

What is Public Access?

A Public Access Barrister allows those able to conduct litigation themselves to have complete control of their case, without being reliant on or having to pay for a solicitor. Using the Public Access Scheme you can instruct a barrister directly to advise and/or represent you at any stage of your case, including before any proceedings have been issued. You do not need to instruct a solicitor as well if you do not wish to.

Subject to cases being accepted, we can provide a specialist barrister to guide you through the process and to represent you in the event that the case comes to court or if any ad hoc advice is required.

It may be the case that a Barrister thinks that your case needs the additional assistance of a solicitor. If this is so, they will be able to advise you of that.

Is Public Access right for me?

Public Access can mean considerably more time and work for you as an individual. This is because you would be carrying out the work a solicitor would usually do. However, in doing this you would be saving the cost. This is why Public Access is usually cheaper. Barristers' fees are not reduced but you save on your legal costs as a whole.

It is very important to understand that litigants who instruct barristers under the scheme remain litigants in person who are responsible for taking all procedural steps in the case; the barrister does not conduct the litigation in the way a solicitor does.

You would need to be confident in carrying out the roles of litigation for yourself: for example, liaising with the other side's legal representatives (or them directly if they are also acting as a litigant in person), completing lengthy court forms, collating bundles of documents for hearings (and/or conferences). you are able to instruct your barrister to draft certain documents or provide advice in a conference on how to proceed with your case throughout your litigation.

Key Steps

Step one

All prospective Public Access clients must complete our questionnaire which can be downloaded via our Public Access page on our website. We ask that you complete the questionnaire fully with as much information as possible. The absence of any information may lead us to refuse the case. Once completed, please submit the questionnaire to Clerks@1hc.com with a brief cover letter explaining the assistance that you require. Upon receipt of the questionnaire, we aim to respond with a phone call or email in no more than 3 working days, dependent on the availability of counsel to review the questionnaire and to confirm which barristers may be available to help. Once we have discussed the

Barrister you would like to choose, with your permission the information submitted to us will be sent to the Barrister for them to decide whether the matter will be taken on.

Step two

Initial discussion – Before your case is accepted on a Public access basis the barrister who has reviewed your questionnaire may need to discuss some points of your case to come to a final determination about whether your case is suitable for Public access. Each request is dealt with on a case-by-case basis. This initial discussion will generally last between 10-20 minutes and is charged at a nominal fee of £100 Plus VAT.

Step three

Instructions – Once your case has been accepted you will engage counsel to act on your behalf. At this point, we would look to send you a contract and confirm the fee for the work your barrister would be carrying out.

Step four

Going forward – After your barrister has completed what you have instructed them to do, the working relationship comes to an end. If you require further advice or advocacy, a new contract is necessary (although a fresh process of information gathering outlined above may be necessary). It is important to note that, unlike a professional relationship with a solicitor, there is no ongoing communication between you and the barrister who was instructed.