

ISSUE 2
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LEGAL LENS

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WELCOME BACK TO LEGAL LENS

A Legal Newsletter, without the Legalese

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COMMERCIAL AWARENESS SEGMENT

BY ANGUS MCGUINNESS, FARHIYA HAJI, JERUSHA JOHN, & NAWAF BABGI | LLB LAW

ANTITRUST TURBULENCE

The proposed \$3.8 billion acquisition of Spirit Airlines by JetBlue Airways, recently blocked by a federal judge, echoes the U.S. Department of Justice's stance on reducing competition and maintaining low fares, in line with the Biden Administration's commitment to antitrust laws. Judge William Young's decision emphasised that removing Spirit would adversely affect "cost-conscious" travellers dependent on its discounted fares. This ruling signals potential industry shifts, particularly influencing low-cost carriers and casting uncertainty on similar mergers, like Alaska Air's planned \$1.9 billion Hawaiian Airlines acquisition, already witnessing a 3% share decrease. JetBlue and Spirit, disputing the verdict, are reassessing strategies to compete with the dominant four airlines, which hold 80% market share, as the merger would have created the fifth-largest airline with a 10% share.

SAUDI COMPETITION CONTROL INTRODUCES NEW GUIDELINES FOR '24

Last November, the General Authority for Competition of Saudi Arabia (GAC) revealed updated criteria for merger control filing thresholds.

Previously, the GAC's Merger Review Guidelines designed that notification was obligatory if the total annual sales of all parties involved in a transaction exceeded SAR 200 million (~GBP 42 million). The new cumulative filing thresholds, now in full effect, expand on this by adding a domestic dimension. The total annual sales of the controlling groups of the transaction generated **within Saudi Arabia specifically** must also now exceed SAR 40 million (~8.4 million). These are not the first adjustments of its kind; March of 2023 saw the GAC double the original threshold for worldwide turnover of involved parties from SAR 100 million (~GBP 21 million) to what it is now, while the filing fee cap was reduced by more than half.

SO, WHAT'S THE BIG IDEA?

This story demonstrates how moderating bodies like the GAC can positively reinforce healthy competition and flex committed authority within a domestic economy by proactively refining merger control regimes. With its powerful oil-based economy, today, Saudi Arabia is one of the fastest developing countries in the world. By introducing the additional conditions, the GAC efficiently move to slash the number of unnecessary filings, directing its focus inward on domestic transactions, while simultaneously making itself more attractive to foreign businesses by excluding the notification requirement for "economic concentrations" that do not have a material effect on local competition. The imposition of both behavioural and structural changes by the GAC last year, coupled with the spike in rejected transactions since 2021, indicates the expanding role of the GAC as it gains more experience in enforcing rules from when its Competition Law came into effect in 2019.

Thoughts from White & Case's Lawyers? *"The new notification thresholds represent an important development in the timeline that will have a positive impact on the Kingdom's merger control regime."*

NEW YEAR, NEW OPPORTUNITIES

CLICK THE LINKS BELOW TO APPLY TODAY!



FIRST YEAR INSIGHT SCHEMES:

WHO,
WHAT,
WHY?

OVERVIEW:

A First-Year Insight Scheme is a structured program tailored for fresh-faced undergrads embarking on their legal education journey. It offers a hands-on corporate experience, allowing participants to explore the intricacies of commercial law practice.

SCOPE:

Throughout the scheme, participants will delve into key areas such as contract law, business regulations, and corporate governance. This exposure will equip you with a foundational understanding of how legal principles intersect with the business landscape.

FIRST YEAR INSIGHT SCHEMES

Deadlines for 2024

Hogan Lovells

[First Year Insight Scheme](#)

29th February, 2024

Osborne Clarke

[First Year Insight Scheme](#)

28th February, 2024

Macfarlanes

[First Year Insight Scheme](#)

26th January, 2024

TRAINING CONTRACTS

Deadlines for 2024

Hogan Lovells

[London Training Contract - 2026 Intake](#)

31st January, 2024

Mayer Brown

[London Training Contract - 2026 Intake](#)

31st March, 2024

Ashurst

[London Training Contract - 2026 Intake](#)

29th March, 2024

VACATION SCHEMES

Deadlines for 2024

Mayer Brown

[London Vacation Scheme](#)

31st January, 2024

Ropes & Gray

[Vacation Scheme](#)

31st January, 2024

Baker McKenzie

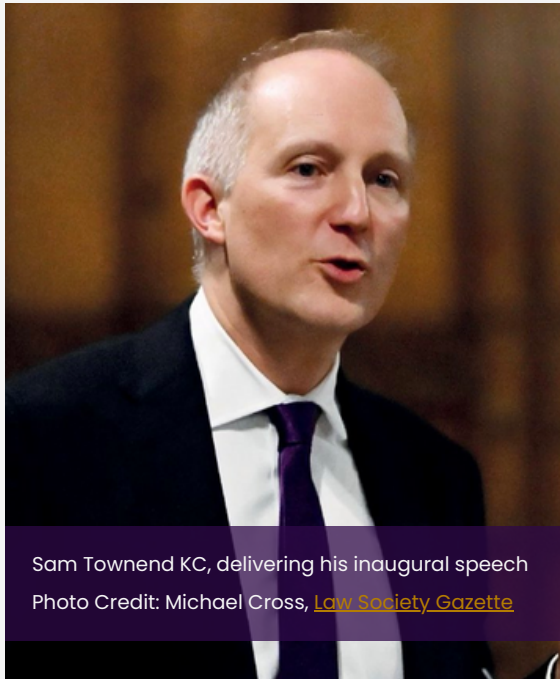
[London Vacation Scheme](#)

31st January, 2024

NEWS FROM THE BAR IN 2024

BY YAËLLE LAWSON-TANNIOU | 3RD YEAR LLB LAW

1. Inaugural Speech Breakdown from Bar Council's New Chair
2. Amendments to Academic Legal Training from the BSB



Sam Townend KC, delivering his inaugural speech

Photo Credit: Michael Cross, [Law Society Gazette](#)

1. REALITY CHECK FROM THE BAR COUNCIL'S NEW CHAIR IN BITING INAUGURAL SPEECH

On January 9th, the new Chair of the Bar Council of England and Wales, Samuel Townend KC, delivered his inaugural speech at Lincoln's Inn.

Addressing bar members, he highlighted key structural deficiencies in the justice system of England and Wales and did not shy away from grave statistics. Providing the Council with a clear vision of his goals as Chair of the Bar Council, Townend expressed optimism about the future of the bar in various areas: specifically, he underlined the potential for improvements in professional life at the criminal Bar, attracting and retaining counsel, reducing ineffective trials, and addressing the backlog in the criminal court system. Additionally, he discussed the potential for diversification and expansion of international markets for specialist services.

Equally, he addressed concerns and challenges within the profession, indicating that there are areas where the Bar must get its own house in order. Amongst them, the Bar Council's new Chair identified entrenched issues deemed structurally corrosive to the justice system, candidly stating that "The criminal and family justice systems are at the point of structural failure.". Indeed, these sectors of the system have some of the heaviest outstanding caseloads, which continue to raise concerns about its efficiency and reliability in England and Wales.

The essential problems for the criminal sector were outlined as such: the ever-increasing caseload in the Crown Court, the average 290-day wait between receipt and disposal, and the worrying decrease in junior barristers willing to work in crime leading to staff shortages and delayed trials.

As for the family law sector, Townend singled out the dwindling availability of Legal Aid [after the blow of the Sentencing and Punishment of Offenders Act 2012](#) as the root cause of a "chronic decline in the effectiveness of the family justice system.". His solution? The new Chair of the Bar Council called for greater funding and urged both major political parties to deliver on providing the necessary resources to get the justice system back on its feet. In this line of thought, he suggested a manifesto commitment to match-funding additional criminal pupillages and emphasized the importance of aligning remuneration with the principles of Better Case Management.

Addressing discrimination, Townend spotlighted pay gaps, notably the 17% difference between men and women in the 0-3 year cohort. And in response to rising reports of discrimination and harassment, he announced a Bar Council review to identify solutions.

For law students, Townend's speech offers valuable insights. It underscores the importance of staying informed about the critical issues facing the legal profession while reinforcing the notion that a successful legal career involves a commitment to justice, inclusivity, and continual attention to the evolution of the professional landscape. Aspiring lawyers should take note of the need for adaptability, and are encouraged to engage with these broader societal issues that are central to address in securing the ongoing improvement of the Bar.

"I put it bluntly: the criminal and family justice systems are at the point of structural failure."

2. BAR STANDARDS BOARD PROPOSES AMENDMENTS TO ACADEMIC TRAINING FOR FUTURE BARRISTERS



The BSB has recently launched a three-month public consultation on amending the definition of academic legal training. It wishes to review the definition of academic legal training as it is understood today. Currently, training for the Bar is composed of three key parts: academic, vocational, and work. The BSB believes that the requirements of these components no longer fully represent their objectives in training, which are no other than ‘high standards, flexibility, accessibility, and affordability’.

The changes, which are expected to take effect from September 2025 and which are still subject to approval, may see law schools submit individuals whose “qualifications [can] be regarded as equivalent to a UK law degree” onto vocational bar training, with the BSB elaborating: ‘the most obvious example’ would be someone who had successfully completed part one of the Solicitors Qualifying Examination.

The path to becoming a barrister is notoriously demanding and is widely considered an exceptionally competitive undertaking after completing your legal education (whether that be an undergraduate LLB or a Graduate Diploma of Law conversion course). This proposal for minimised entry requirements would almost certainly ensure greater accessibility for a new cohort of future barristers and, in launching it, the BSB hopes to “modernise and rationalise their approach to the academic stage of training, aligning it more closely with that of other legal professional regulators.” Such an incentive also serves to promote greater equality in applicants while creating wider public interest in the profession.

NEW YEAR'S WISHES FROM THE TEAM:

In this New Year, we invite you to embrace challenges, learn from setbacks, and let each day be a step toward your goals, whatever they may be. May your curiosity drive discovery, and your journey be filled with growth this 2024. Happy New Year, future lawyers!



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