

UK – England and Wales – Bar Council

(Information provided by the UK delegation to the CCBE, December 2011.)

A. Contact Point

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B. General information

1.	Legal basis	Regulation 59 of the Bar Training Regulations
2.	Overview of procedural steps	<ol style="list-style-type: none"> a. The applicant has to send application to the Bar Standards Board. b. The Bar Standards Board will carry out an Equivalence Assessment comparing relevant foreign and national qualifications and professional experiences: they decide whether the applicant will need to sit the Bar Transfer Test. The Bar Transfer test is organised by the BPP Law School. c. Depending on the results of the Bar Transfer Test, the Bar Standards Board will decide, if applicable, which of all or part of the training stages from which the applicant may be exempted. d. The applicant will need to become a member of one of the 4 Inns of Court. e. The applicant will usually need to complete the required vocational stage (i.e. the Bar Professional Training Course (1 year)). f. The applicant must attend 12 Qualifying Sessions with his or her chosen Inn. g. Following the Bar Professional Training Course and the 12 Qualifying Sessions, the applicant will be 'called to the Bar' (which is the formal act by which a person is awarded the degree of barrister by an Inn of Court). h. Once the applicant has been called to the Bar, he or she is eligible to commence the 1-year pupillage (possibility of reduction). i. Upon successful completion of the end of the pupillage/any relevant exams, the applicant will be issued with a Full Qualification Certificate from the BSB.

C. Processing of application

1.	Information and documents requested from the applicant	<p>The applicant has to enclose any relevant documents:</p> <ol style="list-style-type: none"> 1. Details of the applicant's educational and professional qualifications and experience; 2. (...) <i>applies only for qualified lawyers</i>¹; 3. Any other representations or evidence on which the applicant wishes to rely in support of the application; 4. Verified English translations of every document relied on which is not in the English language; and 5. Prescribed fee.
2.	Submission of application	<p>Exemption application form (see BSB website) including documents of support are to be sent to:</p> <p>Manager, Qualification Regulations Bar Standards Board (BSB) 289 High Holborn London WC1V 7HZ Tel: 020 7611 1444, 020 7611 1444; Fax: 020 7831 9217 e-mail: contactus@barstandardsboard.org.uk; Website: http://www.barstandardsboard.org.uk/</p>
3.	Application fees	£440
4.	Expected duration of the application processing	6-8 weeks

¹ Evidence (where applicable) that the applicant is or has been entitled to exercise rights of audience before any court, specifying the rights concerned and the basis of the applicant's entitlement to exercise such rights – only for qualified lawyers;

D. Initial assessment of application		
1.	General requirements	<p>1. The applicant does <u>not</u> have to be an EU citizen.</p> <p>2. The applicant does <u>not</u> have to be a holder of a law degree that was obtained in the EU, EEA or Switzerland.</p>
2.	Equivalence of legal knowledge and professional experience	The competent authority will assess whether the applicant can demonstrate knowledge and/or the completion of training which makes it unnecessary for the applicant to undertake the training from which an exemption is sought. ²
3.	Outcome	<p>Depending on previous education and professional experience, the applicant may be required to undertake:</p> <ol style="list-style-type: none"> 1. Further examinations and/or 2. A traineeship <p>The amount of courses and the duration will depend on previous education and professional experience.</p>
E. Steps following initial assessment		
1.	Bar Transfer Test	<p>Depending on previous education and professional experience, the Bar Standards Board will usually ask the applicant to sit the Bar Transfer Test which consists of 5 sections:</p> <ol style="list-style-type: none"> 1. Section 1a: 3 hour written exam in Contract and Tort. 2. Section 1b: 3 hour written exam in Land Law and Trusts. 3. Section 2: 3 hour written exam in Criminal law, Constitutional & Administrative Law and English Legal System. 4. Section 3: 3 hour written exam in Evidence and Criminal & Civil Procedure. 5. Section 4: Oral test on the rules of Professional Conduct. 6. Section 5: Advocacy test, on both submissions and witness handling. <p>The applicant may not have to take all sections.</p> <p>Depending on the results of the test, the Bar Standards Board will decide, if applicable, which of all or part of the training stages from which the applicant may be exempted. The training stages are explained in section F of this table.</p> <ul style="list-style-type: none"> • The test is organised by the BPP Law School and costs £2,250. • It is held over 1 week in April and September each year. • The examining body consists of Academics. • The test can be retaken. • Appeals are possible; these are dealt with by the Review Board.
2.	Stage	After having passed the Bar Transfer Test, the applicant if necessary, will need to complete the required vocational stage.
F. Normal route to qualify as a barrister		
1.	Academic Stage	Obtaining a Qualifying Law Degree; or Obtaining a Qualifying Degree ³ and successfully completing a Conversion Course.
2.	Professional Stage	Before starting the vocational stage, the person will need to become a member of one of the 4 Inns of Court ⁴ .
3.	Vocational Stage	The vocational stage consists of the 'Bar Professional Training Course' (BPTC) (full time / part time) and may not commence more than 5 years after completing the Academic Stage except with the permission of the Board.

² The applicant may seek exemption from the following training stages:

1. The Academic Stage, and/or
2. The Vocational Stage, and/or
3. The Professional Stage (Pupillage).

³ A Qualifying Degree is a degree awarded by a University or establishment of equivalent level outside the UK which the Board accepts as equivalent to a degree of the required standard awarded by a University in the U.K following a course of at least three years.

⁴ The Inns of Court in London are the professional associations to one of which every barrister in England and Wales must belong.

		<p>The main skills taught are:</p> <ul style="list-style-type: none"> • Case Work Skills • Legal Research • General written skills • Opinion-writing (that is, giving written advice) • Interpersonal Skills • Conference Skills (interviewing clients) • Resolution of Disputes Out of Court • Advocacy (court or tribunal appearances) 	<p>The main areas of knowledge taught are:</p> <ul style="list-style-type: none"> • Civil Litigation & remedies • Criminal Litigation & sentencing • Evidence • Professional Ethics • Two optional subjects, selected from a choice of at least 6.
		<p>The person must also attend 12 Qualifying Sessions with his or her chosen Inn. ('Qualifying Session' means an event (or part of an event) of an educational and collegiate nature arranged by or on behalf of an Inn.)</p>	
4.	Call to the Bar	<p>Upon completion of the BPTC and the 12 Qualifying Sessions, he/she will be called to the Bar by their Inn. ("Call to the Bar" means the formal act by which a person is awarded the degree of barrister by an Inn.)</p>	
5.	Professional Stage	<p>The Professional Stage consists of 12 months of pupillage and may not commence more than 5 years after completing the Vocational Stage except with the permission of the Bar Standards Board:</p> <ol style="list-style-type: none"> 1. 'Non-practising period of 6 months': must be undertaken in England and Wales⁵; 2. 'Practising period of 6 months': may be undertaken in an EU Member State. <p>In addition, the person will need to follow compulsory courses in advocacy and practice management.</p>	
6.	Certificate	<p>Upon completion of the professional stage, the person will be issued with a Full Qualification Certificate and can now practice as a Barrister.</p>	
G. Statistics			
	Closed cases	None	
	Outstanding cases	2 applications received – 1 Irish, 1 Norwegian. Both granted exemption from Academic and Vocational stages of training, conditional upon passing all sections of the Bar Transfer Test ⁶	

⁵ In the 'non-practising period', the person is not entitled to handle his or her own cases. The person will simply observe the work of the supervisor whereas in the 'practising period' the person will deal with his or her own cases under supervision.

⁶ Information of April 2011.