



# Lawyers training systems in the EU

## England and Wales

Information provided by: **Bar Standards Board**

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### DESCRIPTION OF THE NATIONAL TRAINING SYSTEM FOR LAWYERS in England and Wales

#### 1. Access to the Profession

Higher education / university education	YES (candidates must hold a Qualifying Degree)
A law degree is compulsory	<p>NO - Candidates having initially graduated in a subject other than law may undertake a one-year law conversion course and obtain a Graduate Diploma in Law (<b>GDL</b>), formerly known as the <b>CPE</b> (Common Professional Examination)</p> <p>Therefore, <b>there are two paths:</b></p> <ul style="list-style-type: none"> <li>• Obtaining a <b>Qualifying Law Degree</b> (a degree of the required standard awarded by a university in the UK, or, a degree awarded by a university or establishment or equivalent level outside the UK, accepted by the Board as equivalent to a UK degree; or</li> <li>• Obtaining a <b>Qualifying Degree</b> and successfully completing a <b>Conversion Course</b></li> </ul>
Steps to becoming a fully-fledged lawyer:	<ul style="list-style-type: none"> <li>• Registration with the Bar (not until fully qualified)</li> <li>• Examination</li> <li>• Professional training course, administered by law schools and validated by the Bar Standards Board: Completion of the Bar Professional Training Course</li> </ul>

	<p>(BPTC) and certification by the course provider as having successfully completed the course (<b>Vocational Stage</b>) – at this stage a barrister may take the title but not in connection with the supply of legal services. They may describe themselves as <b>Barristers</b> in connection with the supply of legal services once they have completed the <b>professional stage</b> (Pupillage + Admission at an Inn + character and suitability approval) and hold a practising certificate as a barrister.</p> <ul style="list-style-type: none"> <li>• Satisfactory completion of a 12-month pupillage (<b>Professional Stage</b>) and being issued with a <b>Full Qualification Certificate</b></li> <li>• Admission Declaration and Certificates of Good character: character and suitability assessment of candidate by the Inns of Court.</li> <li>• Admission to <b>Inns of Court</b> (all barristers must be members of one of the four Inns of Court- Inner Temple, Middle Temple, Grays Inn and Lincoln’s Inn- which were historically responsible for the admission of barristers – they will however now only do so if a candidate has met the requirements of the Bar Standards Board)</li> <li>• Registration on the Barristers Register (only for Barristers having a valid/current practising certificate)</li> </ul>
Alternative routes to the profession:	<p>YES</p> <ul style="list-style-type: none"> <li>• <b>1-year law conversion course</b> (see above)</li> <li>• Transfer routes from other professions (law graduates or lawyers admitted to the Bar association of another EU member state). The <b>Bar Standards Board</b> will carry out an <b>Equivalence Assessment</b> comparing relevant foreign and national qualifications and professional experiences. The Board then decides whether the applicant will need to sit the <b>Bar Transfer Test</b> (test designed to assess whether a person has the professional knowledge required in order to practise as a barrister in England and Wales).</li> </ul>

		<ul style="list-style-type: none"> <li>Solicitors, overseas qualified lawyers and legal academics (e.g. Temporary Call to the Bar of Qualified Foreign Lawyers (Article 78 of the <a href="#">Bar Training Regulations</a>): A Qualified Foreign Lawyer who has for a period of at least 3 years regularly exercised full rights of audience in courts which administer law substantially similar to the common law of England and Wales can obtain a <b>Temporary Qualification Certificate</b> from the Board</li> </ul>
<b>2. Training during induction period</b>		
Is there an induction period?	YES	Legal basis: <a href="#">The Bar Training Regulations</a> (effective from 1/10/2012)
Compulsory	YES	<p>Set length: <b>12 months</b> (Professional Stage)</p> <ul style="list-style-type: none"> <li><b>Professional Stage:</b> satisfactorily completing <b>12 months</b> of <b>pupillage</b> and being issued with a Full Qualification Certificate. <b>Pupillage</b> is divided into: 1) a <b>non-practising period</b> of 6 months; and 2) a <b>practising period</b> of 6 months.</li> <li>A person may not commence the Professional Stage <b>more than 5 years after</b> completing the Vocational Stage except with the permission of the Board.</li> <li>Completion of the vocational stage (or exemption) is a prerequisite for commencing the Professional Stage.</li> </ul>
Types of structures responsible for organising induction training		<ul style="list-style-type: none"> <li>Approved Training Organisation (<b>Pupillage</b>)</li> <li>A Barrister who is registered pupil supervisor (<b>Pupillage</b>)</li> <li><b>External training</b> (article 42 of the <a href="#">Bar Training Regulations</a>): <b>a)</b> with a solicitor, judge or other suitably qualified lawyer who is not a registered pupil supervisor; and/or <b>b)</b> An organisation which is not an Approved Training Organisation but which, in the opinion of the Board, provides suitable training and experience (<b>Pupillage</b>)</li> </ul>
Form of induction training		<ul style="list-style-type: none"> <li>Apprenticeship supervised by a Barrister who is registered pupil supervisor (Professional stage)</li> <li>Training on non legal professional skills</li> <li>Training on legal professional skills</li> </ul>

		<ul style="list-style-type: none"> <li>Requirement imposed by the Inns for admitted Barristers: 12 training sessions (Regulations 56-62 of the <a href="#">Bar Training Regulations</a>. Barristers must attend these qualifying Sessions during a period of <b>no more than 5 years</b> ending on the date on which they are <b>called to the Bar</b>. (this is really still pre-qualification training since it is only after completing these sessions that a barrister can obtain a practising certificate)</li> </ul>
Entrance exam / check before induction period	YES	<ul style="list-style-type: none"> <li>Completion of Academic Stage</li> <li><a href="#">Bar Course Aptitude Test (BCAT)</a> (for entry to the vocational stage (BPTC) – see above “induction period set length)</li> </ul>
Set curriculum during induction period	YES	
Specificities regarding EU law and linguistic training:	YES	The vocational stage (BPTC) includes EU law although not as a separate topic. Prior to commencing the vocational Stage, students will have gained knowledge of EU law through the qualifying law degree.
Induction period divided into different stages	YES	
Post-induction period assessment / exam	YES	<p><b>Assessment through reports from tutors</b></p> <p>An applicant to the Bar must attach references from his/her employer (the law firm). The law firm should confirm that the applicant is suitable to become a lawyer.</p>
<b>3. Continuous training system</b>		
Differentiation between continuous training / specialisation training	YES	<p><b>Specialisation training is not compulsory</b> unless a Barrister is engaging in very specific types of work, such as Criminal Advocacy.</p> <p><b>The only specialisation available for Barristers is QASA</b> – the quality assessment scheme for specialist advocates.</p> <p><b>However, the QASA scheme is currently subject to judicial review challenge</b></p>

Obligations regarding continuous training	YES	<p>The <a href="#">Bar Standards Board</a> sets continuous training requirements to ensure that barristers' skills are maintained throughout their careers.</p> <p>Continuous training obligations:</p> <ul style="list-style-type: none"> <li>• <a href="#">CPD</a> (Continuing Professional Development): “work undertaken over and above the normal commitments of barristers with a view to such work developing their skills, knowledge and professional standards in areas relevant to their present or proposed area of practise and in order to keep themselves up to date and maintain the highest standards of professional practise” (Compliance with CPD Regulations – <a href="#">a general guide to CPD</a>)</li> </ul> <p>Legal basis:</p> <ul style="list-style-type: none"> <li>• The Bar Standards Board regulatory requirements: <a href="https://www.barstandardsboard.org.uk/regulatory-requirements/">https://www.barstandardsboard.org.uk/regulatory-requirements/</a></li> <li>• <a href="#">Code of Conduct of the Bar of England and Wales</a></li> </ul>
Obligations regarding specialization training	YES	<p><a href="#">Quality Assessment Scheme for Advocates (QASA)</a>, this requires criminal advocates (including barristers) to hold this specialist qualification in order to appear in courts.</p>
Obligations regarding learning foreign languages	NO	
Obligations regarding EU law content in relation to continuous / specialization training?	NO	
<b>4. Accreditation systems and training providers</b>		
Possibility for accreditation		<p>YES, possibility of accreditation:</p> <ul style="list-style-type: none"> <li>• of training courses</li> <li>• of national training providers</li> <li>• of training providers from all member states (almost any organisation that can demonstrate the relevance of its courses can be accredited for CPD by both the BSB and SRA)</li> </ul>

	<p><b>Accreditation process:</b></p> <ul style="list-style-type: none"> <li>• Barristers must sign the registration document supplied by the provider at the end of the course to claim CPD hours</li> <li>• Applications for accreditation must be sent to the Bar Standards Board at least 2 weeks in advance of the course being held (see “Compliance with CPD Regulations – <a href="#">a general guide to CPD</a>”).</li> </ul>	
Number of training providers offering continuous training activities	More than 50	
Type of training providers developing accredited continuous training activities	<ul style="list-style-type: none"> <li>• Organisation accredited by the CPD Office at the Bar Standards Board (The <b>CPD Office</b> at the <b>Bar Standards Board</b> is competent for awarding CPD accredited hours to approved courses, seminars, conferences, lectures (see “Compliance with CPD Regulations – <a href="#">a general guide to CPD</a>”).</li> <li>• Accredited private commercial training provider</li> <li>• Accredited private or public non-for-profit training provider</li> </ul>	
Number of training providers organizing training in preparation for specialization	<p>Between 21 and 50</p> <p>The QASA specialisation scheme has just been introduced – it is based on submission of practical evidence of experience and not on training.</p>	
Type of training providers developing accredited training activities in preparation for specialization	<ul style="list-style-type: none"> <li>• Bar/Law Society</li> <li>• Accredited private commercial training provider (incl. law firms)</li> <li>• Accredited private or public non-for-profit training provider (e.g. universities, foundations)</li> <li>• Non-accredited private commercial training provider</li> <li>• Non-accredited private or public non-for-profit training provider</li> </ul>	
<b>Activities and methods</b>		
Type of training activities accepted under the obligations of continuous or specialization training	<ul style="list-style-type: none"> <li>• Attending face to face training sessions</li> <li>• Completing distance training sessions</li> </ul>	Participation in training activities in another Member State:

	<ul style="list-style-type: none"> <li>• Completing e-learning modules</li> <li>• Watching a webinar</li> <li>• Completing blended-learning activities</li> <li>• Attending training conferences</li> <li>• Participating in training activities as trainer or teacher</li> <li>• Writing/publishing</li> </ul>	Yes, Participation in training activities in another Member State can count towards continuous training obligations
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### 5. Supervision of training activities

Organizations involved in supervising continuous training activities	YES	<a href="#">The Bar Standards Board</a>
Supervision process	<ul style="list-style-type: none"> <li>• Quality of contents</li> <li>• Quality of training methods</li> </ul>	
Organizations involved in supervising training activities towards specialization	YES	There aren't specific training activities related to the specialisation qualification.
Supervision process	<ul style="list-style-type: none"> <li>• Quality of contents</li> <li>• Quality of training methods</li> </ul>	

### 6. National reform of training system

The current system is under review, with a planned new **“outcomes-focused”** approach to take effect from **January 2016**.

The Legal Education and Training Review (LETR) was a joint study commissioned by the Bar Standards Board, the Solicitors Regulation Authority and ILEX Professional Standards (the regulatory body of legal executives). The results of this study are now being considered by each individual regulator who will be responsible for deciding whether or not to make any changes to their training regimes as a result.

Source: Pilot Project - European Judicial Training: "Lot 2 – Study on the state of play of lawyers training in EU law", carried out by the Council of Bars and Law Societies of Europe (CCBE) and the European Institute of Public Administration (EIPA)