rule of law is fundamental to good governance and transparency. International commercial activity depends on countries adhering to the principle of the rule of law. This gives entrepreneurs the confidence to do business in those countries; and
e. The rule of law is also central to a country's wider diplomatic and moral authority in the world community.

CHAPTER 4

BUILDING THE FUTURE, STEP 1

The creation of the Qatar International Judicial and Legal Education Institute

BUILDING THE FUTURE, STEP 1

THE CREATION OF THE QATAR INTERNATIONAL JUDICIAL AND LEGAL EDUCATION INSTITUTE

The Centre for Legal and Judicial Studies (CLJS) was established in 2001. Since its creation, the Centre has made significant advances in the field of legal and judicial training. All aspiring Qatari judges and lawyers must undergo a period of study there as part of the qualification process. Teaching is delivered by consultants, drawn largely from the College of Law at Qatar University. The syllabus also reflects, in part, the undergraduate course content taught at the College of Law, and features a combination of academic and skills-based subjects. Courses are held at the Centre once a sufficient number of students have enrolled, and teaching is delivered in classrooms at its premises. The existing Centre for Legal and Judicial Studies has made significant progress in ensuring that Qatari lawyers and judges, both Qatari nationals and those brought in from other jurisdictions, are able to deliver legal services to appropriate professional standards[10].

In the decade since its establishment, the CLJS has gained considerable experience and expertise in educating Qatari lawyers and judges. We propose that these achievements be used as the platform for the next stages in the development of Qatari legal and judicial education. Building upon past and present achievements, we propose that there should be created a new state-of-the-art International Judicial and Legal Education Institute. This could be achieved by the existing Centre working in partnership with other key Qatari stakeholders, in particular the Qatar Foundation, Qatar University and/or the new Hamad Bin Khalifa University. Or it could be provided by the creation of a new stand-alone Institute.

Such a development would, in our judgment, lead to the creation of a high calibre corps of judges and lawyers well equipped to serve the needs of an increasingly globalised legal marketplace within a local, Qatari framework. It would also reinforce Qatar's reputation as a leader in the region and beyond. Our consultations have indicated that such a new Institute is required to create the framework within which Qatari lawyers and judges will be able to operate at the international levels envisaged by the National Vision, 2030.

> We have concluded that, at this stage, there needs to be a distinct Qatari solution which has the same effect of setting standards of education and training as are found in other countries

The discussion at the Global Symposium suggested that in many countries there was a marked division in the responsibilities for the creation of the frameworks for legal professional education on the one hand and judicial education and training on the other; the former under the control of the legal profession, the latter under the control of the judiciary.

We have considered whether this divided responsibility would be appropriate in the specific context of Qatar. We have concluded that if rapid steps are to be made in meeting the aspirations of the 2030 Vision, this would probably not be the most effective way forward, at least in the short term.

In most countries where the responsibilities for legal professional training are separated from those of judicial education and training, there are powerful bar associations, or similar organisations of professional lawyers, who set the rules for professional education and training as part of their overall regulatory functions of the legal profession.

Such regulatory bodies do not currently exist in Qatar. We do not think that the rather small size of the Qatari Bar would make the creation of a stand-alone Bar Association a cost-effective option at the stage in the development of Qatar.

We have concluded that, at this stage, there needs to be a distinct Qatari solution which has the same effect of setting standards of education and training as are found in other countries but which operates within a rather particular institutional framework. We consider further options for future development in Chapter 8.

As set out above, our proposal is, either, that the existing Centre for Legal and Judicial Studies should be expanded and transformed into a new Qatar International Judicial and Legal Education Institute; or that there should be created a new stand-alone Qatar International Judicial and Legal Education Institute.

Whichever option is adopted, we recommend that the Institute should be run by a Board, comprised

10. Further detail of the courses arranged by CLJS is set out in Appendix 6.

of representatives drawn from the principal Qatari bodies responsible for the delivery of the educational policies contained in the National Vision, 2030. In particular, these should include, in our view, the Qatar Foundation, Qatar University and/or the new Hamad Bin Khalifa University, the Ministry of Justice, the Supreme Judiciary Council, and the Qatar International Court and Dispute Resolution Centre.

In order to ensure that the Institute operates to international standards, we further recommend that the Board should be advised by a strong Advisory Panel whose members would represent those with particular interests in the delivery by Qataris of legal and judicial services at the international level. The Advisory Panel should comprise representatives from, for example:

- The Qatar Chamber of Commerce
- International and national law firms operating in Qatar
- The Attorney-General's Office
- International Centre for Rule of Law and Anti-Corruption

The Advisory Panel would assist the Centre in the development of the programmes of education and training required to achieve the legal aspects of the National Vision, 2030.

The day-to-day functioning of the Institute would be the responsibility of a Chief Executive, who would be responsible for planning and ensuring the delivery of two streams of work:

- judicial education and training; and
- professional legal education.

In order to ensure that the Institute operates to international standards, we further recommend that the Board should be advised by a strong Advisory Panel

CHAPTER 5

BUILDING THE FUTURE, STEP 2

Defining principles for the International Institute

BUILDING THE FUTURE, STEP 2

DEFINING PRINCIPLES FOR THE INTERNATIONAL INSTITUTE

Drawing on contributions made at the global symposium and the consultations we have undertaken, we think that the proposed International Institute should adopt the following founding principles.

1.AN INTERNATIONAL FOCUS

Qatar has consistently proven itself to be a regional and global leader in a wide range of fields: from politics and diplomacy, to the arts and sciences, as well as economics and technology. Qatar's advances have also encompassed important legal achievements including the establishment of the Qatar International Court and Dispute Resolution Centre and the creation of the International Centre for the Rule of Law and Anti-Corruption, as well as hosting the Rule of Law Forum in 2009 and 2012 and the first Global Symposium on Judicial and Legal Education in March 2012.

Many have expressed the wish that Qatar continues to demonstrate leadership in all fields – including the law. We suggest that one important way that Qatar could do this is through the proposed creation of the International Institute for Judicial and Legal Education. This would lead to the development of a world-class body of judges and lawyers, and provide an unparalleled opportunity for Qatar to set the pace of regional legal development, both in terms of the quality of the professional legal services it is able to deliver to clients, and in its ability to contribute to the resolution of the disputes that inevitably arise.

The Qatar International Judicial and Legal Education Institute would draw upon recognised international benchmarks for professional legal and judicial education. It should work in partnership with leading national and international institutions and educators to create a system that is tailor-made for the development of Qatari judges and lawyers to international standards.

The institute would also serve as a model for excellence in the region, attracting judges and lawyers from neighbouring countries at all stages of their careers. This would represent an important step towards achieving Qatar's goal of developing a modern and sustainable knowledge-based economy. Although several countries have national institutes for judicial and legal education, an international institute such as is proposed in this report would represent a unique and cutting edge innovation.

> The institute would also serve as a model for excellence in the region, attracting judges and lawyers from neighbouring countries at all stages of their careers.

We also recommend that Qataris undergoing programmes of either professional legal or judicial training should have the opportunity to undertake at least some of that training abroad in other jurisdictions.

2.REINFORCEMENT OF EXISTING COURSES FOR TRAINEE JUDGES AND LAWYERS

The proposed International Institute should also reinforce existing courses currently offered to trainee judges and lawyers in the following ways:

a. Increased vocational focus: The Qatar International Judicial and Legal Education Institute should build upon CLJS's existing training programme for aspiring judges and lawyers by including more vocational subjects on the syllabus e.g. legal writing; legal research; "judge craft"; oral communication and dispute resolution skills; ethics and professional responsibility; as well as procedural and evidence-based courses;

b. Reduced academic focus: The CLJS has worked very hard to ensure that students who have completed their law degrees overseas are given a comprehensive grounding in Qatari law. This has necessarily resulted in partial duplication with the LL.B programme at Qatar University. We recommend that academic courses relating to Qatari law are retained but as additional subjects on the curriculum for foreign-educated students;

c. Rigorous assessment: The CLJS has set exacting standards for its students to meet. We support the strengthening of these high standards through additional assessments; varied methods of assessment; and reinforced attendance requirements. To recognise the accomplishment that course completion entails, we recommend that students are awarded with an appropriate

qualification in addition to the attendance certificates that they currently receive;

d. Contextual training: Trainee lawyers and judges in Qatar are already required to undertake a period of workplace training before qualification. The College of Law at Qatar University has also introduced a successful externship programme for its students. Having surveyed numerous systems of judicial and legal education, we are firmly persuaded of the merits of practical training as a means of contextualising education and improving knowledge absorption. To this end, we recommend the inclusion of short shadowing placements, court visits and international study tours; and

e. Regular course timings: We recommend that vocational courses for trainee judges and lawyers be held at the same time each year to facilitate improved planning for institute staff and students alike. With anticipated demand for such courses from neighbouring countries, it is likely that this will be easier to achieve than has previously been the case.

3.CONTINUING PROFESSIONAL DEVELOPMENT

Continuing professional development through continuing legal education is now an internationally accepted requirement for both practising lawyers and judges. The proposed Qatar International Judicial and Legal Education Institute should therefore be required to offer specially devised accredited programmes for qualified judges and lawyers – at all stages of their careers.

In line with best practice in many leading jurisdictions, we recommend the introduction of compulsory continuing legal education as well as stipulations regarding the number of hours to be completed each year. We also suggest that consideration be given to the question of mandatory subjects to be included within the scope of continuing education-related activities.

a. Compulsory requirement: Having looked at the practices of a wide range of jurisdictions, we conclude that compulsory continuing education supports the development of a high calibre, professional corps of judges and lawyers that is best placed to serve individual and institutional users and engenders full confidence in the justice system;

b. Minimum number of hours: We recommend the introduction of a minimum number of hours to be devoted to continuing education on an annual basis. This would encourage the effectiveness of continuing legal education and the development of a legal and judicial culture committed to the spirit of lifelong learning;

c. Variety of subjects: We propose that continuing education comprise a range of subjects including substantive law and procedural updates, professional skills, and ethics-based courses. We suggest that consideration be given to mandating the number of hours that should be completed for each type of subject;

d. Variety of training forms: We recommend that continuing education be delivered in a flexible manner, so as to comprise a diverse set of training techniques including face-to-face and online delivery. In order to maintain quality and rigour of continuing education, we suggest that courses are accredited by the Institute; and

e. Limits and prohibitions upon certain activities: Following on from this point, we propose that consideration be given to the notion of placing limits and/or prohibitions upon certain activities (e.g. whether credit should be given to preparation and delivery of lessons, listening/watching recorded material) and the extent to which any such restrictions should operate in order to ensure that the spirit and purpose of continuing education is not circumvented.

Professor Martin Partington at the Global Symposium on Judicial and Legal Education

> We recommend the introduction of a minimum number of hours to be devoted to continuing education on an annual basis

4.TRAINING FOR ALL

It is desirable that the Institute should include within its remit the continuing education of all lawyers and judges working in Qatar. It is of utmost importance that fair and consistent standards are applied irrespective of a practitioner or judge's background. To this end, we recommend that any legal and judicial education strategy should seek to encompass the training of international lawyers and judges who practise in Qatar to enable them to better understand the local context in which they operate.

5.DEDICATED FACILITIES

To emphasise the importance of the creation of the Qatar International Judicial and Legal Education Institute, it should be provided with a standard of accommodation which befits a world-class institution. Such accommodation should enable courses to be delivered to varying class sizes; through differing formats (e.g. lectures, seminars); and using the latest technological innovations in course delivery (e.g. audio-visual equipment, video conferencing).

> It is desirable that the Institute should include within its remit the continuing education of all lawyers and judges working in Qatar.

CHAPTER 6

BUILDING THE FUTURE, STEP 3

The development of a holistic, flexible approach to judicial and legal education

BUILDING THE FUTURE, STEP 3

THE DEVELOPMENT OF A HOLISTIC, FLEXIBLE APPROACH TO JUDICIAL AND LEGAL EDUCATION

Looking back at the evolution of judicial and legal education across the world, we have observed that new and pioneering developments often crystallise into rigid and inflexible teaching methods, processes and institutions.

As a modern and modernising country, Qatar has the energy and ability to excel across all fields, and to introduce a fresh, holistic approach towards its legal and judicial training needs. We recommend that Qatar adopt an innovative approach towards crafting a flexible and responsive judicial and legal education strategy which incorporates a diverse range of training styles and methods to facilitate its constant evolution.

The details of the programmes to be offered by the Institute would be for the Board to determine, working on schemes to be prepared by the Chief Executive and his/her team, taking into account advice from the Advisory Board.

However, the creation of the new Institute would afford Qatar a unique opportunity to develop programmes of legal and judicial education and training that are appropriate for its needs. This would also enable Qatar to operate at the cutting edge of educational innovation.

In order to achieve these ambitious goals, the International Institute should be responsible for:

- Introducing collaborations with domestic and international partners from across the world as regards course content design and delivery;
- Providing a mixture of regular and ad hoc courses comprising a wide spectrum of qualifications including accredited modules, as well as vocational and postgraduate programmes;
- Taking a geographically innovative approach to course instruction including: utilising national and international teaching talent to deliver courses in situ; providing online instruction; and granting travel scholarships (of differing lengths and formats) to enable travel to overseas courses and conferences as well as participation in training placements;
- Using cutting-edge technology to aid flexible delivery of courses and facilitate international dialogue on legal issues of mutual importance (e.g. online streaming of lectures; webinars; podcasts; videoconferencing); and
- Increasing emphasis upon professional skills, work placements and mentorships to provide students with relevant context for their studies as well a solid grounding in their chosen vocations and professional support from the beginning of their careers.

> We recommend the development of a wide network of partnerships between the Institute and national, regional and international educators

In addition assuming that the Institute should have available to it high quality teaching space in which it can offer those parts of the programme that are most appropriate for delivering directly, the Institute should consider the sponsorship of other activities For example, there might be an Annual Distinguished Visitor Lecture; or an annual Judicial Conference. We think that the Institute would also benefit from the availability of some accommodation for visiting faculty who may come to Doha as part of the overall activities of the Institute.

1.COLLABORATIONS

We recommend the development of a wide network of partnerships between the Institute and national, regional and international educators. Natural national partners include Qatar University and the Qatar Foundation: the former because of its proven expertise in the delivery of academic legal studies, and the latter because of its forward-looking vision and considerable experience in creating educational initiatives and forging external connections. These are the reasons why we recommend that representatives of QF, QU and/or HBKU should be members of the Board of the International Institute.

Whilst representing a force for innovation in the field of judicial and legal education, the Institute would initially tread along footsteps taken by training institutions that have embarked upon similar journeys. We suggest that much is to be gained from such organisations, particularly those which have been established recently and whose lessons are still fresh and useful to impart (e.g. the National Judicial College of Australia established in 2002). A lot too may be learned from national

organisations that have an established record of delivering legal and judicial education such as vocational legal institutes and judicial colleges, as well as those which have established international programmes in collaboration with local partners (e.g. the LL.M and S.J.D. programme held jointly by New York University and the National University of Singapore).

However, as referred to elsewhere in our report, no single country or institution can credibly claim to possess the most effective method of legal and judicial education. Indeed, debate is continually ongoing as to what such a method might be – if, indeed, one does exist. Therefore, whilst national, regional and international exchange and dialogue will prove to be of immense importance to the growth and development of the Institute, the lack of international consensus on the ideal form of legal and judicial education will need to be borne in mind so as to allow its flexible evolution in the Qatari context.

We envisage that the courses offered by the Institute would feature a mixture of professional and academic courses.

2.VARIETY OF QUALIFICATIONS

We propose that the Institute provide a wide spectrum of qualifications tailored to suit its diverse student base. Drawing students from the ranks of the judiciary and legal profession, at all stages of their careers, and from Qatar and beyond, it is important that the Institute's course offerings target their specific training requirements.

We envisage that the courses offered by the Institute would feature a mixture of professional and academic courses. Most of these would comprise intensive vocational courses for trainee judges and lawyers, as well as ad hoc, accredited continuing education courses for qualified professionals. Besides the standard fare typically offered by continuing legal education providers (e.g. substantive law and procedure updates, ethics and professional responsibility, and skills-based courses), the Institute could also provide introductory modules on the Qatari legal system to international judges and lawyers, as well as cross-cultural awareness and language courses in Arabic and English (including Legal Arabic and English).

Following on from Qatar Foundation's scoping study on having a postgraduate, academic legal presence in Qatar, we also suggest that consideration be given to the introduction of a LL.M programme at the Institute held in partnership with a "twinning" university (or universities) and/or delivered by a combination of distinguished faculty members from home and abroad. (This could build on the pioneering initiative announced by the new Hamad Bin Khalifa University with Harvard University, see above note 4.)

3.GEOGRAPHICALLY INNOVATIVE APPROACH

We envisage that the student base and teaching staff at the Institute would include a strong international contingent. Given its international character, we propose that the Institute would need to take a geographically innovative approach to course instruction including: utilising national and international teaching talent to deliver courses in situ; and providing online instruction to facilitate international teaching and exchange.

We believe in the enormous benefits that international dialogue can bring to a student's professional, academic and personal development. We therefore recommend that the Institute actively facilitate cross-cultural exchanges through granting travel scholarships (of differing lengths and formats) to enable travel to overseas courses and conferences as well as participation in training placements.

4.CUTTING-EDGE TECHNOLOGY

As a significant proportion of the Institute's faculty would be likely to consist of international staff, we propose the use of cutting-edge technology to aid flexible delivery of courses. Using such technology would also facilitate international dialogue on legal issues of mutual importance. To this end, we would suggest the online streaming of lectures; webinars; podcasts; and videoconferencing. As mentioned elsewhere, it is of vital importance that the Institute's facilities support the use of such technology to maximise student learning opportunities.

5.PROFESSIONAL TRAINING

Having conducted a review of legal and judicial training in different jurisdictions, we have become increasingly persuaded of the merits of combining professional studies with practical experience. This is particularly the case with a vocational subject such as law. Practical experience provides students with relevant context for their studies as well a solid grounding in their chosen vocations from the outset of their careers. This is of immeasurable importance given the competitive, globalised nature of the legal marketplace and the economic difficulties currently impacting it.

Support for an increased focus on practical experience has gained ground in law schools worldwide, where increased emphasis has been placed upon professional skills, work placements and mentorships. Indeed, the College of Law at Qatar University has launched a successful externship programme, which matches its students with law firms and legal departments within the public and private sectors in Qatar. It has also introduced more skills-based modules onto the curriculum, including Legal Research and Writing, and Advocacy Skills.

We propose that the Institute demonstrates a strong commitment to practical learning in all facets of its work, but particularly through its courses, teaching staff, extra-curricular activities and professional support. Vocational courses should be designed to provide students with the knowledge and skills that are of most relevance to the professional lives of judges and lawyers. As far as is possible, vocational courses ought to be delivered by teachers who have solid, current/recent professional experience. The Institute should also offer extra-curricular activities and professional support which best prepare its students for a career in law (e.g. skills-related competitions such as negotiations; "day trips" to local law firms and courts as well as international study visits; externships and mentorships).

> The Institute should also offer extra-curricular activities and professional support which best prepare its students for a career in law

CHAPTER 7

BUILDING THE FUTURE, STEP 4

Shaping the curriculum

BUILDING THE FUTURE, STEP 4

SHAPING THE CURRICULUM

While the Institute will be innovative in terms of the delivery of its programmes, it will also need to play a key role in setting the curriculum for the courses that are provided for both judges and lawyers. Here we think international experience has much to offer by way of fundamental ideas.

EDUCATING LAWYERS

As we noted above, in the case of education and training for legal professionals, there seems to be a global consensus that professional legal education should be provided in three stages (though they may be mixed in practice):

- an academic stage
- an apprenticeship stage
- a continuing legal education stage.

The function of the Institute would be to discuss with its partners, in particular QF, QU and/or HBKU, as well as law firms practising in Doha and other representatives on the Advisory Board, the particular mix that would be regarded as essential for Qatari lawyers to undergo to enable them to practice at the international level, which would therefore make up the academic stage of professional formation.

One early decision that would be required would be the extent to which instruction should be in English as well as Arabic. We understand that QU already requires at least one course to be studied in English. The Institute would have to decide how much more instruction should be required in English.

As regards the apprenticeship stage, QU already requires its students to engage in an externship programme. We think this should be built on so that all new entrants to the legal profession have at least some experience of practice before starting their professional work as a lawyer,

As regards continuing legal education, the complexity of the modern world and the demands of major international clients suggests that a continuing legal education component would be required to ensure that Qatari lawyers are up-to-date and thus able to deliver high quality legal services to their clients.

> In our discussions, several judges in Qatar expressed a desire to engage in continuing professional training.

EDUCATING AND TRAINING THE JUDICIARY

As regards judicial education, as the Global symposium revealed, there is an enormous division, at the initial training stage, between jurisdictions that recruit to the judiciary those with previous professional experience as lawyers and those which recruit without such previous experience.

The requirements for formal instruction in the law are much more extensive for the latter group than for the former. Again, and depending on policy in relation to recruitment to the judiciary, it will be for the Institute to decide what the balance should be between courses for those starting the study of law from the beginning, and those offered to those joining the judiciary with some background experience of practice.

Two important lessons emerge from our survey of international practice in judicial education:

- First, the method of delivery of courses must be appropriate for those training as judges;
- Second, there has been increasing international recognition of the importance of training in judicial skills (sometimes called judgecraft) as well as in formal rules of law and procedure.

In our discussions, several judges in Qatar expressed a desire to engage in continuing professional training. They gave the same reasons for this as those articulated by judges undergoing judicial training schemes overseas: to improve their knowledge and skills. One of the early tasks of the proposed Institute would be to undertake a training needs survey to find out more precisely what types of education and training would be most useful for the judiciary.

In order to emphasise the commitment to the independence of the judiciary, a central role in the development of judicial training should be played by the Supreme Judicial Council.

FURTHER RESEARCH

In the time available for this project, it has not been possible to undertake detailed research into specific programmes of professional and judicial education which might form the basis for further development in Qatar. It is likely that such a research exercise would be of assistance, should the recommendations in this report be taken forward.

> There has been increasing international recognition of the importance of training in judicial skills as well as in formal rules of law and procedure

CHAPTER 8

LONGER-TERM OBJECTIVES

BUILDING THE FUTURE, STEP 4

SHAPING THE CURRICULUM

As noted earlier in this report, within a relatively short space of time, Qatar has made remarkable advancements across a wide range of spheres and has demonstrated a commitment to advance even further. Qatar's commitment to legal development has resulted in the creation of a healthy, functioning legal and judicial system and an unrelenting desire for continued improvement. We envisage that the introduction of our report recommendations will help advance Qatar's ambitions even further, by contributing to the development of a world-class legal profession and judiciary, key components in enabling Qatar successfully to transform itself into a knowledge-based economy.

The creation of the Qatar International Judicial and Legal Education Institute and development of vocational and continuing education on the lines set out in previous chapters would, in our view, have a transformative effect on legal training, taking Qatar further along its course of legal evolution.

However, the success of Qatar's vision in respect of its legal and judicial system extends beyond the short-term strategy encapsulated in our report. Having consulted members of both the judiciary and legal profession in Qatar, we have observed that attaining the goals of legal and judicial education is dependent upon other factors, too. These other factors include: regulation of the legal profession; alternative entry to the judiciary and legal profession; and judicial specialisation.

1.REGULATION OF THE LEGAL PROFESSION

Improved vocational training and the introduction of compulsory continuing education for judges and lawyers would represent a significant step towards Qatar's legal development. We have recommended that these should be introduced.

> Qatar's commitment to legal development has resulted in the creation of a healthy, functioning legal and judicial system and an unrelenting desire for continued improvement.

However, without an organisation to monitor and enforce compliance with continuing education requirements, educational reforms will have a more limited effect than they should have. This could have negative consequences for the wider, strategic goal of continuing legal education in terms of creating a high calibre body of judges and lawyers, attracting increased economic activity in Qatar and serving as a regional leader.

At present, there is no regulatory body with responsibility for the quality control of lawyers and the delivery of legal services in Qatar generally. We understand that Qatar is introducing regulation in the financial sector and in health. We also note, more generally, that the introduction of regulation is a necessary step in achieving the standards envisaged in the Qatar National Vision, 2030. The absence of professional regulation could have the effect of undermining international confidence in Qatari legal services. Such effects could lead to adverse repercussions for the strategic goals referred to above.

As a corollary issue, the absence of a legal regulator has knock-on discriminatory effects regarding the licensing of law firms in the Qatar Financial Centre. As we have seen earlier, international law firms that wish to practise in Qatar must be licensed by the QFCA. One of the conditions of licensing is that the Senior Executive Fellow ("SEF") of the law firm must be a member of a suitable professional body in another country in which they are entitled to practise.

The bar associations in some countries are not currently considered by the Qatari authorities to have the requisite professional standing and regulatory control. This means that some potentially capable professionals are prevented from attaining the position of SEF within international law firms in the QFC. This discriminatory effect, and the potential consequences of it, could be overcome by the creation of a legal regulatory body in Qatar which sets in its sights the regulation of all lawyers working within its borders.

We therefore recommend that consideration be given to the creation of a body to regulate the legal profession to address these issues. Some have suggested creatively that regard may be given to the possibility of "outsourcing" legal regulation to existing bodies in other countries whilst Qatar creates its own regulatory solution. This may represent an innovative short-term solution whilst plans for a domestic regulator are developed.

2.ALTERNATIVE ENTRY TO THE JUDICIARY AND LEGAL PROFESSION

In keeping with its civil law tradition, Qatar has a career judiciary. As such, it is not required that judicial posts are preceded by a period of legal practice. Given the small pool of experienced Qatari practitioners, recruiting judges at an early stage of their careers has proven to be an easier and preferable practice as is the case in other Gulf countries such as Oman.

However, Qatar is in a comparatively early phase of its legal development and it is expected that this picture will change with a growing legal community and increasing numbers of mature lawyers emerging in the future.

Consideration may therefore need to be given to alternative paths of entry to the judiciary and the benefits that legal practice-based experience may give to the judicial profession.

As we have already seen, the legal profession in Qatar does not preclude from admission graduates of law schools located outside Qatar. The law profession in Qatar is strengthened by the diversity that this open and flexible approach affords. We believe that this progressive and forward-thinking attitude could usefully be applied to the question of pre-admission legal training.

In order to enrol on the vocational training course, aspiring lawyers are currently required to be engaged in practical training with a local law firm or in-house lawyers of a local company or government department. Furthermore, the full period of legal training must be completed in these environments in order to gain admission to the legal profession in Qatar.

Unfortunately, this currently prevents access to the profession by those who have completed legal training with in-house legal departments of international businesses or international law firms in Qatar. By excluding them from admission, Qatar is prevented from capitalising upon their talents and enriching its legal profession with the additional diversity that they would bring.

We suggest that consideration be given to opening up the legal profession to the wealth of professional experiences that Qatari lawyers from non-traditional backgrounds have to offer.

3.JUDICIAL SPECIALISATION

Some consultees expressed the desire for Qatari courts to become specialised. Judges currently have a general practice working in diverse areas of law. Increased specialisation would support the development of an expert body of judges able to work to the highest standards of quality and efficiency. Consultees also suggested the development of judicial specialisations to address established and emerging economic needs (e.g. energy and construction).

We think it likely that as Qatari legal expertise becomes increasingly recognised that there will be a need for greater judicial specialisation.

One particular challenge must be addressed. Qatar's international commercial aspirations suggest to us that Qatar's judges and lawyers must also have an international perspective. We note that already there are some compulsory courses taught on the law programme at QU College of Law that are delivered in English. We think this is a trend that is likely to be required in other parts of the professional and judicial curriculum as well.

CHAPTER 9

CONCLUSION AND RECOMMENDATIONS

CONCLUSION AND RECOMMENDATIONS

Qatar has developed at a pace that is unparalleled in the rest of the world. Yet, it is a sign of the foresight of Qatar's leadership that important advances continue to be made and planned across all fields of development. Building on the enthusiasm for reform that has been displayed in areas as diverse as economics, politics, diplomacy, technology and culture, Qatar now wants to set out ideas for excellence and leadership in the areas of judicial and legal education, which are of pivotal importance to the overall success of the 2030 Vision.

This report sets out proposals designed to ensure that the lawyers and judges who practise in Qatar are able to contribute fully to the National Vision 2030.

> Qatar now wants to set out ideas for excellence and leadership in the areas of judicial and legal education, which are of pivotal importance to the overall success of the 2030 Vision.

At the heart of this report is a proposal to create a new Qatar International Judicial and Legal Education Institute, either through an expansion of the existing Centre for Legal and Judicial Studies or by the creation of a new body.

In either case, we recommend that the Centre by run by a Chief Executive, guided by a Board including representatives of key Qatari agencies, in particular Qatar Foundation, Qatar University and/or the new Hamad Bin Khalifa University. The Board should be supported by an Advisory Council representing a wider range of legal interests in Qatar.

The Institute should provide both initial and continuing legal training for judges and legal practitioners designed to enable Qatari lawyers and judges to participate fully in the international legal marketplace that underpins so much of the economic activity currently occurring in Qatar.

The Institute should be able to innovate in the provision of courses through collaboration with international contributors, and the use of cutting-edge technology.

Reflecting international developments, there should be a clear focus on training in professional skills as well as in substantive rules of law.

In the longer term, consideration will need to be given to issues such as the regulation of the legal profession in Qatar, and alternative modes of entry to the judiciary and legal profession.

APPENDIX 1

BIOGRAPHIES

BIOGRAPHIES

PROFESSOR MARTIN PARTINGTON, CBE, QC

Professor Martin Partington CBE, QC is now an emeritus Professor of Law at the University of Bristol, where he was Dean of Law (1988-1992). He was also Dean of Social Sciences at Brunel University West London (1985-1987). He was a Barrister, and remains a door tenant at Arden Chambers, London. He is a Bencher of Middle Temple. He also sat as a part-time social security judge.

From 2001-2005 he was a Law Commissioner for England and Wales, (2001- 2005) and Special Consultant to the Law Commission (2006-2008). He is also Chair of the Board of The Dispute Service (2010- date).

He has served on numerous public bodies, including the Education and Training Committee of the Law Society, the Judicial Studies Board, the Council on Tribunals, and the Civil Justice Council. He was a Specialist Consultant to the Leggatt Review of Tribunals. He is a past Chair of the Committee of Heads of University Law Schools in the UK. He was appointed CBE in 2002, and made an honorary QC in 2008.

CHLOË KESHREE SMYTHE

Chloë Smythe has over ten years of experience in legal research, policy and management. Before pursuing a career in legal practice, Chloë was Deputy Chief Executive of the Civil Justice Council, England's leading civil justice think tank and watchdog. In this role, she was active in leading projects relating to legal education and dispute resolution. In addition to her work in legal practice, Chloë is also Senior Analyst (International Law & Human Rights) at the Global Governance Institute, an independent Brussels-based think tank.

Chloë was one of three students in her year to be selected by the University of Leicester to convert from LL.B Law to LL.B International Law and to spend a third year of study at the National University of Singapore. She was Called to the Bar as a Queen Mother scholar, and later graduated from the LL.M programme at the University of Toronto as a Commonwealth scholar. She also holds a Certificate in Persian (Distinction)

APPENDIX 2

TERMS OF REFERENCE

TERMS OF REFERENCE

In preparing this report, we have worked to the following terms of reference:

a. To conduct a study of existing practice and future need for Judicial and Legal Education training in Qatar, and more widely in the Arab Nations.

b. To develop and facilitate a Judicial and Legal Symposium, inviting the five leading judicial and legal training jurisdictions (UK, USA, France, Canada and Australia) to contribute papers on needs and best practice for judicial and legal education, and to engage in a discussion on training needs and strategy

c. To review existing provision of legal and judicial training, and make recommendations to meet the medium term and longer term needs of Qatari and Qatar-based lawyers and judiciary

d. To consider the feasibility of establishing an International Centre for Judicial and Legal Training in Qatar

e. To report to the President and CEO of the Qatar International Court following completion of the above tasks.

APPENDIX 3

A NOTE ON METHODOLOGY

A NOTE ON METHODOLOGY

n the time available we consulted as widely as possible with those concerned with the future development of legal and judicial education in Qatar. These include:

- judges,
- government officials,
- legal practitioners, and
- legal educators.

We spoke to people based both in Qatar and other countries in the Gulf region.

We have drawn heavily on the contributions made by speakers at the Global Symposium held in Doha in March 2012. The Programme of the Symposium is at Appendix 4. A summary of the presentations and discussion is at Appendix 5.

We have also sought to reflect important themes relevant to legal and judicial education and training that emerged during the Qatar International Law Forum on the Rule of Law, held in Doha in May 2012.

APPENDIX 4

PROGRAMME

PROGRAMME

Global Symposium on Judicial and Legal Education
Developing International Standards in Qatar
8-9 March 2012

Wednesday 7 March 2012

8.00 pm	Pre-Symposium dinner for speakers

Thursday 8 March 2012

8.00	Coffee and Registration
8.30	Symposium opening and welcome: (i) Dr Mubarak Al Hajri, Chair of the Conference, President of the Qatar Centre for Judicial and Legal Studies; (ii) Sir David Keene, Vice-Chair of the Conference, Justice of the Qatar International Court and Dispute Resolution Centre
8.45	Aims of the symposium: Professor Martin Partington, Facilitator for the Conference
9.00	Part 1: Educating the judiciary – international experience Australia: Professor Greg Reinhardt, Australian Institute of Judicial Administration France: Roger Errera, Conseil d'Etat UK: His Honour Judge John Phillips, Judicial College Canada: Judge (R) Sandra E. Oxner, Commonwealth Judicial Education Institute USA: Judge Laughrey,
10.15	Break: Coffee
10.45	Discussion: development of ideas for Qatar
11.45	Part 2: Professional legal education and formation Australia: Christopher Roper, University of Sydney France: Professor Catherine Kessedjian, University of Paris II (Panthéon-Assas) UK: Professor Martin Partington USA: Professor Judith Wenger (Visiting Professor QU)
1.00	Lunch
2.15	Regional developments: Paul J. Simonett, American Bar Association Rule of Law Initiative
2.30	Discussion: development of ideas for Qatar
3.30	Next Steps: Professor Martin Partington
3.45	Closing remarks: Sir David Keene Dr Mubarak Al Hajri
4.00	Symposium Close

Friday 9 March 2012

9.00	Roundtable discussion: symposium speakers

APPENDIX 5

GLOBAL SYMPOSIUM:
SUMMARY OF PRESENTATIONS AND DISCUSSION

GLOBAL SYMPOSIUM: SUMMARY OF PRESENTATIONS AND DISCUSSION

JUDICIAL EDUCATION

PRESENTATIONS

Professor Greg Reinhardt (Executive Director, Australasian Institute of Judicial Administration) pointed out the recent nature of developments in judicial education in Australia. Although several state bodies were - and still are - involved in the delivery of judicial education, it was not until the creation of the National Judicial College in 2002 that a national body was established for that purpose. Judicial education in Australia is broad in its focus and courses are conducted for all types of judicial officers as well as court staff. Judicial education is delivered across the trajectory of a judge's career and through a variety of forms including courses and conferences. Professor Reinhardt drew the attention of delegates to Australia's National Standard and National Curriculum for Judicial Professional Development.

Roger Errera (Conseiller d' Etat honoraire) gave a presentation on judicial education in France. Roger Errera explained that like other European continental countries, France had a career judiciary. He set out the three routes to entry into the judicial profession: training at the Ecole Nationale de la Magistrature (ENM); a special competitive exam; and through direct admission, after vetting. He then concentrated his attention on the first of these routes to entry, examining the three ways that one may enter the ENM, as well as the training content and assessment methods that it employs. He informed delegates that continuing judicial education is compulsory in France, and discussed the content and format of training; the use of e-learning; the capacity for foreign exchange within training programmes; and the outcomes of continuing judicial education.

Judge John Phillips (Director of Studies, Judicial College) gave an account of judicial education in England and Wales. The Judicial College is responsible for training all judges including tribunal members, and has an annual budget of 48.7 million riyals. Judge Phillips described the judicial education content as comprising substantive legal topics; skills-based subjects; and social context issues, and referred to the judge-led nature of course design and delivery. He remarked upon the effectiveness of active participation and small group training as methods of delivering judicial education, and discussed the provision of short induction training for new judges (5 days) and mandatory continuing education (3-4 days per year). He contrasted the common law entry to the judicial profession with its civil law counterpart, and also commented upon the desirability of dedicated training premises for the Judicial College.

Sandra Oxner (Chair, Commonwealth Judicial Education Institute) gave a presentation on judicial education best practices in Canada and the rest of the Commonwealth, and explained that some Commonwealth countries have a career judiciary. She placed judicial education in its jurisdictional context, informing delegates that the practitioner background of Canadian judges and their role as fact-finders impacts upon the training that they require and receive. She listed the objectives of judicial education as impartiality; competency; efficiency; and effectiveness, stating that achievement of these objectives leads to community confidence in the judiciary. Judge Oxner discussed features that both encourage and threaten judicial impartiality. She also related to the audience the different methods of delivering adult education, and the average rate that information learned though these different methods is retained by students.

Judge Nanette Laughrey (Western District of Missouri & Central and East European Law Initiative) gave an overview of judicial education in the United States. She explained that the Federal Justice Center was established in 1967 to provide judicial training, and that in 2010 it had a budget of 100 million riyals. Judge Laughrey described the content and delivery methods of courses provided by the Center, some of which are provided on a distance-learning basis. Judge Laughrey also informed delegates that although judicial education is a voluntary undertaking in the States, the level of

participation is quite high because of the incentives provided to judges as well as their own desire to develop professionally. Judge Laughrey discussed orientation training for new judges (i.e. two one-week sessions) and continuing judicial education.

DISCUSSION

A discussion followed the presentations on judicial education, and encompassed the following topics:

- The central role of a global outlook to the role and functions of domestic judges across the world, and the growing need to view law in its global context with increasing international exchanges and challenges;
- Common and civil law differences and the challenges presented by training provided between the two systems;
- The desirability of judicial recruitment from diverse sources especially in countries where there is not a sufficiently large pool of experienced legal practitioners and the possibility of short- and longer-term approaches to judicial recruitment;
- The availability of free training from international bodies to judges of different jurisdictions;
- The aptitude of Qatar to develop as a centre of international judicial excellence.

LEGAL EDUCATION

PRESENTATIONS

Christopher Roper (Adjunct Professor, University of Sydney) delivered a presentation on legal education in Australia. He explained that law is never studied alone at university but as part of a double degree or as a second degree. There are 11 mandatory degree subjects that must be taken in order to pursue a career in legal practice. Practical legal training must also follow completion of the law degree in order to subsequently practise. This course is institution-based; more practical in delivery and content; taught for six months (full-time); and not followed by bar examinations. Continuing legal education is mandatory for all legal practitioners (usually consisting of 10 hours per year) and is delivered by a wide range of providers. Professor Roper concluded his presentation with reference to the desirable attributes of future lawyers, including knowledge of other languages; legal systems; and cultures.

Professor Catherine Kessedjian (University of Paris II, Pantheon-Assas) considered the influence of the legal services market upon the content of academic legal education in France. As a result of this influence, the historical emphasis upon generalist education has been replaced in more recent times by a more specialised curriculum. As in other civil law countries, law may be studied as a first degree. Following the European Union reforms aimed at harmonising the route to legal qualification in member states, French students follow an undergraduate law degree for three years, followed by a two-year Masters programme. Professor Kessedjian also considered the extent to which law students may study comparative and international legal subjects, contrasting this with the training programme for student judges.

Professor Martin Partington covered the subject of legal education in England & Wales. After giving an overview of the diverse body of legal practitioners and the regulatory structure for legal services, he described the academic stage of legal qualification and the degree subjects which must be studied

in order to practise. Professor Partington summarised the professional courses and apprenticeships for solicitors and barristers. He then turned the attention of delegates to continuing legal education, which is mandatory for both solicitors and barristers (16 and 12-15 hours respectively per year), and flexible in delivery. Lawyers take responsibility for reporting on their compliance with rules regarding continuing legal education, with non-compliance or failure to report both sanctionable breaches of the professional rules.

Professor Judith Welch Wegner (University of North Carolina) centred her presentation on legal education in the United States. In this jurisdiction, law is studied as a second degree, and incorporates both practical content and teaching methods, as well as some required courses. Following university, students must sit state bar examinations in order to pursue a career in legal practice. However, qualification as a lawyer does not require the completion of an apprenticeship. Continuing legal education is mandatory for practitioners and, although requirements differ between states, many mandate the completion of 12 hours per year. Continuing legal education is delivered through a range of providers and formats (including online courses). Professor Welch Wegner referred to the increase in practical education, and also considered the qualities deemed to make a lawyer effective.

DISCUSSION

The presentations on legal education were followed by a dynamic discussion of a range of topics including:

- The need for diverse solutions to improving legal education;
- The benefits of academic legal training at undergraduate and postgraduate level;
- The linguistic challenge presented by the growing internationalisation of and use of English in some areas of legal practice and the need to retain local language and culture;
- The need for standards for international law firms as well as local law practices;
- Bridging the gap between common and civil law countries.

APPENDIX 6

THE ESTABLISHMENT OF THE 'CENTER FOR LEGAL AND JUDICIAL STUDIES' AND ITS DEVELOPMENT

THE ESTABLISHMENT OF THE 'CENTER FOR LEGAL AND JUDICIAL STUDIES' AND ITS DEVELOPMENT

The Center for Legal and Judicial Studies (CLJS) was created under Law (Act) No. (8) of 2001. Its creation heralds the start of a new and important step in the training of professionals qualified to work in the legal and public prosecution fields. The Center is the first such establishment in the region, the result of the pioneering vision of the State of Qatar concerning the early training of legal and judicial personnel.

The Center started its work in 2002. After 3 successful years, the Center expanded into legal research and spreading legal culture. Then Law (Act) No. (29) of 2005 was issued, amending some of the underlying law applying to the Center, and adding two further categories of training: 1. trainee lawyers, and 2. judicial (impounding) officers. Furthermore, the act enabled the Center to organize seminars and meetings of a legal, judicial and jurisprudential nature, and seminars on Islamic jurisprudence, and to publish legal journals and periodicals.

In 2009, four years after the establishment of the Center, Emiri ruling No. (54) of 2009 was issued. This is the present legally binding act, which further enables the Center to accomplish its duties.

The Center is under the Ministry of Justice, but is a separate legal entity.
The Minister of Justice lays down the Center's policies, supervises their implementation, and determines short-term plans for the Center.

The Center has a Director appointed by the Prime Minister, after nomination by the Minister of Justice. He may also appoint an assistant to the Director, to replace the Director should his post become vacant. The Director may assign some of duties to his assistant. The Director represents the Center before the court, and in its relations with other organizations.

The Director carries out the technical, financial, and administrative duties of the Center, in line with the Center's general policy, and in accordance with the rules and regulations in force. Most importantly, the Director proposes short-term plans and presents them to the Minister; presents an annual report to the Minister about the Center's activities, achievements, and difficulties encountered; devises suitable solutions as well as proposes assessments and resolutions to enhance and reform the activities of the Center. Furthermore, the Director carries out all other work assigned by the Minister.

The Center consists of the following administrative units (departments):

1- Public relations and communication unit
2- Studies and research unit
3- Training unit

EXPERTISE OF THE CENTER:

Emiri resolution No. (54) of 2009, article 3, specified that the Center should aim to achieve the following:

1- Train judges, prosecutors, and legal assistants, enabling them develop and constantly update their practical and applied skills
2- Train associate judges and law enforcement officers, so as to ensure their skills are constantly developed to cope with the work assigned to them
3- Train lawyers
4- Prepare suitably qualified people, as nominated by the Supreme Judiciary Council and the

Supreme Public Prosecutor, to work for the judiciary and public prosecution service
5- Constantly develop and increase research into legal and judicial training, and hold seminars and meetings, as well as publish legal journals and periodicals

FUTURE PLANS OF THE CENTER

The center works intensely hard on training legal and judicial professionals, to enable them to keep pace with the rapid changes the world is witnessing in all aspects of life; and who will be familiar and up to date with changing legislation. To achieve this, the Center is pioneering programs and plans especially designed to improve and advance law and justice in the future.

Among these plans are:

1- Providing work places compatible with the Center's activities
2- Updating training programs commensurate with the progress of the legislative system
3- Incorporating, as for as possible, recommendations and proposals of conferences of other legal and judicial centers and institutes
4- Reaching the level of the best legal and judicial centers and institutions in the developed world, as consistent with the character of Qatari society
5- Organizing debates and discussion forums on modern legal and judicial subjects
6- Arranging cooperation protocols between the Center and international legal and judicial centers and institutions, to follow international developments in the fields of legal and judicial education and training
7- Organizing specialized courses for each group of legal professionals, to deepen their respective legal specialization
8- Increasing the Center's contribution in spreading legal awareness among different segments of society by publishing legal research and studies in the Center's journal, as well as publishing a calendar of forthcoming debates and cultural events, and distributing them free
9- Setting up a digital library in the Center, to take advantage of technological progress in the field of storage and data retrieval and information sources, hence saving a great deal of time for researchers

TRAINING PROCESS IN THE CENTER

Training is the main task of the Center. Its organization is covered by a number of provisions of the above-mentioned Emiri resolution, and by the 'training directive' laid down by the Minister of Justice in resolution No. (19) of 2003.

Training is conducted in seminars, and in accordance with the plans and programs set up by the Center, on the proposal of the Director.

The Emiri resolution regulating the Center's activities did not limit training to Qataris only, but allows trainees from other countries to join, subject to regulations issued by the Minister, and upon a proposal by the Director.

Training in the Center is conducted by a number of highly qualified:
1- Judges
2- Legal specialists
3- University professors

The Minister directs the appointment of instructors and trainers, and the Center may also seek help from other instructors commissioned by the Minister. Usually, there is an annual ministerial resolution at the beginning of the academic year. The remuneration of instructors is described in the Center's training directory.

TRAINING COURSES ARE DIVIDED INTO TWO TYPES:

1.MANDATORY TRAINING COURSES

1- Training courses for associate judges, to qualify them as judges. The duration of this course is one year
2- Training courses for public prosecution assistants, to qualify them as public prosecutors. The duration of this course is one year.
3- Training courses for new lawyers (lawyers under training). The duration of this course is 6 months.
4- Training courses for new legal professionals, who have worked less than 3 years in ministries, other state sectors, public companies and institutions where at least 50% of the capital is contributed by the state. The duration of this course is one year.

2.OPTIONAL COURSES

These courses are organized in collaboration with the trainees' employers. Their duration depends on the subject. There is a requirement of at least 10 participants for such courses.

Other significant courses organized by the Center:

1- Training sessions for law enforcement officers who implement the law in various fields, such as municipal, agricultural, environmental, financial, trade and tourism fields.
2- Training sessions for the staff of the Fatwa and Contracts Department, the State Cases Department within the Ministry of Justice.
3- Training sessions for police officers
4- Training sessions for officers in the armed forces

The Center's legal experts organize and prepare suitable programs for each of these sessions: The mandatory sessions include theoretical as well as practical sessions, and field visits to specially selected destinations. In addition, each trainee has to prepare a legal research paper, under the supervision of one of the training faculty. This research is subject to discussion and evaluation. An exam is conducted at the end of the course. The trainee must successfully pass it in order to get a certificate of attendance and passing. The best 3 course students receive a reward.

The optional training sessions also include theoretical and practical sessions. In most cases, participants have to sit an exam.

WORK OF THE CENTER TO DATE:

- Organized ten (10) courses for new legal employees in ministries, government institutions, other state sectors, and public companies, and institutions where at least 50% of the capital is contributed by the state. Total number of participants: 350.
- Organized five (5) courses for associate judges. Total number of participants: 61.
- Organized two courses for public prosecution assistants. Total number of participants: 17.
- Organized five (5) courses for lawyers under training. Total number of participants: 31.
- Organized one course for legal professionals in the Armed Forces and the Ministry of Interior. Total number participants: 7.

- Organized (156) diverse courses in 'continuous qualification and learning' (specialized courses) for different groups of trainees. Total number of participants: 2061.
- Organized seven (7) cultural seasons with lectures, seminars and workshops.
- Published ten (10) editions of the Center's bi-annual journal 'Legal and Judicial Journal'.
- Published six (6) editions of the series 'Legal Conventions' containing a select choice of lectures delivered during the various cultural seasons.

THE ROLE OF THE CENTER IN SPREADING LEGAL AWARENESS:

The Center for Legal and Judicial Studies has devoted a great deal of effort to spreading the awareness of legal culture, to reach the goals set by the Emiri resolution No. (54) of 2009, article (3), which stipulates " progressive development of academic research in the fields of legal and judicial training, as well as convening lectures, meetings and conferences, and publishing journals and legal periodicals."

The Center accomplishes the task of spreading awareness of legal culture in 2 main ways:

1- By publishing the 'Legal and Judicial' journal, a bi-yearly specialized journal, containing many sections dedicated to law and the judiciary.

- The "Research and Studies" section publishes research and studies of law professors, judges, public prosecutors, lawyers and other legal specialists.
- "The Court of Cassation" section includes the most important rulings of the Qatari Court of Cassation.
- The "Comments on Legislation" section has comments on significant Qatari legislation.

The journal occasionally publishes comments on Islamic jurisprudence, other legal rulings, or reviews of legal books and academic papers by Qatari researchers. The latest edition -published in December – marks the completion of five years of publication.

2-By organizing an annual cultural season of lectures and legal seminars focusing on issues of fundamental importance to people in their everyday lives, whether political, economic or social, through discussing and debating relevant legislations and legal opinions.

Many jurists, who are well known within their field of specialization and for their professional work, and who have a track record of academic research, have contributed to these cultural seasons. The Center is always keen to publish the content of these lectures in its various publications.

PLANS FOR COOPERATION, AND FOR THE EXCHANGE OF EXPERTISE:

Since its establishment, the Center has drafted plans for cooperation and the exchange expertise in legal and judicial training, both regionally and internationally:

- Co-operation between Arab countries: the Center for Legal and Judicial Studies is part of the Oman Agreement for furthering academic cooperation between judicial institutions in the Arab world, signed in Aril 1997. Under Article (1) of this agreement "all signatories of this agreement pledge to establish cooperative relationships, and academic and scientific exchanges, in the fields of preparatory, continuing and specialized education". The Center respects all the commitments set forth in this agreement.

Moreover, a protocol of cooperation was signed in Cairo on 21st of January 2012 between the Center,

and the National Center of Judicial and Legal Studies of the Republic of Egypt. This protocol aims at strengthening cooperation and academic exchanges between the two centers, in harmony with the Center's orientation towards interacting and cooperating with other legal and judicial centers and institutions in the Arab world.

- Internationally, the Center has plans to expand its - already existing - cooperation with the French National School of the Judiciary, through organizing discussion groups attended by French experts in legal training.

Three agreements have been already signed to send French legal experts for short-term visits to address the following topics:

- The organization of the civil judiciary in France
- The role of public prosecutors in France
- Crime scenes, and the scientific collation of criminal evidence
- The international fight against corruption

APPENDIX 7

LEGAL TRAINING IN AUSTRALIA	
Academic stage	Typically, aspiring lawyers complete either a LL.B degree or a double degree (ie. a law degree combined with another degree), which is the more usual option of the two.
Course length	4 years (LL.B); 5.5 years (double degree) full-time
Core course content	In order to be admitted to practise law, students are required to complete the following subjects as part of their law degree. These subjects are known colloquially as "the Priestley 11": i. Criminal law and procedure; ii. Torts; iii. Contracts; iv. Property; v. Equity (including trusts); vi. Company law; vii. Administrative law; viii. Federal and state constitutional law; ix. Civil procedure; x. Evidence; and xi. Ethics & professional responsibility.

Vocational stage	Aspiring lawyers across Australia are required to fulfil the "Competency Standards for Entry Level Lawyers". These standards comprise the following: **Skills:** i. Lawyers skills; ii. Problem solving; iii. Work management and business skills; iv. Trust and office accounting. **Practice areas:** v. Civil litigation practice; vi. Commercial and corporate practice; vii. Property law practice. **Values:** viii. Ethics and professional responsibility. These are fulfilled usually in an institution-based practical training course but for a small number of aspiring lawyers can be fulfilled in articles of clerkship, a form of apprenticeship. Practical Legal Training is a vocational course generally comprising coursework, work experience and continuing legal education. Successful completion leads to Graduate Diploma in Legal Practice. In some states, Practical Legal Training is the only option in order to be admitted as a 'legal practitioner' (e.g. New South Wales). Usually it is completed after the conclusion of undergraduate studies as a standalone course; for a relatively small number, it is completed as a course incorporated within the latter part of the law degree itself. The course is delivered through a variety of means including online and face-to-face instruction. As a federal nation, the routes to legal practice in Australia vary from state to state. However, in all states, a person must, having fulfilled the academic and vocational stages, be admitted by the Supreme Court of that state as a 'legal practitioner'. After such admission, a person then chooses to practise as a barrister or as a solicitor.
For barristers	**Reading programme** Some states (the three largest) require aspiring barristers (who have already been admitted by the Supreme Court as 'legal practitioners') to pass one or more entrance exams before they may be accepted onto a training programme (known as the "reading programme"). These exams cover topics such as ethics; civil and criminal practice and procedure; and evidence. Typically, the next training stage is a Bar Practice Course. This is a short full-time course focused predominantly on professional skills and delivered on a face-to-face basis. The course lasts for around 1-2 months and is usually either non-assessed or assessed on an ongoing basis through practical activities such as moots. Upon completion of the Bar Practice Course, students spend the rest of the programme undertaking an apprenticeship with one or two supervising barristers. This apprenticeship can last anywhere between three and twelve months depending upon the state in question. During their apprenticeships, students are generally required to cover the "Competency Standards for Entry Level Lawyers". If these areas cannot be covered through their apprenticeships, students must undertake external training to meet these competency standards.
For solicitors	Aspiring solicitors in Australia are presented with different paths to legal qualification depending upon the state in question. However, all paths must cover the competency standards listed above. Broadly speaking, aspiring solicitors have the following options: to follow a vocational course (e.g. Practical Legal Training) and/or to embark upon an apprenticeship; or to undertake a combination of both vocational and on-the-job training. Having completed the vocational stage, aspiring solicitors are admitted as 'legal practitioners' and can then, without anything further, seek a practising certificate as a solicitor. However, they must work under the supervision of another solicitor of some years experience for two years before being entitled to hold an unrestricted practising certificate – which entitles them to practise in partnership or as a sole practitioner.

APPRENTICESHIP	AS ABOVE
Continuing legal education (CLE)	
Compulsory or optional?	Compulsory
Required hours per year	10 (generally pro-rated for those working on a part-time basis)
Eligible activities	Range of activities permitted however caps placed by some professional bodies upon amount of CLE points that may be obtained through a single activity/certain activities e.g. listening to audio material; preparing and delivering presentations; publishing, editing and refereeing articles. Certain types of activity are also subject to exclusion. Presenters of CLE activities can usually obtain extra points.
Prescribed courses	Professional bodies in some states have set out the various strands that they deem to constitute core components of CLE (e.g. ethics and professional responsibility; practice management and business skills; professional skills; substantive law, practice and procedure) and have also mandated that a certain amount of CPD points be obtained in each strand. In Western Australia, the amounts prescribed depend upon the length of practising experience. Some professional bodies have also mandated that a certain number of CLE points should be obtained through face-to-face activities.
Carry-over	Professional bodies in some states permit the carry over of surplus CLE points into the next CLE year. For example, Queensland Law Society provides for excess points obtained in the last three months of a CLE year to be carried over into the following CLE year.
Regulation	Most professional bodies stipulate that lawyers should keep records of their CLE activities to be retained for a three-year period. Lawyers are required to affirm compliance with their MCLE obligations when applying to renew their practising certificates – but not supply proof unless requested to do so. Many professional bodies provide for "rectification" procedures where lawyers have not complied with mandatory CLE requirements. Most professional bodies perform random audits to verify compliance.
Sanctions for non-compliance	Many professional bodies state that non-compliance with CLE obligations may amount to unsatisfactory professional conduct or professional misconduct. Sanctions depend on the nature of non-compliance but include non-renewal of practising certificates and attachment of conditions to practising certificates.

LEGAL TRAINING IN CANADA	
Academic stage	Becoming a lawyer in Canada generally requires the completion of an undergraduate degree (or a period of undergraduate studies) followed by completion of a law degree. Common law jurisdictions in Canada generally require the completion of a common law degree, whilst Quebec – as a civil law jurisdiction – requires the completion of a civil law-based degree.
Course length	2 – 4 years of undergraduate studies; 3 years for law degree (full-time)
Core course content	Canada does not have a national standard for the academic requirements of a law degree. However, Canada's law societies have recently approved a new national requirement for Canadian common law degree programmes which is in the process of being implemented. At present, the core common law subjects are generally considered to be: i. Administrative Law; ii. Constitutional Law; iii. Contracts; iv. Criminal Law and Procedure; v. Fiduciary Duties; vi. Professional Responsibility; vii. Property; and viii. Torts.
Vocational stage	Applicants for admission to Canada's law societies are generally required to complete a bar admissions course and examinations. However, the vocational stage of training varies considerably between provinces and territories. Contrary to general practice, Ontario has not yet developed a vocational course which aspiring lawyers must take. In contrast, Alberta, Manitoba and Saskatchewan have pioneered a joint training programme for its trainee lawyers. Vocational courses vary in length and some are full-time and predominantly classroom-centred (e.g. British Columbia), whilst others are mostly online-based.
Apprenticeship	Applicants for admission to Canada's law societies are generally required to complete an apprenticeship (known as "articling") for a prescribed period of time. The length of "articles" varies between provinces and territories. In Quebec, the apprenticeship lasts for 6 months. In the common law jurisdictions, the length of articles is 9-12 months.

LEGAL TRAINING IN CANADA

Continuing legal education (CLE)	
Compulsory or optional?	Continuing legal education is compulsory in most provinces and territories.
Required hours per year	For law societies where continuing legal education is compulsory, lawyers are generally required to complete 12 hours per year. In Quebec, lawyers are required to undertake the equivalent of 15 hours per year. In Nova Scotia, it is also recommended that lawyers complete 50 hours of self-learning in addition to the mandatory CLE requirement. Alberta is unusual in that it does not stipulate a minimum amount of continuing legal education which must be completed. The number of required hours per year is generally pro-rated for those working on a part-time basis.
Eligible activities	Range of activities permitted however caps placed by some professional bodies upon amount of CLE points that may be obtained through a single activity/certain activities e.g. viewing recordings alone; writing or editing; mentoring; and teaching. Certain types of activity are also subject to exclusion. However, this may vary between different law societies.
Prescribed courses	A minority of law societies prescribe the completion of certain types of courses. For example, after the first year of practice in Nova Scotia, lawyers must complete a minimum of 2 hours in each of the following areas: substantive legal education and skills development; risk and practice management; and professionalism. In Ontario, lawyers must complete a minimum of 3 professionalism hours and 9 substantive hours.
Carry-over	The carry-over of continuing legal education points from one year to the next is not generally permitted.
Regulation	Lawyers are generally required to submit an annual report of their continuing legal education activities on a yearly basis, and to keep records of activities completed in the event of an audit.
Sanctions for non-compliance	Failure to submit an annual report, to complete the requisite amount of continuing legal education or to comply with rectification procedures can lead to administrative suspension and a fine.

LEGAL TRAINING IN ENGLAND AND WALES

Academic stage	Either: 1. Law degree or: 2. Non-law degree followed by one-year conversion course (Graduate Diploma in Law)
Course length	3 years (full-time); min. 4 years (part-time)
Core course content	In addition to optional modules, undergraduate law students who intend to become lawyers must take the following subjects: i. Public Law, including Constitutional Law, Administrative Law and Human Rights; ii. Law of the European Union; iii. Criminal Law; iv. Obligations including Contract, Restitution and Tort; v. Property Law; and vi. Equity and the Law of Trusts.

LEGAL TRAINING IN ENGLAND AND WALES	
Vocational stage	Upon completion of undergraduate legal study, aspiring lawyers are required to undertake a further period of vocational study, delivered mainly through classes as well as lectures and online tutorials. The vocational courses are assessed through examinations and coursework
For barristers	Bar Professional Training Course
Course length	1 academic year (full-time); 2 academic years (part-time)
Core course content	In addition to optional modules, BPTC students take the following core subjects: a. Advocacy; b. Conference; c. Opinion writing; d. Drafting; e. Legal research and case preparation; f. Criminal litigation, evidence and sentencing; g. Civil litigation, evidence and remedies; h. Professional ethics; and i. Resolution of disputes out of court.
For solicitors	Legal Practice Course Different versions of this course have been crafted for students embarking upon careers in different types of legal practice or with certain law firms
Course length	7-9 months (full-time); 18-months (part-time)
Core course content	In addition to optional modules, LPC students take the following core subjects: a. Business law and practice; b. Civil and criminal litigation; c. Property law and practice; d. Professional conduct and regulation; e. Taxation; f. Wills and administration of estates; g. Accounts; and h. Skills: i. Advocacy; ii. Interviewing and advising; iii. Practical legal research; iv. Problem solving and IT; and v. Writing and drafting.
Apprenticeship	1 year for barristers; 2 years for solicitors

LEGAL TRAINING IN ENGLAND AND WALES

Continuing legal education	
Compulsory or optional?	Compulsory
Required hours per year **Barristers**	15 (in each of the first three years of practice); 12 (after the first three years of practice. Requirements reduced where practicing certificate held for less than 12 months in a year)
Solicitors	16 (requirements reduced if working fewer than 32 hours per week)
Eligible activities	Range of activities permitted however caps placed by some professional bodies upon amount of CLE points that may be obtained through a single activity/certain activities e.g. pupil supervisor training (up to 3 CLE hours per year); moots (up to 2 CLE hours); legal writing or editing (up to 4 CLE hours).
Prescribed courses **Barristers**	Barristers must complete at least 9 hours of advocacy training and 3 hours of ethics within the first three years of practice
Solicitors	Solicitors are required to attend the Solicitors Regulation Authority Management Course Stage 1 within the first three years of practice
Regulation **Barristers**	Barristers are expected to maintain an individual training record which must be submitted to the Bar Standards Board by 31 January following each calendar year of CLE
Solicitors	Solicitors are expected to maintain individual training record which the Solicitors Regulation Authority may ask to view at any time for monitoring purposes
Sanctions for non-compliance **Barristers**	Non-compliance may be referred to the Complaints Committee of the Bar Standards Board which may impose penalties on a strict liability basis and without any further warning
Solicitors	Non-compliance may lead to disciplinary procedures and/or to delays in the issue of a practicing certificate

LEGAL EDUCATION IN FRANCE	
Academic stage **Course length** **Core course content**	To become a lawyer in France, one must complete an undergraduate degree in law (licence) as well as a master's programme (Master 1). In practice, however, most aspiring lawyers complete an additional year of specialisation (Master 2). 3 years of undergraduate studies plus 1-2 years of postgraduate studies (full-time) i. Introduction to Law; ii. Administrative law; iii. Business law; iv. Constitutional law; v. Contract law; vi. Criminal law; vii. Family law; viii. Law of the European Union; ix. Private International Law; x. Social and Tax Law; and xi. Torts.
Vocational stage **Core courses**	Aspiring lawyers must then pass an examination to enter one of the CRFPA (Centre Régional de Formation à la Profession d'Avocat). Some law faculties run courses which prepare students for these exams. The CRFPAs provide a course of eighteen months and results in the award of the requisite Certificat d'aptitude à la profession d'avocat (CAPA). The training is divided into three six-month periods. The first six period comprises formal study; the second period comprises of an internship; and the final period comprises an apprenticeship with a law firm. i. Ethics; ii. Public speaking and eloquence; iii. Law firm management and strategy; iv. Drafting; v. Commercial law proceedings; vi. Criminal law proceedings; vii. Administrative law proceedings; viii. Pro bono work; ix. A choice of common law, Spanish or German law; and x. Other optional courses.
Continuing legal education **Compulsory or optional?** **Required hours per year**	Compulsory 20

LEGAL EDUCATION IN THE UNITED STATES

Academic stage	Becoming a lawyer in the United States generally requires the completion of a non-law degree followed by completion of a law degree (J.D. or Juris Doctor). In order to practise, most states require that students graduate from an American Bar Association-accredited law school.
Course length	4 years for non-law degree; 3 years for law degree (full-time)
Core course content	A core curriculum is not mandated by a national body and only three states – Indiana, New Jersey and Ohio – require certain courses to be completed for a student to be admitted to the bar. However, most law schools prescribe courses that must be followed, usually in the first year of study. Mandatory courses typically include: i. Civil procedure; ii. Constitutional law; iii. Contracts; iv. Criminal law; v. Legal research; vi. Legal writing; vii. Professional Responsibility and Ethics; viii. Property; and ix. Torts.
Vocational stage	Aspiring lawyers are generally required to pass a combination of standardised and state-specific bar examinations. The National Conference of Bar Examiners provides the following standardised examinations: Multistate Bar Examination (MBE): 50 states require students to pass the MBE, a six-hour, 200 question multiple-choice examination covering constitutional law; contracts; criminal law; evidence; property; and torts. Multistate Professional Responsibility Examination (MPRE): 48 states require students to pass the MPRE; a 60-question, two-hour-and-five-minute, multiple-choice examination covering professional conduct, which may be sat before graduation from law school. Multistate Performance Test (MPT): 37 states require students to pass the MPT, which consists of two 90-minute skills questions covering legal analysis, fact analysis, problem solving, resolution of ethical dilemmas, organisation and management of a lawyering task, and communication. Multistate Essay Examination (MEE): 25 states require students to pass the MEE; a collection of 30-minute essay questions drawn from the following subjects: constitutional law, contracts, criminal law and procedure, evidence, property, torts, business associations, conflict of laws, family law, federal civil procedure, trusts and estates, and Uniform Commercial Code. Uniform Bar Exam (UBE): 10 states have introduced the UBE which is composed of the MEE, MBE and two MPT tasks. It is uniformly administered, graded, and scored. The UBE is administered over a two-day period. New Hampshire has adopted an experimental programme that allows some law students to satisfy specified apprenticeship requirements while in law school and to gain membership of the state bar without sitting for the state bar examination. Wisconsin also has a “bar privilege” system that allows students in law schools located in the state to be admitted to the state bar without sitting for the bar examination if certain academic requirements are satisfied.

LEGAL EDUCATION IN THE UNITED STATES	
Apprenticeship	The clear majority of states do not mandate any period of apprenticeship for aspiring lawyers. However, aspiring lawyers in Delaware and Vermont must complete clerkships in order to qualify. New York State high court has also recently imposed requirement of 50 hours of pro bono service in order to be admitted to the bar.
Continuing legal education	
Compulsory or optional?	Mandatory in 45 states
Required hours per year	These states mandate the completion of a certain amount of CLE within a one- two- or three-year period. Most mandate the completion of the equivalent 10-15 hours per year.
Eligible activities	Range of activities permitted however caps placed by some professional bodies upon amount of CLE points that may be obtained through a single activity/certain activities. Certain types of activity are also subject to exclusion however this may vary between different bar associations.
Prescribed courses	Compulsory courses are prescribed by most of the states which have mandatory CLE. The compulsory subject areas mainly relate to ethics and professional responsibility.
Carry-over	Many states provide for surplus CLE credit to be carried forward into the next reporting period.
Regulation	Lawyers are generally required to submit reports regarding their CLE activities at the conclusion of the reporting period. Many bar associations perform random audits to ensure compliance. Many also provide for "deficiency plans". These extend the deadlines for lawyers to comply with their CLE requirements.
Sanctions for non-compliance	Many state bar authorities have the capacity to issue fines and suspend the licences of attorneys.

JUDICIAL TRAINING IN AUSTRALIA	
Elementary stage	Australia is a federation and there are therefore slightly different requirements depending on whether the court is a federal court or a state or territory court. All applicants for judicial office in Australia are required to have been admitted to practise as a lawyer prior to appointment.. Judges are not normally appointed without having been admitted to practice for five years.
Training provider(s)	There are five bodies which provide judicial training in Australia: the National Judicial College of Australia; the Australasian Institute of Judicial Administration; the Judicial Commission of New South Wales; the Judicial College of Victoria; and the Judicial Conference of Australia.
Induction stage	The newly appointed judges of Australia's state and federal superior courts and intermediate courts attend a five-day orientation course conducted by the National Judicial College of Australia in conjunction with the Judicial Commission of New South Wales and the Australasian Institute of Judicial Administration. There are induction programmes offered in many courts.
Continuing legal education Mandatory or optional? Subjects taught	Optional. In 2006, the NJCA, with the concurrence of other judicial education bodies, adopted a National Standard on Judicial Professional Development. This stipulates that each judicial officer should be able to spend at least five days per year participating in professional development activities. • Substantive law and procedure • Social context • Professional skills • Ethics • Personal welfare

JUDICIAL TRAINING IN CANADA	
Elementary stage	There are varying levels of practice requirements required for judicial posts in Canada. Generally, judges must have a minimum of 10 years of legal practice experience. However, in practice, judges are rarely appointed unless they have at least 20 years of experience.
Training provider(s)	Judicial training and education in Canada is delivered by various organisations. However, the National Judicial Institute co-ordinates judicial education across Canada and is the main judicial training institution. Canadian courts also provide education for their judges. Other training providers include: the Canadian Institute for the Administration of Justice; the Canadian Association of Provincial Court Judges (CAPCJ); and Office of the Commissioner for Federal Judicial Affairs, as well as court-based training.
Induction stage	The NJI hold two five-day seminars federally appointed judges, and provides them with access to electronic resources. They also have priority access to a series of 'core seminars' over the next four years of their judicial career. Provincially appointed judges also attend two five-day seminars. One is organised by the CAPCJ and the other by the NJI.
Continuing legal education **Mandatory or optional?**	Continuing judicial education is not mandatory except for court-based programmes though attendance there is an expectation rather than a rule. Chief justices are asked to make it possible for the judges of their courts to take 10 days of judicial education each year. Each judge now receives an average of 9 days of training every year through NJI alone (2004) meaning that most Canadian judges probably exceed the 10-day training target. There are targets of 10-15 days per year for new judges in Canada in each of the first four years from appointment.
Subjects taught	• Substantive law and procedure • Social context • Professional skills • Ethics • Personal welfare

JUDICIAL TRAINING IN ENGLAND AND WALES	
Elementary stage	Most judicial posts require a relevant legal qualification that has been held for either five or seven years
Training provider(s)	The Judicial College was established on 1 April 2011. The College is responsible for training judicial office holders in courts in England and Wales and in those tribunals that are within the responsibility of the Senior President of Tribunals
Induction stage	On first appointment, all new judicial office holders go through a programme of induction which will normally include attending an induction course. These will mostly be residential seminars of 3-5 days in duration. Many new judges, magistrates and tribunals members are assigned a mentor (usually an experienced office holder) to support them during the first few years. Subsequent authorisations to other jurisdictions will usually require attendance at the corresponding induction seminar.
Continuing legal education **Mandatory or optional?** **Subjects taught**	 Continuing education is a mandatory requirement. All salaried judges (except High Court Judges) are required to attend one national seminar every year but are free to choose which. The College is expanding its use of e-learning. • Substantive law and procedure; • Social context; • Professional skills; • Ethics; and • Personal welfare.

JUDICIAL TRAINING IN FRANCE	
Elementary stage	The Ecole nationale de la magistrature (ENM) provides training for aspiring judges. Most enter the ENM after taking an exam. However, it is possible to enter after being vetted. The methods of entry are outlined below: 1. The first and main exam is open to those aged under 31 who have graduated after 4 years of University studies; 2. The second exam is open to those aged under 48 who have been employed by the Administration for at least eight years; 3. The third exam is open to those aged under 40 who have been working in the private sector or in a non-professional judicial capacity or who have been members of local councils; 4. Finally, some may enter the ENM after vetting after a four-year period of activity in the legal, social or economic domains or the possession of a doctorate in law combined with a period of teaching in a faculty of law.
Training provider(s)	Continuing professional development is provided by the Ecole nationale de la magistrature (ENM).
Induction stage	The length of training differs depending upon the route taken into the ENM. Most trainees however embark upon a 31-month period of training comprising formal courses and internships.
Continuing legal education **Mandatory or optional?** **Training entitlement** **Subjects taught**	Mandatory All judges are entitled to a minimum of five days training a year. • Substantive law and procedure; • Social context; • Professional skills; an • Ethics

JUDICIAL TRAINING IN THE UNITED STATES OF AMERICA	
Elementary stage	Federal and state court judges typically attain office only after having had 15 or more years of law practice.
Training provider(s)	Over 70 different organisations provide judicial education for state judges as well as judicial education programme development assistance. The key education and assistance providers are the National Center for State Courts (NCSC), American Academy of Judicial Education (AAJE), National Association of State Judicial Educators (NASJE), the Federal Judicial Center (FJC), and the National Judicial College (NJC). There is significant variation in judicial education as the federal and state judiciary run separate training programmes.
Induction stage	The FJC holds orientation programmes for new federal judges. These consist of an initial day-long training programme followed by two separate one week sessions during the first year on the bench. These sessions are residential programs and bring together recently appointed judges to a central location. A number of jurisdictions also run courses for newly appointed judges to higher level courts. The NJC provides two to three week sessions for such judges. Induction programmes are also offered by other bodies.
Continuing legal education Mandatory or optional?	Federal judges are not required to take part in continuing judicial education programs. However, they regularly attend training programs which cover a diverse range of subjects. Federal judges generally attend at least four to five days of training per year and many attend substantially more. There is also compulsory judicial education at the state level. The requirements vary from state to state, but the average training requirement for judges is between 7-15 hours per year
Subjects taught	• Substantive law • Social context • Professional skills • Ethics • Personal welfare

APPENDIX 8

QFC PUBLIC REGISTER: Law firms licensed by the QFCA

This appendix contains a list of law firms that hold active licences from the QFCA. It also contains details of legal institutions whose licences have been withdrawn or are inactive. This list is up-to-date as at 9 September 2012.

QFC Number	Firm Name	Date of License	Permitted Activities	Status
00006	Arab Law Bureau LLP	20/03/2006	Professional Services (Legal)	Licensed
00014	Eversheds LLP	24/08/2006	Professional Services (Legal)	Licensed
00015	Eversheds Legal Services (Qatar) LLC	24/08/2006	Professional Services (Legal)	Licensed
00016	Lalive in Qatar LLP	31/08/2006	Professional Services (Legal)	Licence Withdrawn 12/03/2012
00023	International Legal Consultants LLC	13/11/2006	Professional Services (Legal, Companies, and Trust Administration)	Licensed
00029	Clyde & Co LLP	27/12/2006	Professional Services (Legal)	Licensed
00031	HFI Middle East LLC	28/12/2006	Professional Services (Legal)	Licensed - Inactive
00033	Badri and Salim El Meouchi, LLP	28/12/2006	Professional Services (Legal)	Licensed
00038	Sayel M. Daher Law Offices LLC	11/03/2007	Professional Services (Legal)	Licensed
00047	WongPartnership LLP	22/04/2007	Professional Services (Legal)	Licensed
00062	Salans LLP	23/09/2007	Professional Services (Legal)	License Withdrawn 04/11/2010
00064	SNR Denton & Co	09/10/2007	Professional Services (Legal)	Licensed
00074	McNair Chambers LLC	08/03/2008	Professional Services (Legal)	Licensed
00077	DLA Piper Middle East LLP	31/03/2008	Professional Services (Legal)	Licensed
00089	Latham & Watkins LLP	18/08/2008	Professional Services (Legal)	Licensed
00092	Al Tamimi & Company International Ltd.	10/09/2008	Professional Services (Legal)	Licensed
00102	Dewey & LeBoeuf LLP	13/01/2009	Professional Services (Legal)	Licensed - Inactive
00108	White & Case LLP	09/07/2009	Professional Services (Legal)	Licensed
00120	Allen & Overy LLP - QFC Branch	09/02/2010	Professional Services (Legal)	Licensed
00132	Clifford Chance Middle East LLP	21/02/2011	Professional Services (Legal)	Licensed
00134	McGrigors LLP – QFC Branch	07/03/2011	Professional Services (Legal)	Licensed - Inactive
00136	Lalive in Qatar LLC	28/03/2011	Professional Services (Legal)	Licensed
00138	Baker & McKenzie LLP	17/04/2011	Professional Services (Legal)	Licensed
00144	K&L Gates LLP	23/08/2011	Professional Services (Legal)	Licensed
00146	Bennett Jones (Middle East) LLP	10/10/2011	Professional Services (Legal)	Licensed
00149	Herbert Smith Middle East LLP	24/11/2011	Professional Services (Legal)	Licensed
00154	Pinsent Masons LLP - QFC Branch	30/04/2012	Professional Services (Legal)	Licensed