

Consolidated Rules of the Inns of Court

Introduction

The Consolidated Rules of the Inns of Court set out the requirements for the Inns in respect of educational matters. The aim of these rules is to ensure co-ordination and unification of procedures between the Inns.

In these Rules unless the context otherwise requires the words and expressions contained in the Bar Training Regulations (BTRs), the Inns Conduct Committee Rules (the ICC Rules) the Rules for the Inns of Court on Admission to an Inn and Conduct of Student bear the meaning ascribed to them in those Rules.

The Consolidated Rules relate directly to and should be read in conjunction with the Bar Training Regulations (BTRs) and comprise 3 sections (the BTRs are provided at Section 4).

Section 1 contains the Rules for the general administration of Inns' education matters, where a co-ordinated approach between the Inns is required.

Section 2 contains the *ICC Rules* which set out the operating instructions for the ICC on the handling of referrals from the Inns of student misconduct cases or admission applications raising Fitness to Practice issues.

Section 3 contains the *Rules for the Inns of Court on Admission to an Inn and Conduct of Students* which set out the operating instructions for the Inns on the handling of student misconduct cases or admission applications raising Fitness to Practice issues.

Section 4 contains the *Bar Training Regulations*. These rules are the responsibility of the Bar Standards Board and are included for ease of reference.

SECTION 1

Part 1: Admission

- 1.1 The rules governing admission to the Inns of Court are set out at Part II of the BTRs.
- 1.2 Persons wishing to undertake the BPTC in a given year, must apply for admission to an Inn by 31st May in that year. Students will not normally be admitted before they commence the second year of a degree course.
- 1.3 If a person fails to reach the required standards to attend the BPTC in a given year and decides to withdraw from Inn membership, then the Inn must refund the admission fee.
- 1.4 The fee for joining an Inn is to be determined by the individual Inn and the fee will be reviewed annually.
- 1.5 Any Inn making further enquiries under BTR 11, must advise the applicant that such information is being sought.

- 1.6 All certificates of good standing or character required under the BTRs become stale after three months and will accordingly be treated as invalid.
- 1.7 Once an applicant has been admitted by an Inn, in addition to being required to comply with the BTRs and the Code of Conduct of the Bar as applicable, a student member is subject to Sections 1 – 3 of the Consolidated Rules of the Inns of Court.
- 1.8 Minor admission/student misconduct cases automatically retained by the Inns for determination under ICC Rule 47 may be determined by the Treasurer of the Inn or his delegated representative(s).
- 1.9 Inns may admit to their Inn those members of other Inns who have been Called to the Bar (Ad Eundem members), on payment of the fee prescribed by the Inn they are joining and on receipt of a Certificate of Standing from the Inn of call and/or a Certificate of Good Standing from the BSB.
- 1.10 An applicant who has been refused permission to join an Inn, or a student who has been expelled from an Inn may not apply for admission/readmission to any Inn for a period of not less than five years from the effective date of refusal/expulsion.

Part II: Qualifying Sessions

- 2.1 The rules governing Qualifying Sessions are set out at Part VI of the BTRs.
- 2.2 Each Inn must ensure that a Qualifying Session has both educational and collegiate content.
- 2.3 In accordance with BTR 58 (c), the Inns have collectively developed and agreed criteria to specify the grounds on which the requirement to attend Qualifying Sessions may in exceptional circumstances be waived or modified. Grounds for waiver are at Schedule 2. The Inns will not allow waivers for lateness or failure to attend all parts of a Qualifying Session unless the reasons for delay or failure are exceptional.
- 2.4 Qualifying sessions normally may only be held during the four law terms:
Michaelmas Term – from 1 October – 21 December;
Hilary Term – from 11 January to the Wednesday before Easter Sunday;
Easter Term – from the second Tuesday after Easter Sunday to the last Friday in May; and,
Trinity Term – from the second Tuesday after the end of the Easter Term to 31 July.
- 2.5 Normally, no more than six Qualifying Sessions may be completed in any one term.
- 2.6 Each Inn may normally provide up to three Qualifying Sessions at a BPTC institution or in a location close to it, during a given academic year. One additional Qualifying Session may also be arranged by the BPTC Course Provider. Such Qualifying Sessions must have both an educational and collegiate content.
- 2.7 Attendance at a training weekend for students at Cumberland Lodge, West Dean or other such location approved by the Masters of the Bench will count for up to three qualifying sessions.

- 2.8 Attendance at the student's Call ceremony and the accompanying collegiate event will count as a Qualifying Session for that student.
- 2.9 Attendance at a Qualifying Session will not be counted unless the student has paid the prescribed fee and attends both the educational and collegiate elements of the event.

Part III: Call to the Bar

- 3.1 The rules governing Call to the Bar are set out at Part IX of the BTRs.
- 3.2 Calls to the Bar take place on the following days:-
- (i) Hilary Term: the second Thursday in March;
 - (ii) Trinity Term: the fourth Thursday in July; and a second, deferred Trinity Call on the second Thursday in October; and,
 - (iii) Michaelmas Term: the fourth Thursday in November.
- 3.3 If the number to be Called exceeds the capacity of an Inn, another Call Day may be held within 10 days of the prescribed date. In such cases, the date of the Call will then be recorded on Call certificates as that of the prescribed date; not the actual date of the additional Call ceremony.
- 3.4 Other days for Call to the Bar may be authorised from time to time by the Council of the Inns of Court.
- 3.5 Students are expected to attend Call in person. The Inn may on petition showing substantial and proper grounds, permit a student to be called in absentia if they consider it appropriate in all the circumstances. Such permission must be requested and given in writing.
- 3.6 Call in the Trinity Term will normally be for those who have successfully completed the vocational stage at the first attempt.
- 3.7 The name of every student who is to be screened for Call shall be sent by the Sub/Under Treasurer to each of the other Inns for similar screening.
- 3.8 The fee applicable for Call to the Bar shall be set by each Inn and reviewed annually.
- 3.9 All students Called at the same ceremony shall rank in order of seniority from their date of entry to the Inn. Normally, at the Trinity Calls, those who have had to undertake re-sits scheduled after completion of the course will not be called before those who have passed the BPTC at the first attempt.
- 3.10 An Inn will Call a successful applicant for temporary call under BTR 78 as soon as is practicable.

Part IV: Pupillage

- 4.1 The rules governing pupillage (the Professional Stage of Training) are set out at Part V of the BTRs.

- 4.2 In accordance with BTR 43, all pupillages must be registered with the Bar Standards Board. In addition, a person's Inn must be notified of the commencement of pupillage or any change in arrangements.
- 4.3 All pupils are required to complete the further training required by the BSB under BTR 27 (a) and set out on the Bar Standards Board website at: <http://www.barstandardsboard.org.uk/Educationandtraining/whatispupillage/thertraininginpupillage/>

The required further training includes:

(a) Advocacy Training. All the Inns and Circuits will provide Advocacy Training Courses for their pupils and will contact pupils about the arrangements (pupils must have complied with 4.2 above to enable such contact). Pupils in London or on the South Eastern Circuit are required to attend and satisfactorily complete the Advocacy Training Course run by their Inn. Pupils on all other Circuits are required to attend and satisfactorily complete the Advocacy Training Course run by the relevant Circuit. All pupils undertaking Advocacy Training Courses are assessed against common Assessment Criteria (which have been approved by the Advocacy Training Council) and only those pupils who demonstrate that they are demonstrably competent advocates when measured against the criteria will be awarded an Advocacy Certificate on completion of the course.

The Advocacy Training Course should, except in exceptional circumstances, be completed in the first six months of pupillage. If the course is not completed in the first six months, the Bar Standards Board may extend the non-practising months of pupillage until the course has been completed.

(b) Practice Management: All the Inns and Circuits will provide a Practice Management Course for their pupils and will contact pupils about the arrangements (pupils must have complied with 4.2 above to enable such contact). Pupils in London or on the South Eastern Circuit are required to attend the Practice Management Course run by their Inn. Pupils on all other Circuits are required to attend the Practice Management Course run by the relevant Circuit.

Part VI: Pupil Supervisors

- 5.1 Schedule C to the BTRs sets out the rules applicable to Pupil Supervisors.
- 5.2 The Masters of the Bench may approve a person as a Pupil Supervisor even though that person does not satisfy the conditions set out at paragraph 4 of Schedule C to the BTRs provided they are satisfied that the applicant has the necessary experience to be so approved.
- 5.3 The application procedure for entry onto the register of approved Pupil Supervisors held by the Bar Standards Board is set out at paragraph 5 of Schedule C to the BTRs. An eligible barrister who wishes to act as a Pupil Supervisor must submit to the Masters of the Bench an application in the attached specified form (Schedule 1)

SCHEDULE 1

Application for approval and registration as a Pupil Supervisor

To the Masters of the Bench of the Honourable Society of
I, (full names):.....

of (home address):.....
.....

Telephone/fax/email:.....

Apply to be registered as a Pupil Supervisor in the chambers/employment of:

Name:.....
.....

of (Address):.....
.....

Telephone/fax/email:.....

I can confirm that:

(i) I have practised in the United Kingdom or another Member State as a barrister (other than as a pupil who has not completed pupillage in accordance with the Bar Training Regulations) or as a member of another Authorised Body for a period (which need not have been continuous and need not have been as a member of the same Authorised Body) of at least six years in the previous eight years.

YES		NO	
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(ii) I have for the previous two years regularly practised as a barrister and been entitled to exercise a right of audience before every court in England and Wales in relation to all proceedings.

YES		NO	
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If the answer to all of the above questions is YES, please supply the following information:

(iii) I was called to the Bar on:.....

(iv) I completed my 12 months pupillage on:.....

(v) I have practised as a barrister or a member of another Authorised Body at:.....
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.....

(vi) Save for the breaks in practice noted below
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.....
(vii) I agree to undertake the training prescribed for new Pupil Supervisors before or after entry on the register of Pupil Supervisors, but before I can take a pupil.

Date Signature

Notes:

- (1) The duties of Pupil Supervisors are set out in paragraph 804 of the Code of Conduct.
- (2) The eligibility requirements for Pupil Supervisors are set out in Schedule C to the BTRs.
- (3) Applicants for Pupil Supervisor status are required to complete this form and a supplementary application form.
- (4) On completion by the applicant, both forms should be sent to the applicant's referees for comment before being sent to the applicant's Inn of Court.
- (5) Two supporting references are required:
 - (a) By an independent person who is a High Court Judge or Circuit Judge, a Leader of a Circuit, a Deputy High Court Judge, a Recorder, a Queen's Counsel, a Master of the Bench of an Inn, Treasury Counsel or a person of comparable standing who is able to comment from personal knowledge on the applicant's suitability to act as a Pupil Supervisor; and
 - (b) Subject to sub-paragraph (c) below,
 - (i) in the case of a self-employed barrister, by the applicant's Head of Chambers, or
 - (ii) in the case of an employed barrister, by a more senior lawyer employed in the same organisation and who has direct knowledge of the work of the applicant;
 - (c) If the applicant is a Head of Chambers, or there is no more senior lawyer employed in the same organisation with the required knowledge, or for any other reason the support of the person referred to in sub-paragraph (b) is not available, by a second person falling within sub-paragraph (a) above.

SCHEDULE 1 (continued)

Application to be approved as a Pupil Supervisor

Supplementary Information Form

Name:.....

(1) Please give details of the nature, scope and principal areas of your practice (independent barrister)/work (employed barrister) [details of the number and type of cases handled annually should be provided].

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(2) Describe the sort of training and experience that you could offer a pupil (e.g.: in terms of paper work, court work, advocacy, instruction in conduct an etiquette and opportunities for feedback).

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(3) Do you practise mainly on Circuit? If so, which Circuit?

.....

(4) Are you covered by indemnity insurance?

YES		NO	
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(5) a) Please provide details of any complaints about you to the Bar Standards Board/other Authorised Body? [Delete if inapplicable]

.....
.....

b) Do we have your permission to ask the Bar Standards Board/other authorised body to release any information that it might hold on you relating to complaints that is considered material to this application?

YES		NO	
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(6) Is there any urgency about this application?

YES		NO	
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If yes, why?

Date

Signature

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SCHEDULE 2

Waivers of Qualifying Sessions

1. The Inns have agreed the criteria below are applicable in permitting waivers or modifications to Qualifying Sessions in accordance with BTR 58 (c).
2. Application for waiver for a Qualifying Session(s) is to be made in writing to the Student Officer of the applicant's Inn. The matter will be considered by the Treasurer of the applicant's Inn or a representative(s) appointed by the Treasurer. Waivers will only be granted in exceptional circumstances and when the incident which gives rise to the application for waiver is supported by documentary evidence. The decision of the Treasurer or his representative(s) is final.
3. In accordance with Rule 2.3 of these rules, a maximum of two Qualifying Sessions may be waived.
4. Examples of exceptional circumstances are set out below: (the table is not exhaustive). In all cases the Qualifying Session must have been booked in advance.

	Event	Evidence Required
a.	Severe transport disruption	National news report; travel document etc.
b.	Medical condition (self or dependent)	Doctor's certificate
c.	Bereavement	Close relative with supporting document/statement
d.	Other Compassionate Reason	Supporting Statement
e.	Inability to return for Call	Statement and any available supporting documentation

5. Students may be required to attend the Inn to explain why they seek a waiver.
6. The Inns will not allow waivers for lateness or failure to attend all parts of a Qualifying Session unless the reasons for delay or failure are exceptional. Student Officers will be responsible for deciding whether partial attendance will count or not if the student arrives late or misses part of a Qualifying Session.
7. Appeal against the Student Officer's decision will be made to the Treasurer or his representative(s). The decision of the Treasurer or his representative(s) will be final.