



**Tutorial Pack:
Professional Ethics**

Introduction

The activities contained within this document are designed to be worked on both independently and as part of tutorials.

All articles and cases referred to in this pack may be found towards the end of the pack or by following the links provided.

Week 1

Activity 1

Write a short paragraph to explain an ethical dilemma you have encountered, or have witnessed, in the workplace.

Activity 2

In 1842, a ship struck an iceberg and more than 30 survivors were crowded into a lifeboat intended to hold 7. As a storm threatened, it became obvious that the lifeboat would have to be lightened if anyone were to survive. The captain reasoned that the right thing to do in this situation was to force some individuals to go over the side and drown. Such an action, he reasoned, was not unjust to those thrown overboard, for they would have drowned anyway. If he did nothing, however, he would be responsible for the deaths of those whom he could have saved. Some people opposed the captain's decision. They claimed that if nothing were done and everyone died as a result, no one would be responsible for these deaths. On the other hand, if the captain attempted to save some, he could do so only by killing others and their deaths would be his responsibility; this would be worse than doing nothing and letting all die. The captain rejected this reasoning. Since the only possibility for rescue required great efforts of rowing, the captain decided that the weakest would have to be sacrificed. In this situation it would be absurd, he thought, to decide by drawing lots who should be thrown overboard. As it turned out, after days of hard rowing, the survivors were rescued and the captain was tried for his action.

If you had been on the jury, how would you have decided?

Activity 3

Write a short paragraph to summarise your understanding of money laundering. Explain how you think money laundering regulations may impact upon your role as a costs lawyer or when working in legal practice.

Activity 4

Consider whether the following statements are true or false. If you answer false give a reason for your answer.

- a. Being ethical is not exactly the same as following the law.
- b. A code of conduct is a document that simply guides ethical decision making in all the members of an organisation.

Activity 5

All organisations, no matter their size, can benefit from a code of ethics or a code of conduct. List two benefits of having a code of ethics in place.

Week 2

Activity 1

Read the following extract from the Legal Education and Training Review and write a short paragraph to describe whether you believe entity regulation is a good idea.

“Entity regulation, as introduced by the LSA 2007, encourages competition and innovation by allowing the development of business structures with multi-disciplinary and external ownership in contrast to the traditional law firm partnership model. Such alternative business structures (ABSs) are licensed only in respect of specified reserved activities. They cannot undertake reserved work beyond those limits, but this does not preclude them from also providing general (ie, unreserved) legal advice - thus, for example, an ABS with probate and reserved instrument licences, could potentially offer an entire property and estate management service, including providing (currently unregulated) will-writing services, conveyancing, probate, tax and estate administration.”

Activity 2

Locate and read the following article:

<http://www.lse.ac.uk/law/people/academic-staff/julia-black/Documents/black5.pdf>

This article was published in 2007 about the financial service sector – what is its relevance to you? Answer the question and summarise the content of that article on the discussion thread in no more than five bullet points.

Activity 3

Locate and read the following article:

<https://www.4newsquare.com/publications/introduction-to-the-sras-2019-standards-and-regulations/>

In your own words, summarise the changes that have been made to the SRA regulations and standards.

Activity 4

Write a sentence to explain who must follow the SRA codes of conduct?

Please ensure you support your answer with appropriate authority or a source upon which you are basing your assertion.

Week 3

Activity 1

Read the General Committee Debate found here:

<https://publications.parliament.uk/pa/cm200607/cmgeneral/deleg1/061204/61204s01.htm>

What was the committee considering?

What was the ALCD?

Who would the order allow to have rights of audience and why?

Activity 2

Read the article on page 16 of the Costs Lawyer: <http://edition.pagesuite-professional.co.uk//launch.aspx?eid=f67e78b1-5753-4869-a32a-adc14d9a8c3c>

What are the skills that article suggests a costs lawyer will need?

In your opinion, do you believe that lawyers need to develop their skills in project management?

Write a short paragraph summarising your views on this, please use authority to support your assertions.

Activity 3

Write a list of skills you think a costs lawyer needs now that they did not need 6 years ago.

Activity 4

Write a list of skills you think a costs lawyer will need in the future.

Activity 5

Read the article: <https://www.associationofcostslawyers.co.uk/Press-Articles/ignoring-costs-lawyer-earns-judicial-rebuke-in-fee-dispute/213763>

What case does this article refer to?

Write a short paragraph to summarise the article.

Week 4

Activity 1

Watch the following video and write a short paragraph on the discussion forum to summarise the difference between professional and public indemnity insurance.

<https://www.youtube.com/watch?v=py2oBiGXRLs>.

What level of insurance is required by a costs lawyer? Where did you find the answer to that question? Share your findings with the group.

Activity 2

Visit the following webpage and answer the questions below:

<https://clsb.info/regulatory-matters/disciplinary-outcomes/>

1. How many disciplinary sanctions have there been against costs lawyers since 2012?
2. Do you think this is a large number of disciplinary sanctions? Give reasons for your answer – why do you think this is the case?
3. Research and record your findings as to why details of a disciplinary sanction may not be published on the CLSB's website.

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