

**BAR  
STANDARDS  
BOARD**

REGULATING BARRISTERS

**Compliance with CPD Regulations  
“A General Guide to CPD”**

**May 2011**

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## CPD definition

CPD is 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 practice, and in order to keep themselves up to date and maintain the highest standards of professional practice.

## Accredited hours

Accredited hours can be obtained through attendance/speaking at courses, conferences, lectures or seminars that have been approved by the CPD Office at the Bar Standards Board, and been awarded CPD hours.

NB: An SRA/Law Society accredited course is not automatically accredited by the Bar Standards Board.

## Attendance at accredited CPD courses

- Barristers must sign the registration document supplied by the provider at the end of the course to claim CPD hours.
- Only courses registered with the CPD Office are considered as accredited
- Applications for accreditation must be sent to the Bar Standards Board *at least two weeks* in advance of the course being held.

## Undertaking university courses

- To claim hours for undertaking a university course, including LLMs, the barrister must obtain from the university a letter confirming (i) the nature and content of the course, (ii) the number of hours that the barrister has undertaken as part of the course, and (iii) that the barrister has complied with all the course requirements to date.
- If it is not a law course, it must be a course directly relevant to the barrister's present or proposed area of practice.

## Training events

- Barristers may claim CPD hours for preparing and delivering a lecture. To claim accredited CPD hours for a lecture, details of the talk and any notes or handouts that have been produced must be sent to the Continuing Education Officer. **There is an application fee of £45 per event for one-off applications for accreditation. Payment must be made by cheque, cheques must be made payable to 'The Bar Standards Board'.**
- If a one-hour lecture is presented, the lecturer is able to claim a further hour to account for preparation. If a two hour lecture is given, a further two hours to account for the preparation.

- A person cannot claim for repeat delivery of a lecture in any one calendar year.
- A person is unable to claim for preparing a lecture if they do not present the lecture.
- A person is eligible to claim hours for preparation for delivering the lecture, even if they did not produce the material themselves.
- The current calculation for preparation for speakers is either; a) where there are no more than 2 speakers –the length of the actual lecture is awarded for preparation to each speaker or b) where there are 3 or more speakers –the length of the lecture is divided by the number of speakers and rounded down to the nearest half an hour for each speaker.

### **Repeat courses or training events**

- Unless they have good reasons for doing so, barristers cannot claim hours for attending or undertaking a course or training event with the same or substantially the same content as another course or training event in respect of which CPD hours are claimed in the same calendar year or have been claimed in the previous calendar year.

### **Online courses/Podcasts**

- There are a number of online course/podcast providers, a list of which is available from the CPD Office.
- An online test must be completed before the provider allocates CPD hours.
- To claim these hours you must attach the completed certification form produced at the end of the course to your record card.

### **DVDs, Videos and CD Roms**

- DVDs and CD Roms etc must be obtained from a Bar Standards Board approved producer of legal programmes or an accredited CPD provider who record their events.
- Please add details of the above to your CPD Record card. You must include the number of CPD hours (length), the title and the provider.

### **Other accredited activities**

- Attending accredited courses directly relevant to practice as a barrister, including the BPTC, any compulsory pupillage courses and New Practitioner courses.
- Courses run by the Crown Prosecution Service, the Judicial Studies Board and the Ministry of Justice are automatically accredited by the Bar Standards Board, subject to the rules which govern CPD for the Bar of England & Wales.
- Pupil supervisor training up to 3 CPD hours

- Practitioners can claim 1 CPD hour per active month of service as a Judicial Assistant \*
- Procureco seminars have been approved by the CPD Sub-Committee to qualify for CPD for up to a period of no more than one calendar year (from July 2010)

NB: \* Active month of service is considered to be anything that exceeds ½ a month in the event that less than 1 month is completed.

## **Unaccredited**

Unaccredited hours can be obtained by attending any course, lecture, conference or seminar, which has not been registered with the CPD Office but is directly relevant to the barrister's area of practice or intended area of practice. Unaccredited hours are designed to give increased flexibility to the CPD that a barrister can undertake and need only be added to a person's record card for the claim to be made.

NB: Those subject to the New Practitioners Programme cannot claim CPD hours for attendance at unaccredited events, or completion of unaccredited activities, but may be able to apply for one-off accreditation. Please refer to the 'One-off accreditation' section of this document (pg 6) for more information.

Those subject to the Established Practitioners Programme are able to claim a maximum of 8 unaccredited CPD hours in one calendar year.

## **Presenting an unaccredited lecture**

- The rules are the same as for accredited lectures; with the distinction that the hours claimed will be unaccredited.

## **Teaching on university courses**

- A Barrister is able to claim CPD hours for teaching on LLBs, LLMs, the CPE, BPTC, LPC or Diplomas in Law.
- Barristers are able to claim hours for teaching law on degree courses, which are not wholly about law if it is relevant to their practice and provided that the level is at least equivalent to an undergraduate law degree.
- To receive accredited hours for this work a barrister must obtain from the university a letter confirming the number of hours that they teach and ensure this is attached to their record card when sending it in to the Training Compliance Assistant.

## **Advocacy training, mock trials and moot**

- In relation to advocacy training (including at mock trials), barristers can claim the following hours: (a) the time they spend providing the advocacy training, and (b) additional preparation time as follows: (i) for those providing the advocacy training, up to a third of the time they spend providing the advocacy training (e.g.

up to an hour for a 3 hour exercise), or (ii) for those acting as judges and/or witnesses in relation to such exercises, up to a quarter of the time they spend providing the advocacy training (e.g. up to an hour for a 4 hour exercise).

- Moots can count for up to a maximum of 2 CPD hours a year.
- School moots, mock trials or tribunals do not count.

## **Writing**

- Legal writing or editing can count for a maximum of 4 unaccredited CPD hours per calendar year.
- Writing or editing the following can count for these hours: law books, law articles, practice notes for publication, consultation papers, examination question papers, law update papers, legal dissertations and legal reports.
- A person is able to claim the hours it takes to write the article/book etc. up to this maximum.
- The hours must be claimed in the year of publication.
- Papers for moots can only count for 2 hours.
- Reviewing legal books does not attract CPD hours.

NB: Those subject to the New Practitioners Programme cannot claim CPD hours for the writing of legal articles.

## **Other activities**

- Attending unaccredited courses directly relevant to practice as a barrister.
- This can include lectures and seminars given by Solicitors' firms and organisations not accredited by the Bar Standards Board to provide CPD hours.

## **One-off accreditation**

- If a barrister wishes to attend an event that has not been accredited by the Bar Standards Board, they can apply for one-off accreditation.
- To do so they must send details of the event including the specific date(s) on which the event will take place, any itinerary or programme, subject matters to be covered, specific title of events, name(s) of speaker(s) and the contact details of the event organiser(s).
- This should be sent to Elizabeth Prats at the Bar Standards Board, Education Standards Department at least two weeks in advance of the event taking place.
- There is an application fee of £45 per event for consideration. Organisations which are not accredited by the Bar Standards Board are limited to 1 application for one-off accreditation per annum. There is no restriction on the number of

applications a practitioner can submit to the Bar Standards Board. Payment can be satisfied by cheque, bank transfer (BACS) or debit/credit card. Cheques should be made payable to 'The Bar Standards Board'. There is a 2.5% handling fee for all card payments.

## How to calculate your CPD hours

- CPD hours, either accredited or unaccredited, are the hours spent in either seminars or lectures, added up and rounded down to the nearest half an hour. ***CPD courses, seminars, lectures or any other form of training event are treated as separate events. The hours for each event are rounded down to the nearest half an hour individually; practitioners are unable to add all courses together with a view to rounding the total down.***
- Registration and/or refreshment breaks and lunchtime must not be included in this calculation.
- After dinner speeches, tours, receptions and court visits cannot be included in the calculation of CPD hours.

## Other rules

- Barristers working part time, if they hold a practising certificate, are subject to the same rules as those working on a full time basis.
- Barristers practising abroad, if they hold a practising certificate, are subject to the same rules as those practising in England and Wales.
- Practitioners subject to the Established Practitioners Programme are not able to carry CPD hours over from one year to the next.

## Cannot count for CPD hours

### Personal Development Courses

- Personal stress management
- Personal/time management courses
- Personal presentation skills
- Voice coaching
- Mentoring or appraisal schemes
- Listening to radio programmes
- Subscription to periodicals
- Reading
- Networking skills
- Marketing skills
- Life coaching skills
- Career development courses

### Other

- Acting as an External Examiner
- Shadowing a Judge

- Pro-bono work
- Work at a Citizen's Advice Bureau
- Bar in the community scheme
- Working as a member of a review panel
- Acting as a Pupil Master (mini-pupillages included)
- Sitting as a Recorder
- Sitting as a Justice of the Peace
- Marking work for University courses, including the BPTC
- Sitting on a Tribunal or other part time Judicial office
- The 'Speakers for Schools' programme
- Annual General Meetings
- Careers Talks
- Attendance at a launch for any form of legal materials
- Teaching on BTECs or ILEX level 1-3 courses

### **What to do if you work for a solicitor's firm**

- Please obtain from your employer a copy of your electronic CPD record card (most solicitors firms keep these) and attach this to your CPD record card when you send it in during January.
- If your firm does not keep such a record for you, you must complete the standard form.

### **What to do if you are not going to practise for the whole year**

- If you are going on maternity/paternity leave, taking a career break or having a break in practice for any other reason which will prevent you from completing your CPD requirements then you might wish to consider suspending your practising certificate, which would, in turn, suspend your CPD requirements. If you do not suspend your practising certificate then you must apply for a waiver from the CPD requirements. The application form can be obtained from Pauline Smith, the Training Regulations Officer.
- If you have not completed your CPD requirements by the deadline stipulated by the Bar Standards Board or you are aware that you will not complete your hours in the required time, you must apply for an extension of time. The application form can be obtained from Pauline Smith, the Training Regulations Officer.

Both forms can be downloaded from the Bar Standards Board website.

### **Frequently asked questions**

*I've found a course I would like to attend? How can I find out if it has been accredited?*

Contact the CPD office at the Bar Standards Board and they can confirm whether or not a course has been accredited. You can do this by telephone or via email.

*Where can I find details of accredited courses?*

A number of courses are advertised on our website at:

<http://www.barstandardsboard.org.uk/regulatory-requirements-for-barristers/continuing-professional-development/cpd-courses/>

Please note; this list is not comprehensive, as some approved providers do not advertise online.

*I've lost my Record Card? How do I get another one?*

<http://www.barstandardsboard.org.uk/regulatory-requirements-for-barristers/continuing-professional-development/>

## **CPD Departments at the Bar Standards Board/Contacts**

### **CPD Compliance**

Rachel Reeves – Training Compliance Officer

Karen Bayley – Compliance Administration Assistant

### **CPD Accreditation**

Elizabeth Prats – Continuing Education Officer

Ruth Swinden – Continuing Education Assistant

### **CPD Waivers/Extensions of Time**

Pauline Smith – Training Regulations Officer

Saima Mahmood – Administration Assistant

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