

The moment that a potential PA client approaches you, is a defining moment. It is the moment for you to switch on your radar system to its position of greatest sensitivity. And this you are allowed to do because the cab rank principle does not apply to PA work. You can properly pick and choose who rides in your cab.

Due to the abolition of civil legal aid by successive Governments, there are literally thousands of people out there trying to pursue or defend their own civil cases without legal assistance.

Some of these people are already mad. Some are on the brink of reaching that state of obsession that precedes madness. Some are still sane but beginning to show early signs of obsessionism. And some are decent, intelligent, motivated, organised and in control of their emotions.

Your first contact with these people must be designed to inform you into which category the client falls on the spectrum from moderate to bonkers.

So have a 15 minute chat by telephone. That will tell you a lot. The first sign of unsuitability is a lack of coherence and articulacy. That is a warning sign. It will mean at minimum that you will end up spending hours trying to take instructions from someone who cannot readily give them.

But inarticulacy may be a bad case of nerves. Give the incoherent person a second chance. Suggest that they send you an email limited to 400 words explaining their case to you. It is amazing how this little test reveals who is and is not suitable to be taken on as a PA client.

But what you want in a JR scenario is a dream client and I have just had one. She had been training to be a legal exec. She had worked for years in a firm of solicitors. She took and passed the final ILEX exams. They later accused her of recreating parts of text books so effectively that she could only have copied them out in the exam room - and they failed her.

Her defence was that she had taken a photo reading course and had learnt to memorise text by rote. That defence was disbelieved and she was failed and excluded from ILEX. She appealed and failed on appeal. Her final recourse was JR.

Meanwhile her employer solicitor died and the firm closed down. She lost her job. Her only hope of access to justice was the Bar PA scheme. She instructed me.

Over about 18 months, the matter came before no less than 9 senior Judges. I argued that the presence of the VP of ILEX on the appeal panel had been unlawful at common law, as the prosecutor, ILEX, had been a judge in its own cause.

2 senior judges refused perm to move for JR. The CA granted perm on paper. 2:1 down. We lost on the same point at a trial. 3:1 down. The CA then refused perm to appeal on paper, but then granted it at an oral hearing. 4:2 down.

But we came in front of a 3 judge CA last July and won. So overall 5 Judges were in favour of the proposition that an officer and council member of a regulator cannot sit on a disciplinary tribunal where the regulator is also the prosecutor - and 4 were against. This was a serious debate that

plainly divided the senior judiciary. The margin was a fine one.

The Bar PA scheme gave this lady an opportunity that she would simply not have had in a country in which individual citizens now find it almost impossible to get legal aid to challenge powerful regulators who make unlawful decisions.

But this was a client, who despite the injustices meted out to her, was always in good spirits, able to paginate and index bundles properly, used and replied promptly to email, was able to liaise effectively with court offices, and, overwhelmingly, possessed a modesty combined with gutsy determination to right the wrong done to her and the endearing ability to forgive those Judges who found against her, despite the fact that her contention was so obviously right in law.

As I say, she was the dream client.

She had some savings and used them. I kept my fees as low as possible. Where I gave her time to pay, she not once abused my generosity.

This case exemplifies the kind of client to look out for and the kind of case that most benefits from PA.