



## Public Access

The Public Access scheme allows members of the Public, and commercial and non-commercial organisations to instruct Barristers directly on most matters.

We have Barristers with a broad range of expertise and experience to cover a variety of cases. Not every barrister in Chambers offers Public Access work, however, those that do are not obliged to take on your case as they have the right to refuse to act on your behalf – especially if they do not feel that your case is suitable for Public Access. If your case is accepted, the Barrister will give you a client-care letter setting out the Terms & Conditions, the fee that will be charged for the work required

Those barristers who accept Public Access instructions are available to see on Chambers website by selecting the Barristers tab. We consider instructions in the following areas:

- Commercial litigation
- Employment
- Selected Civil Work (contact one of the clerking team to discuss)

### What are the benefits of Public Access?

Public Access is a cost effective, transparent process which allows you to contact a Barrister directly.

You benefit from having direct access to a specialist who can help you with any advisory, drafting and advocacy work.

### Is my Case Suitable for Public Access?

Public access is best suited to clients who are organised and able to carry out the administrative preparation for a case themselves, which would otherwise be undertaken by a Solicitor

Cases may not be suitable for Public Access if they are likely to be very lengthy or involve very detailed legal correspondence. If the Barrister considers that your matter is unsuitable for Public Access, then the Barrister will confirm this and you will be contacted by one of the clerks to confirm this, and they will suggest you seek out a suitable Solicitor.

The Bar Standards Board has produced some guidance which sets out the details of the sort of direct access work a barrister is permitted to conduct without a solicitor being involved. This will help to give you an idea of whether your case might be suitable for direct access, but if in doubt please get in touch.

### What can my Barrister do on my behalf?

The barrister's role remains essentially the same as when they are instructed by a Solicitor or another intermediary. The Barrister can advise you on their view as to the legal merit of your case, alongside your rights but also any potential risks that you may run in pursuing a particular matter. A public access Barrister will be able to represent you directly, including drafting legal documents, court forms and letters and representing you in court.

### Is there anything a Barrister cannot do for me?

A public access Barrister is normally not allowed to issue proceedings or file documents at court on your behalf, contact witnesses directly, handle clients' money, investigate or collect evidence and take general management of your case – In other words, to progress the litigation and also Case Manage in the way that a Solicitor would normally progress. You will have to assist in most of the pre-court hearing of the steps in your case, but your Barrister will be there to advise you.

### What will it cost?

Public Access cases are often charged at Barristers' commercial hourly rates which are competitive in the legal marketplace. In some cases and where it is appropriate, work may be charged on a fixed fee basis. In cases that are not suitable for a fixed fee, they are dependent upon a number of factors including but not limited to (1) the type of case (2) the complexity (3) the documentation and (4) the work involved.

As an estimate you could typically expect to pay between the rates of £200 to £500 per hour, dependant on the factors mentioned above.

These hourly rates are set out as estimates for information only. For a quote, please contact Chambers by email or telephone. All of our fees are exclusive of VAT which will add a further 20% to any fee quoted.

There should not be hidden additional costs. Any additional costs will be agreed and set out clearly in the client care letter provided to you or by email. Some reasons for additional costs include but not limited to

- Reasonable travel expenses.
- Where a case becomes more complicated due to the issues between the parties. For instance, if the Court extend the length of a hearing which would usually increase the costs for the parties.
- If one party produces new documentation that needs to be reviewed.
- If a case adjourns at Court as one party has not complied with an order(s) from the Court this can increase cost.
- When advice is refused, and someone simply wants their day in Court which was not initially anticipated.
- Pre court attempts to mediate a resolution
- Last minute attempts by other parties to attempt to strike out parts of your claim against them that was not anticipated and requires last minute written arguments being prepared for the Court

Under the Public Access Scheme, our fees will need to be paid in full prior to the Barrister carrying out any work.

Please note that this is not an exhaustive list but are examples that litigation is not always straight-forward and the position can easily change from what was initially considered.

### How can I be sure I'll get someone with enough skill and experience to help me?

We will pass your case to a Barrister with the relevant qualifications and experience. All Barristers have to undertake training if they wish to accept Public Access cases, and they have a duty to tell you if the work you're asking them to do falls outside their area of expertise.

### What are the likely timescales involved?

As a guide, paperwork and advisory work takes anywhere between 7 - 28 days depending on a number of factors including:

- Availability of the Barrister and/or their professional commitments;
- Availability of the client or relevant third parties such as experts and witnesses;
- The complexity of the case;
- The volume of documentation;
- The need for additional information, documents or clarification;
- The approach taken by the other side;
- Third parties intervening in the case; and
- Court responses and waiting times.

For further information on Public Access the public please visit:

<https://www.barstandardsboard.org.uk/for-the-public/finding-and-using-a-barrister/how-to-instruct-a-barrister/public-access-guidance-for-lay-clients.html>

There may be occasions when the public access accredited Barrister will recommend your case will benefit from the assistance of a Solicitor particularly if the case is likely to involve significant amounts of litigation and the preparation and lodging of Court documents. Barrister's diaries are often busy and this can affect their ability to be able to respond immediately to communications with other parties involved in the legal proceedings and the assistance of a Solicitor is both helpful and sensible.