



**Professional
Paralegal
Register**

REGISTER REGULATORY COMMITTEE RULES 2015/16

Background

The Register Regulatory Committee (RRC) is a committee that regulates the governance of the Professional Paralegal Register (PPR) members.

It, with advice from the independent Advisory Board, decides on the strategies and operational issues of the PPR.

The RRC appoints a complaints committee for compensation claims of £0 - £500. Claims above this amount, suspensions and removal from the Register, are referred to an independent Adjudication and Appeals Panel to a maximum of £5,000. The RRC have powers to remove individuals from the Register under certain circumstance. This panel also hears appeals against PPR and RRC decisions.

In these Rules unless the context otherwise requires:

Words importing the masculine gender include the feminine, words in the singular include the plural and words in the plural include the singular;

“RRC” Register Regulatory Committee;

“Adjudication and Appeals Panel” means a panel to be determined from time to time by the Regulatory Committee to consider cases and appeals appointed in accordance with Rule 4.2;

“Chair” means the Chair of the Adjudication and Appeals Panel;

“Hearing Chair” the Chair selected by the Adjudication and Appeals Panel to act as Chair of a hearing of the Adjudication and Appeals Panel;

“IoP” Institute of Paralegals;

“Legal Adviser” the adviser to the Adjudication and Appeals Panel as appointed by the PPR;


“Member” a member of the Professional Paralegal Register;

“NALP” National Association of Licensed Paralegals.

“PPR” Professional Paralegal Register;

“RRC Member” a member of the Register Regulatory Committee and shall, where the context permits, include the Chair;

Tier Structure

ENTRY 	1. Must be a member of NALP, IoP or a recognised body.
	2. Entry into a ‘Tier’
Tier 1	Undertaking study; not yet gained Level 3 qualification; no or very little experience (this would be ideal for legal secretaries)
Tier 2	Minimum Level 3 Certificate or equivalent or 2 years ‘qualifying’ experience or Associate Member of NALP or Equivalent Member of IoP (this might include members of other Recognised Bodies.)
Tier 3	Minimum Level 6 + 2 years qualifying experience* or Graduate Member of NALP or Equivalent Member IoP
Tier 4	Level 6 or above to include Paralegal Practice Skills OR LPC/BPTCC + 4 years qualifying experience**

*To become a Tier 3 Professional Paralegal you must have completed at least 2 years qualifying experience either through employment or through work based learning evidenced by a portfolio. Your qualifying experience can have commenced before, during or after your training but must be complete before the appropriate tier status is applied for.

**To become a Tier 4 Professional Paralegal you must have completed at least 4 years qualifying experience either through employment or through work based learning evidenced by a portfolio. Your qualifying experience can have commenced before, during or after your training but must be complete before the appropriate tier status is applied for.

Qualifying experience must be of a wholly legal nature and must be equivalent to a minimum of 18 hours a week.

2. Membership and remuneration of the Register Regulatory Committee (RRC)

2.1 The RRC shall consist of a Chair and a RRC members’ panel comprising not less than six other persons.

2.2 The Chair of the RRC is appointed by the Directors of the PPR.

2.3 The RRC will have lay persons appointed.

2.4 The appointment of future RRC Members shall be made by the existing RRC members having received advice from the Advisory Board.

2.5 A vacancy in the office of Chair or a member of the RRC shall automatically occur:

- (a) Two years from the date of appointment unless re-elected by a majority of the RRC. Re-election shall create an appointment for a further 2 year period and the end of which period a vacancy shall occur (subject again to the possibility of re-election);
- (b) on his death;
- (c) on the acceptance by the PPR of his written resignation;
- (d) on his becoming a staff member or Director of the NALP or IoP;
- (e) if he is convicted of a criminal offence involving fraud, dishonesty or deception or an indictable offence which has not been spent by virtue of a period of rehabilitation without offending under the Rehabilitation of Offenders Act 1974;
- (f) if he is adjudged bankrupt, is the subject of bankruptcy restrictions order or makes a composition or arrangement with his creditors;
- (g) if he lacks capacity (within the meaning of the Mental Capacity Act 2005) and powers in relation to sections 15-20 or section 48 of that Act has been exercised in relation to him;
- (h) the appointments of all RRC members, including the Chair, is on a voluntary basis, however the PPR will pay to the RRC Members and members of the selection panel reasonable out-of-pocket expenses, such expenses to be reviewed periodically by the PPR and determined from time to time by the PPR.

2.6 A RRC Member may be removed from office by resolution passed in the following way:

2.6.1 at a special meeting of all of the RRC Members;

2.6.2 the person who it is proposed is to be removed may appear in person at the meeting together with a nominated representative of their choice, but the person in question shall not be entitled to vote.

2.6.3 the RRC (other than the person in question) shall then determine whether the Member is to be removed by way of secret ballot.

2.6.4 all remaining RRC Members must vote in favour to remove the RRC Member before the RRC Committee passes a resolution to remove that RRC Member failing which the RRC Member in question will not be removed.

2.7 Where a vacancy occurs, it shall be filled as soon as possible in accordance with Rules 2.4 and 2.5.

2.8 If there is a vacancy in the office of Chair or if the Chair is unable or unwilling to act within a reasonable time, another member of the RRC (as determined by the attendee members at such meeting) shall act in his place.

2.9 The RRC shall appoint members of the Adjudication and Appeals Panel to act in deciding cases or appeals referred to that Panel. The constitution for each panel sitting will be determined on an individual sitting basis and in particular no panel member shall sit on an appeal panel who sat on the panel which decided the matter that is the subject of appeal.

3. Procedures

3.1 The Register Regulatory Committee appoints the Complaints Committee. The Complaints Committee examines complaints about Registered or Regulated Paralegals.

If a Complainant complains about a Registered Paralegal, the Complaints Committee may make one or more of the following decisions:

- > dismiss the complaint;
- > order a Registered Paralegal to repay some or all of the costs paid;
- > order a Registered Paralegal to pay compensation of up to £500 for loss suffered, which may include compensation for distress and inconvenience (guidance at the end of this procedure explains how this is determined);
- > impose a penalty of up to £500 on the Registered Paralegal ;
- > order a Registered Paralegal to rectify any error at their own expense;
- > issue a written caution or reprimand to the Registered Paralegal;
- > suspend the Registered Paralegal, pending further enquiries;
- > institute further investigation;
- > refer the matter to the Adjudication and Appeals Panel;
- > publicise any sanction or fine on the Register.

If a complainant complains about a Regulated Paralegal, the Committee may make one or more of the following decisions:

- > dismiss the complaint;
- > order the Regulated Paralegal to repay some or all of the costs paid;
- > order the Regulated Paralegal to pay compensation of up to £500 for loss suffered, which may include compensation for distress and inconvenience (guidance at the end of this procedure explains how this is determined);

- > impose a penalty of up to £500 on the Regulated Paralegal;
- > order a Regulated Paralegal to rectify any error at their own expense;
- > issue a written caution or reprimand to the Regulated Paralegal;
- > suspend the Regulated Paralegal, pending further investigation;
- > institute further investigation (including appointing appropriately qualified investigator(s));
- > refer the matter to the Adjudication and Appeals Panel;
- > access the compensation fund;
- > publicise any sanction or fine on the Register.

3.2 All decisions of the RRC shall be promptly notified in writing to both the complainant(s) and the Member(s) involved, such notification providing reasons for the decision.

4. Hearings before the Adjudication and Appeals Panel

4.1 Hearings before the Adjudication and Appeals Panel shall be assembled at the direction of the RRC to determine proceedings under the PPR Code of Conduct and Paralegal Practice Rules.

4.2 When the RRC directs that a hearing before the Adjudication and Appeals Panel is to be assembled the RRC shall select the Hearing Chair and at least two other panel members to constitute the Adjudication and Appeals Panel for the purpose of that hearing, provided that at least one of the Adjudication and Appeals Panel shall be a Member of the PPR who can demonstrate independence from the subject. The Hearing Chair shall determine the date, time and place for the hearing and notify the PPR.

4.3 When he directs that a hearing be convened as provided by Rule 4.2, the Chair may at that time also select a Legal Adviser to attend the hearing to advise the Adjudication and Appeals Panel in accordance with guidance issued by the PPR.

4.4 Without prejudice to any restriction that would apply under the general law, a person who acted in relation to any case shall not be eligible to act in relation to that case as a Adjudication and Appeals Panel member.

4.5 The PPR shall, as soon as reasonably possible, send notice of the hearing to each member of the Adjudication and Appeals Panel and the appropriate parties in the manner prescribed in the Complaints Procedure.

4.6 When the Adjudication and Appeals Panel direct that a new hearing date be fixed for the purposes of a preliminary meeting or to hear or continue to hear and

determine the matter before them, the Hearing Chair shall determine the date, time and place for the hearing and notify the PPR.

4.7 The PPR shall, as soon as reasonably possible, send notice of the hearing to every member of the Adjudication and Appeals Panel and the appropriate parties and the Legal Adviser in the manner prescribed by the Complaints Procedure Timetable.

4.8 The process set out in this Rule 4 shall be applied (as appropriate) in relation to any appeal to either a decision made by the Regulatory Committee in accordance with Rule 3.1 or a first decision of the Adjudication and Appeals Panel.

5. Quorum

5.1 The quorum for the purposes of these meetings shall be 3 and resolutions passed at these meetings shall require a simple majority vote.

5.2 No hearing before the Adjudication and Appeals Panel shall take place or shall continue unless there are present, three members of the Adjudication and Appeals Panel constituted in accordance with Rule 4.

6. Decisions of the Adjudication and Appeals Panel

The Adjudication and Appeals Panel may on determining a hearing:

6.1 Impose a penalty (which must not exceed £5,000).

6.2 Order condition(s) to be imposed on a Member's Membership Certificate which must be complied with by such Member.

6.3 Order that the Member in question be suspended as a Member for a defined period.

6.4 Order that the Member's membership be terminated permanently.

6.5 Issue a written caution or reprimand.

6.6 Order the Member in question to pay compensation to the complainant which must not exceed £5,000.

6.7 Order the Member in question to pay the costs involved in the hearing.

6.8 Order the Member to rectify, at their own expense, any error within a reasonable period of time as the Appeals Panel determines on a case by case basis.

6.9 Order that no action is appropriate against the Member.

6.10 All decisions of the RRC shall be promptly notified in writing to both the complainant(s) and the Member(s) involved such notification providing reasons for the decision.

7. Appeals

7.1 Any Member who is aggrieved in respect of a decision of the RRC or the Adjudication and Appeals Panel may, within 28 days of the date of the decision by written notice to the RRC, request an appeal against such decision. The final decision of the Adjudication and Appeals Panel shall be binding upon the Member. The RRC shall, unless there shall be reasonable grounds for not doing so, refer the matter to a differently constituted Adjudication and Appeals Panel for Appeal.

Written notice by a Member to request an appeal by the RRC must be sent to: The Adjudication and Appeals Panel for Appeal, 10 Linton House, 164 – 180 Union Street, Waterloo, London SE1 0LH.

8 Meetings of the RRC

8.1 The Chair, by giving not less than 14 nor more than 28 days written notice to the other members of the RRC, may determine the place, time and date and of a meeting for any purpose connected with the affairs of the RRC.

8.2 The Chair shall, if requested in writing by not less than three members, convene a meeting to take place under Rule 8.1 and if he fails within 14 days to give notice under that Rule the persons demanding the meeting may give notice under that Rule to assemble the meeting.

8.3 Any notice to assemble a meeting shall include an agenda of the meeting

8.4 The quorum for the purposes of these meetings shall be three and resolutions passed at these meetings shall require a simple majority of votes. The Chair of the RRC shall not be entitled to a vote unless only two votes are cast and no agreement is reached. In such an event the Chair will have the casting vote.