

## Joint Inns' Education and Qualification Rules

### INTRODUCTION

1. The Joint Inns' Education and Qualification Rules set out the requirements for the Inns in respect of educational and qualification matters and take full account of the following, the contents of which are not repeated here:

- the Memorandum of Understanding between the Inns of Court and the Bar Standards Board (BSB) (the MoU) and its annexes;
- the BSB Handbook Part 4 Qualification Rules;
- the Bar Qualification Manual and
- the Authorisation Framework.

2. Student members of an Inn are subject to these supplementary rules and the standing orders of their Inn.

3. Membership data are shared between the Inns in compliance with the data protection policies of the Inns and the inter-Inn Data Sharing Protocol.

4. Membership data are shared between the Inns and the BSB in compliance with schedule 3 of the MoU ie. the Data Sharing Protocol, and the [BSB's Privacy Notice](#).

### ADMISSION

5. The requirements for admission to the Inns of Court are set out in the MoU, in schedule 1 of the MoU (the Guidelines for determining if a person is fit and proper to become a practising barrister) and the Bar Qualification Manual. In short applicants must:

- a) meet the academic requirements set out in paragraph 8. below and
- b) be fit and proper in accordance with schedule 1 of the MoU.

An Inn must admit an applicant who has completed all required processes, is eligible for admission and has paid any prescribed fee.

6. Inn membership must be secured prior to the start of the vocational component of Bar training. Applications for admission should be made at least 12 weeks prior to the start of the vocational component of training. Where the vocational component is split into two parts applications for admission should be made at least 12 weeks prior to the start of Part 2. The Inns may accept applications within 12 weeks of the start of the vocational component but cannot guarantee that they will be processed in time. Further detail regarding the different training pathways can be found in the BSB's Authorisation Framework.

7. Persons undertaking an apprenticeship pathway of training for the Bar will be dealt with on a case by case basis by the BSB who will determine the date by which they must be a member of an Inn. Those in this position should apply for Inn membership at least 12 weeks prior to this date.

8. To apply for Inn membership (admission to the Inn), an applicant must either be:

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- a) studying a law degree which includes the foundations of legal knowledge and skills associated with graduate legal work as set out by the BSB; or
- b) studying on, or have been accepted onto, a course (e.g. Graduate Diploma in Law (GDL)) which includes the same knowledge and skills as set out in a) above; or
- c) have been exempted from, or have successfully completed, the academic component of training.

9. Certified copies of degree or conversion course certificates or proof of study on a degree or conversion course or the relevant waiver documentation from the BSB will be required at the point of application for admission.

10. Degree and conversion course qualifications older than 5 years are considered stale for the purposes of admission to an Inn and Bar qualification. Applicants with stale qualifications will need to seek advice from the BSB as to what action they will need to take to reactivate their qualifications. Note: Law degrees started before the 2019/20 academic year are required to be 'Qualifying Law Degrees' i.e. QLD; specific requirements can be found in the Bar Qualification Manual.

11. The fee for admission to an Inn will be determined by the individual Inn and will be reviewed annually. It will be published on the Inn's website along with the cost of other activities associated with Call to the Bar.

12. Applicants must provide to their Inn a completed Admission Declaration as prescribed by the BSB. The Inn may ask for additional information.

13. Applicants must provide certified copies of identity documentation upon application for admission. The requirements for this, and associated guidance, will be set out in the admission information on the Inns' websites.

14. Student members will be required to commence the vocational component of training for the Bar within six years of admission to an Inn. Student members will be required to complete the vocational component within five years of commencing the vocational component. Inn membership will cease for those student members not complying with this requirement except when they have made a successful application to the Inn for the relevant time limit/s to be extended. Consideration will only be given to extending the time limits in cases where there are clear plans to commence and complete the vocational component of qualification within any BSB prescribed time limits.

15. Student members will be required to be Called to the Bar within 5 years of completion of the vocational component. Inn membership will cease for those students not complying with this requirement except when they have made a successful application to the Inn for the relevant time limit/s to be extended.

16. Student members who have ceased to be a member of an Inn may be admitted to another Inn or to the Inn of which they had ceased to be a member. If student members have been expelled by determination of the Inns' Conduct Committee, readmission will not

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be considered by an Inn until the penalty period set by the Inns' Conduct Committee has elapsed.

17. Persons who have been disbarred by their Inn or who have been voluntarily disbarred may only be readmitted by their original Inn of Call. Those seeking readmission must provide their Inn with a completed Readmission Declaration as prescribed by the BSB. The Inn may ask for additional information.

18. Transferring lawyers will be required to obtain the necessary authorisation from the BSB before they can apply for admission to an Inn.

19. Transferring lawyers will be required to complete all requirements for Call as set out by the BSB within 2 years of admission to an Inn. Those not complying with this requirement will be removed from Inn membership except when there has been a successful application to the Inn for the relevant time limit to be extended. Consideration will only be given to extending the time limit where there are clear plans to complete the requirements within the BSB's prescribed time limits.

20. An Inn may admit members of another Inn who have been Called to the Bar (Ad Eundem members). Prior to admission the admitting Inn will seek confirmation that the applicant is a member in good standing at their Inn of Call and will require the applicant to declare that there are no previous or pending disciplinary or conduct issues against them. The admitting Inn may prescribe a fee.

21. Once a student member has started the vocational component of training for the Bar, they are only able to withdraw from membership of an Inn of Court to join an alternative Inn in exceptional circumstances. In such cases, they must advise their original Inn in writing and ensure that there is no gap between ending the membership of their first Inn and being admitted to the new Inn.

## **QUALIFYING SESSIONS**

22. The rules governing Qualifying Sessions are set out in the MoU, in schedule 2 of the MoU (the Framework for the provision of Qualifying Sessions), the BSB's Handbook Part 4 Qualification Rules and the Bar Qualification Manual.

23. The Inns have agreed a joint protocol covering the awarding of waivers and modifications for attendance at Qualifying Sessions. This can be found at Annex A. Applications for waivers or modifications for Qualifying Sessions must be submitted to the Inn's Nominated Officer using the form prescribed by the Inn.

24. Each Inn will produce a programme of Qualifying Sessions including those held at the Inn, those held at venues hired specifically for Inn events and those held at venues on the Circuits outside the south-east.

25. Qualifying Sessions may be offered in collaboration with one or more Inn, Circuit or with other providers.

26. All Qualifying Sessions, including those delivered in collaboration with others, must fit within the Framework for the provision of Qualifying Sessions and must comply with agreed quality assurance mechanisms.

27. Student members may count up to 5 Qualifying Sessions attended 'on Circuit' for the purposes of Call to the Bar. Qualifying Sessions gained by attendance at Inn residential events are not classed as events 'on Circuit'. The South-Eastern circuit is not considered to be 'on Circuit' for the purposes of the Framework for the provision of Qualifying Sessions.

28. Student members may attend more than one Qualifying Session with the same content, but the Qualifying Session will only be counted once for the purposes of Call to the Bar.

29. Student members whose membership of an Inn has ceased and who go on to join another Inn will be permitted to count Qualifying Sessions attended at their original Inn for the purposes of Call to the Bar if these were completed under the Framework for the provision of Qualifying Sessions as set out in the MoU between the Inns and the Bar Standards Board. Where a Qualifying Session has the potential to cover more than one theme the Inn who delivered the Qualifying Session will identify which theme applies.

## **CALL TO THE BAR**

30. A barrister is defined in the Legal Services Act 2007 as an individual who has been Called to the Bar by one of the Inns of Court and who has not been disbarred by one of the Inns of Court. To be Called to the Bar by an Inn a person must be a member of that Inn.

31. The rules governing Call to the Bar are set out in the MoU, schedule 1 of the MoU (the Guidelines for determining if a person is fit and proper to become a barrister), schedule 2 of the MoU (the Framework for the provision of Qualifying Sessions), the BSB's Handbook Part 4 Qualification Rules and the Bar Qualification Manual.

32. Applicants must provide to their Inn a completed Call Declaration as prescribed by the BSB. The Inn may ask for additional information.

33. All those to be Called from 1<sup>st</sup> July 2021 will be required to undergo a UK Standard Disclosure and Barring Service check and (where relevant) the international equivalent/s. Further details on this process can be found on the BSB website and will be provided to those seeking to be Called by their Inn.

34. There are normally four official Call publication dates each year. These are as follows:

- a) Hilary Term – the third Thursday in March;
- b) Trinity Term – the fourth Thursday in July; and a second, deferred Trinity Call on the second Thursday in October; and
- c) Michaelmas Term – the fourth Thursday in November.

The Inns may agree between them additional official Call publication dates in any given year. Agreement to add an official Call publication date does not mean that each Inn is

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required to hold a Call ceremony on or around that date and it is for each Inn to determine the necessity for doing so.

35. Additional Call ceremonies may be held by an Inn if, for example, the number of student members to be Called exceeds the capacity of an Inn. Call ceremonies will normally be held within 10 days of the prescribed Call publication date. In such circumstances, the date of the Call will then be recorded on Call certificates as that of the official Call publication date not the actual date of the additional Call ceremony.

36. In exceptional circumstances Inn members may be Called on an ad hoc basis. In these cases the date of the actual Call will be recorded on the Call certificate.

37. Student members are required to attend Call in person. A joint protocol covering the awarding of waivers of this requirement has been agreed by the Inns. This can be found at Annex A. Applications must be submitted to the Inn's Nominated Officer using the form prescribed by the Inn.

38. The Inns will publish the names of all of those who are Called to the Bar.

39. The fee applicable for Call to the Bar shall be determined by the individual Inn and will be reviewed annually. It will be published on each Inn's website along with the cost of other activities associated with Call to the Bar.

40. All those Called on the same date shall rank in order of seniority from their date of admission to the Inn.

41. The rules for the awarding of temporary Call are set out in the BSB's Handbook Part 4 Qualification Rules. Each Inn's process for the awarding of temporary Call can be found on their websites. An Inn will Call a successful applicant for temporary Call as soon as is practicable.

42. Applicants for temporary Call must provide to their chosen Inn a completed application for temporary admission and Call as prescribed by the BSB. The Inn may ask for additional information.

## **FEEDBACK AND COMPLAINTS**

43. Complaints relating to the Inns' education and qualification activities should be directed to the Inn concerned. The complaints received will be reviewed annually as part of the production of the Inn's Self-evaluation Report for the BSB.

## **EQUALITY, DIVERSITY & INCLUSION**

44. The Inns are committed to ensuring that the promotion and advancement of equality forms an integral part of its policies and practices.

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45. Each Inn will complete Equality Impact Analyses for their programmes of Qualifying Sessions.

**PUBLICATION & REVIEW**

46. The Inns will publish this set of rules on their websites.

47. The Inns will review the workings of this set of rules annually through meetings of the Inns’ Directors of Education and COIC.

48. The Inns will individually produce an annual Self-evaluation Report covering those areas set out in the MoU between the Inns of Court and the BSB. The Inns will collaborate with COIC in the production of an overview report to be submitted to the BSB.

**EFFECTIVE DATE & TRANSITIONAL ARRANGEMENTS**

49. Subject to the transitional provisions set out in Table 1 & Table 2 below, these rules come into effect on 1 January 2020 (as amended on 1 December 2022.)

<b>Table 1: Qualifying Session (QS) Transitional Arrangements</b>	<b>Applicable Qualifying Session Rules</b>	<b>Guidance Notes</b>
a) Student members starting the Bar Course* before 1 June 2020 and being Called no later than 30 June 2021.	Those QS rules that were in effect prior to 1 January 2020 apply. The QS Framework does not apply.	Note that, for example: - 12 QSs must be completed; - there is no requirement to complete QSs within 5 set themes; - there is no requirement to complete 2 interactive QSs; - the event linked to Call <b>can</b> be counted as a QS. - QS attended prior to 1 June 2020 can be used for the purposes of Call to the Bar.
b) Student members starting the Bar Course* before 1 June 2020 and being Called on 1 July 2021 or later.	These QS rules and the QS Framework apply save that: - there is no requirement to complete QSs within the set 5 themes (QS Framework para 7); - there is no requirement to complete 2 interactive QSs (QS Framework para 7).	Note that under these rules & the QS Framework: - student members are required to complete 10 QSs (QS Framework Para 6); - the event linked to Call <b>cannot</b> be counted as a QS (QS Framework Para 14). - QS attended prior to 1 June 2020 can be used for the purposes of Call to the Bar.
c) Student members starting the Bar Course* on or after 1 June 2020 who have not	These rules and the QS Framework apply.	Note that, for example:

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attended Qs prior to that point.		<ul style="list-style-type: none"> <li>- 10 Qs must be completed (QS Framework Para 6);</li> <li>- QS must be completed within 5 set themes (QS Framework para 7);</li> <li>- 2 interactive Qs must be completed (QS Framework para 7);</li> <li>- the event linked to Call <b>cannot</b> be counted as a QS (QS Framework Para 14).</li> </ul>
d) Student members starting the Bar Course* on or after 1 June 2020 who have attended Qs prior to that point.	<p>These rules and the QS Framework apply save that:</p> <ul style="list-style-type: none"> <li>- there is no requirement to complete Qs within the set 5 themes (QS Framework para 7);</li> <li>- there is no requirement to complete 2 interactive Qs (QS Framework para 7).</li> </ul>	<p>Note that under these rules and the QS Framework:</p> <ul style="list-style-type: none"> <li>- student members are required to complete 10 Qs (QS Framework Para 6);</li> <li>- the event linked to Call <b>cannot</b> be counted as a QS (QS Framework Para 14).</li> <li>- QS attended prior to 1 June 2020 can be used for the purposes of Call to the Bar.</li> </ul>
e) Transferring Lawyers who receive approval for their transfer from the BSB prior to 1 <sup>st</sup> September 2020.	<p>Those QS rules that were in effect prior to 1 January 2020 apply. The QS Framework does not apply.</p>	<p>Note that, for example:</p> <ul style="list-style-type: none"> <li>- the number of sessions is normally reduced to 6; and these may be completed within 3 years of qualification.</li> </ul>
f) Transferring Lawyers who receive approval for their transfer from the BSB from 1 September 2020.	<p>These rules and the QS Framework apply.</p>	
<p>* 'Bar Course' for the purpose of these transitional arrangements shall be taken to mean either the Bar Professional Training Course, or the Vocational Component of Bar Professional Training or, where The Vocational Component is split into two parts, Part 2 of The Vocational Component.</p>		

<b>Table 2: Criminal Record Checks Transitional Arrangements</b>	
All those being Called, including transferring lawyers, up to and including 30 June 2021.	Criminal Record Checks are not required.
All those being Called, including transferring lawyers, 1 July 2021 or later.	Criminal Record Checks are required.

## Annex A

### **Waivers and Modification of the Requirement to Attend Qualifying Sessions and Call Ceremonies**

1. The Inns have agreed that the process and criteria below are applicable when considering applications to waive or modify Qualifying Sessions or waive the requirement to attend Call Ceremonies, in accordance with the Memorandum of Understanding, schedule 2 of the MoU (the Framework for the provision of Qualifying Sessions) and the Bar Qualification Manual. The requirement to undertake Qualifying Sessions and attend Call Ceremonies applies to all candidates for Call, including transferring lawyers, except those seeking temporary Call.

#### **Waivers for Student Members & Transferring Lawyers**

2. A waiver will remove the requirement to attend one or more Qualifying Sessions and/or the Call Ceremony.
3. Qualifying Session waiver applications will not normally be granted where there are further opportunities to attend Qualifying Sessions, unless paragraph 4 applies.

#### **Waivers for Transferring Lawyers Only**

4. Transferring lawyers who believe their previous experience means they have obtained the requisite level of skill and/or knowledge required in one or more of the Qualifying Session themes as set out in the Framework for the provision of Qualifying Sessions may apply to have attendance at Qualifying Sessions related to those themes waived.

#### **Modification**

5. A modification will alter the requirements for successfully completing a Qualifying Session that was attended by the applicant. For example, to disregard partial attendance/late arrival at a Qualifying Session or treat as within the time limit a Qualifying Session that was completed outside the time limit (ordinarily to be completed within the 5 years prior to the date of Call).
6. When deciding whether to grant a request for modification in the event of partial attendance/late arrival consideration will be given as to whether the applicant has been able to take part in the substance of the Qualifying Session and whether therefore it has been possible for the learning outcomes to have been met. If an event contains a number of Qualifying Sessions (such as a residential weekend) the number of Qualifying Sessions awarded may be reduced proportionately to the outcomes not met.

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7. When deciding whether to treat Qualifying Sessions falling outside the time limit as within the time limit consideration will be given to a range of factors including, but not limited to, how long outside the time limit the Qualifying Sessions are, how many of the Qualifying Sessions were completed within the time limit and whether Qualifying Session/s are outside the time limit due to factors beyond the applicant’s control.

**Applications**

8. Waivers and modifications will only be granted in exceptional circumstances and when supported by documentary evidence.
9. Applications for waiver or modification are to be made using the form prescribed by the Inns for consideration by the Nominated Officer of the applicant’s Inn.
10. Appeal against the Nominated Officer’s decision will be made to the Treasurer of the applicant’s Inn or their representative(s). Applicants may ask the Bar Standards Board to review the decision of the Treasurer.
11. Normally consideration will only be given to waiving or modifying a maximum of two Qualifying Sessions.
12. Examples of exceptional circumstances are set out below: (the table is not exhaustive).

	<b>Event</b>	<b>Evidence Required</b>
a.	Severe transport disruption	National news report; travel document etc.
b.	Medical condition (self or dependant)	Doctor’s certificate or supporting statement
c.	Bereavement	Supporting document/statement
d.	International visa/travel difficulties	Supporting document/statement
e.	Other compassionate reason	Supporting statement

13. Inns may request further information in support of the waiver or modification application.
14. Applicants may be required to attend the Inn to explain why they seek a waiver or modification.
15. In cases where requests for waiver or modification are not granted the Inn will consider refunding the cost of the event to the applicant.