

COUNCIL OF LEGAL EDUCATION

COUNCIL OF LEGAL EDUCATION (AMENDMENT No. 2) REGULATIONS, 2022

Pursuant to regulation 64 of the Council of Legal Education Regulations 2016, the Council of Legal Education makes the following regulations –

1. **Citation**

These Regulations, which amend the Council of Legal Education Regulations 2016 (referred to as “the Principal Regulations”), may be cited as the Council of Legal Education (Amendment No. 2) Regulations, 2022.

2. **Amendment of regulation 2 of Principal Regulations**

Regulation 2 of the Principal Regulations is amended –

- (i) by deleting the words “Academic Committee” and the accompanying definition;
- (ii) in the definition of “Dean” by deleting the words “Dean of the Faculty of Law” and substituting therefor the words “ University Dean of Law;”;
- (iii) by inserting immediately after the word “Principal” and the accompanying definition, the following words and definitions-

“Programme” means all aspects of the practical professional training leading to the award of the Certificate;

“Programme Management Committee” or “PMC” means the Committee constituted by regulation 6A;

“Programme Management Sub-Committee” or “PMSC” means the Committee constituted by regulation 6E;”.

3. **Replacement of regulation 6 of Principal Regulations with new regulations 6A, 6B, 6C, 6D, 6E, 6F, 6G and 6H**

Regulation 6 of the Principal Regulations is deleted and replaced with the following regulations –

“6A. Programme Management Committee

- (1) There shall be a Programme Management Committee of the Council comprising-
 - (a) the Chairman of the Council or a nominee of the Chairman;
 - (b) the Principals of the Law Schools;
 - (c) Senior Tutors of the Law Schools;
 - (d) Directors of Legal Aid Clinics established by the Council;
 - (e) one (1) representative at the level of Senior Tutor II from each Law School, as may be agreed by the Senior Tutors II at the Law School or in the event there is no agreement, the more senior of the Senior Tutors II, if there is more than one shall be the representative;
 - (f) one (1) Course Director from the Year I course of study at each Law School, selected by consensus by the Year I Course Directors at that Law School from amongst themselves, or in the absence of consensus, by a simple majority of Year I Course Directors present and voting;
 - (g) one (1) Course Director from the Year II course of study at each Law School, selected by consensus by the Year II Course Directors at that Law School from amongst themselves, or in the absence of consensus, by a simple majority of Year II Course Directors present and voting;
 - (h) one (1) representative from the tutorial staff in the Legal Aid Clinic of each Law School, selected by consensus by the tutors in the Clinic at that Law School from amongst themselves, or in the absence of consensus, by a simple majority of the Legal Aid Clinic tutorial staff present and voting;
 - (i) the Registrars of the Law Schools;
 - (j) the Librarians of the Law Schools;
 - (k) the Dean;
 - (l) one (1) representative from the Students' Association at each Law School;
 - (m) one (1) representative of the Quality Assurance Department at each Law School;
 - (n) such other persons as the Council may from time to time deem necessary.

- (2) The inaugural Chairman of the Programme Management Committee shall be the Principal of the Law School that hosts the first meeting of the Programme Management Committee and thereafter the chairmanship shall rotate amongst the Principals in

accordance with the hosting of the meetings pursuant to paragraph 1(2) of Schedule IV.

(3) In the event of the unavailability of the Principal, the Senior Tutor at the Law School hosting the meeting shall preside as the Chairman.

(4) Where neither the Principal nor Senior Tutor is available, such other person being a member of the Programme Management Committee and selected from among members of the Programme Management Committee by consensus, or in the absence of consensus by a simple majority of members present and voting, shall preside as the Chairman.

(5) The Chairman of the Programme Management Committee shall serve in the position for a period of one (1) year from the date of assumption of office or until the next annual meeting of the PMC, whichever is later.

6B. Duties and Powers of the Programme Management Committee

The Programme Management Committee shall have the following duties and powers -

- (a) to discuss and advise the Council on legal education and training policies for development of members of the Caribbean legal profession and other stakeholders;
- (b) to discuss and advise the Council on curriculum, assessment methods and related policies as they affect the operation of the Law Schools;
- (c) to establish teaching and learning standards in accordance with best practice for practical professional training and to monitor and evaluate programme quality for compliance with those standards;
- (d) to measure, assess and improve standards for practical professional training at all Law Schools;
- (e) to ensure that the Law Schools engage in best practices in quality assurance matters, including-
 - (i) complying with applicable statutory requirements;
 - (ii) arranging for peer assessments to be conducted;
 - (iii) arranging for student assessment of teaching;
 - (iv) undertaking self-studies;
 - (v) conducting performance management assessment of tutors;
 - (vi) undertaking teaching quality audits;
 - (vii) conducting internal quality audits;
 - (viii) preparing and submitting programme monitoring reports to the PMSC; and
 - (ix) arranging for external reviews of the Programme;
- (f) to facilitate the exchange of information among the Law Schools to ensure

- that quality assurance standards are met;
- (g) to foster intellectual collaboration and alliances among instructional and support personnel to develop excellence in programme delivery;
 - (h) to review and make recommendations to the Council for changes to the Programme;
 - (i) to receive, review and approve reports from the Programme Management Sub-Committees and to make recommendations to the Council arising from those reports;
 - (j) where required, to establish Terms of Reference for evaluation of the Programme to include recommendations to the Council for the appointment of suitably qualified persons to engage in Programme review;
 - (k) to establish such standing committees as may be necessary to enable it to carry out its duties; and
 - (l) to do all such other acts and things incidental to the powers aforesaid, as may be requisite in order to further the objects of the Council.

6C. Meetings of the Programme Management Committee

The provisions of paragraph 1 of Schedule IV shall have effect with respect to the meetings of the Programme Management Committee.

6D. Funding of the Programme Management Committee

(1) An allocation shall be included in the budget of each Law School to facilitate the affairs, meetings and activities of the Programme Management Committee, including hosting of meetings, overseas travel to meetings, accommodation at meetings, administrative support of the functioning of the PMC, use of technological aids to support the PMC, retention of consultants and other ancillary finances for the effective functioning of the PMC.

(2) The Principals of the Law Schools shall administer the budget allocation on behalf of the Programme Management Committee.

6E Programme Management Sub-Committee

(1) There shall be a Programme Management Sub-Committee for each Law School.

(2) The Membership of the Programme Management Sub-Committee at each Law School shall comprise -

- (a) the Principal who shall be the Chairman of the Committee;
- (b) the Senior Tutor;
- (c) the Director of Legal Aid Clinic;
- (d) all Senior Tutors II;
- (e) all full-time tutors;
- (f) all Course Directors;
- (g) the Registrar who shall be the Secretary to the Committee;
- (h) the Assistant Registrars;
- (i) the Librarian;
- (j) One (1) student nominated by the Students' Association; and
- (k) the Quality Assurance Manager or his or her designate.

6F. Duties and Powers of the Programme Management Sub-Committee

(1) The Programme Management Sub-Committee shall have the following duties and powers-

- (a) to engage in the monitoring, evaluation and review of the Programme;
- (b) to receive and discuss reports from stakeholders including the Senior Tutor, Director of Legal Aid Clinic, Librarian, Registrar and Students' Association;
- (c) to submit an annual report to the Programme Management Committee which includes all information related to deliberations and decisions of the PMSC;
- (d) to make any necessary recommendations to the Programme Management Committee;
- (e) to receive and discuss reports pertaining to the Programme;
- (f) to establish such standing committees as to enable it to carry out its duties;
- (g) to do all such other acts and things incidental to the powers aforesaid, as may be requisite in order to further the objects of the Programme Management Committee and the Council.

(2) In the performance of its duties, the Programme Management Sub-Committee may consult with such persons as it deems fit.

6G. Meetings of the Programme Management Sub-Committee

The provisions of paragraphs 2 and 3 of Schedule IV shall have effect with respect to the meetings and administration of the Programme Management Sub-Committee.

6H. Funding of the Programme Management Sub-Committee

An allocation shall be included in the budget of each Law School to allow for the proper functioning of the Programme Management Sub-Committee.

4. Amendment of regulation 21 of Principal Regulations

Regulation 21 of the Principal Regulations is amended by deleting the words “Academic Committee” and replacing them with the words “Programme Management Committee”.

5. Amendment of regulation 27 of Principal Regulations

Regulation 27 of the Principal Regulations is amended by deleting the words “Academic Committee” and replacing them with the words “Programme Management Committee”.

6. Amendment of regulation 30 of Principal Regulations

Regulation 30 of the Principal Regulations is amended –

- (i) by deleting paragraph (i); and
- (ii) by renumbering paragraphs (j) and (k) as paragraphs (i) and (j).

7. Amendment of regulation 32 of Principal Regulations

Regulation 32 of the Principal Regulations is amended –

- (i) by deleting paragraph 1(b);
- (ii) by renumbering paragraph 1(c) as paragraph 1(b); and
- (iii) in paragraph (2), by deleting the words “Academic Committee” and replacing them with the words “Programme Management Committee”.

8. Amendment of regulation 35 of Principal Regulations

Regulation 35(6) of the Principal Regulations is amended by deleting the words “Academic Committee” and replacing them with the words “Programme Management Committee”.

9. Amendment of regulation 36 of Principal Regulations

Regulation 36(5) of the Principal Regulations is amended by deleting the words “Academic Committee” and replacing them with the words “Programme Management Committee”.

10. Amendment of regulation 42 of Principal Regulations

Regulation 42 of the Principal Regulations is amended –

- (i) by renumbering paragraphs 1(a), (b) and (c) as paragraphs (1) (2) and (3); and
- (ii) by deleting paragraph (2).

11. **Amendment of regulation 45 of Principal Regulations**

Regulation 45 of the Principal Regulations is amended –

- (i) in paragraph (1), by deleting the words “reviewing grades of assessments and examinations” and replacing them with the words “reviewing, as prescribed in this regulation, grades of examinations”;
- (ii) by deleting paragraph (6) and replacing it with the following –

“(6) An application for review of a ‘D’ grade awarded in an examination shall be made in writing to the Registrar not later than seven (7) working days after the publication of the examination results.”;
- (iii) by deleting paragraphs 6A and 6B;
- (iv) by deleting paragraph (7) and replacing it with the following –

“(7) No student is entitled to a review of any grade other than a student who has received a ‘D’ grade in no more than three (3) examinations.”;
- (v) by deleting paragraph (10);
- (vi) by renumbering paragraphs (11), (12) and (13) as (10), (11) and (12); and
- (vii) in paragraph (10), by deleting the words “ Where the Committee decides that the script should be reviewed, it” and replacing them with the words “The Committee”.

12. **Insertion of Schedule IV into Principal Regulations**

The Principal Regulations are amended by inserting immediately after the Schedule of Fees, the following as Schedule IV-

“ SCHEDULE IV (Regulations 6C and 6G)

Meetings of the Programme Management Committee

1. Meetings of the Programme Management Committee shall be held as follows –

(1) Meetings of the Programme Management Committee shall be included in the Academic Diary of the Council and shall be convened by the Chairman of the PMC at least once in each academic year at or before the end of the second term, or as soon as possible thereafter, but so as to facilitate timely transmission of a report on the meeting and consideration of the

PMC's affairs at the annual meeting of the Council next following.

(2) As far as practicable, the meetings of the PMC should be held face-to-face at each Law School on a rotation basis, but where necessary, the meetings may be held virtually.

(3) The draft agenda for the meeting of the PMC shall be set by the Chairman of the PMC, after consultation with the Principals of the other Law Schools, at least four (4) weeks before the meeting of the PMC is held, as far as is reasonably possible, and then circulated to all other members of the PMC for comments before final approval by the Chairman.

(4) The Chairman of the PMC shall ensure that all relevant documents, including agendas, minutes, reports and proposals are circulated to members of the PMC, at least two (2) weeks prior to the date of the meeting, as far as is reasonably possible.

(5) The Secretary to the PMC shall be the Registrar of the Law School of the current serving Chairman, or, in the absence of the Registrar, such person as may be carrying out the duties of Registrar, and the Secretary shall make all such arrangements for the effective organization of the meeting in collaboration with the Chairman.

(6) The Secretary to the PMC shall cause an abstract of decisions taken at the meeting, including action items, to be generated and circulated to members of the PMC, as far as is reasonably possible, within two (2) weeks of the meeting of the PMC and shall circulate the Minutes of the PMC meeting to all members within twelve (12) weeks of the meeting, or as soon thereafter as is reasonably possible.

(7) Decisions of the PMC shall be by simple majority but in the event of a tie, the Chairman shall have a casting vote.

(8) A simple majority of members of the Programme Management Committee shall constitute a quorum.

(9) All decisions, minutes, reports and proposals pertaining to the PMC shall be stored in an appropriate information management system for access by members when required.

Meetings of the Programme Management Sub-Committee

2. Meetings of the Programme Management Sub-Committee shall be held as follows –

(1) The Principal of the Law School shall be the Chairman of the Programme Management Sub-Committee and in the absence of the Principal the Senior Tutor of that Law School shall be the Chairman.

- (2) Where neither the Principal nor Senior Tutor is available, such other person being a member of the Programme Management Sub-Committee and selected from among members of the Programme Management Sub-Committee by consensus, or in the absence of consensus by a simple majority of members present and voting, shall preside as the Chairman.
- (3) The Programme Management Sub-Committee at each Law School shall meet, as far as is reasonably possible, face-to-face in the jurisdiction in which the Law School is located at least biannually in each academic year on dates to be fixed by the Chairman with at least one meeting to be held in the first term and one meeting to be held in the second term before the meeting of the Programme Management Committee.
- (4) Where a face-to-face meeting of the Programme Management Sub-Committee cannot reasonably be held, the meeting may be held virtually.
- (5) A simple majority of members of the Programme Management Sub-Committee shall constitute a quorum.
- (6) The agenda for the meeting shall be set by the Chairman of the Programme Management Sub-Committee and circulated to all members of the Committee for comments.
- (7) The Chairman of the Programme Management Sub-Committee shall ensure that all relevant documents, including agendas, minutes, reports and proposals are circulated to members at least ten (10) days prior to the date of the meeting, as far as is reasonably possible.
- (8) Decisions of the Programme Management Sub-Committee shall be by simple majority but in the event of a tie, the Chairman shall have a casting vote.
- (9) The Secretary to the PMSC shall cause an abstract of decisions taken at the meetings, including action items, to be generated and circulated to members of the PMSC within two (2) weeks of each meeting of the PMSC, or as soon thereafter as is reasonably possible, and shall circulate the Minutes of the meeting thereafter.

3. Administration of Programme Management Sub-Committee

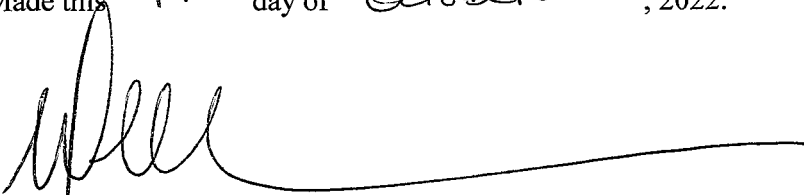
- (1) The Chairman of the Programme Management Sub-Committee shall be responsible for administering and ensuring the implementation of the decisions of both the Programme Management Sub-Committee of the Law School and the Programme Management Committee as soon as is reasonably possible.

(2) There shall be a meeting of the members of the Programme Management Sub-Committees of the Law Schools once every four (4) years to allow, amongst other things, for the exchange of ideas and procedures, the benchmarking of standards and for presentations of teaching and learning techniques and strategies.

(3) As far as practicable, the meeting referred to in sub-paragraph (2) shall be held face-to-face at each Law School on a rotation basis, but where necessary, the meeting may be held virtually.

(4) The Chairman of the PMSC shall prepare and submit to the PMC, four (4) weeks before the meeting of the PMC, as far as is reasonably possible, an annual report on the deliberations, recommendations and decisions of the PMSC.”.

Made this 19th day of October, 2022.

A handwritten signature in dark ink, appearing to read 'L. Weekes', followed by a long horizontal line extending to the right.

Liesel N. Weekes
Chairman
Council of Legal Education
For and on behalf of the Council of Legal Education