

Bar Training Civil Litigation Syllabus 2025-2026

Summary of Changes

Introduction

We have been asked by the Bar Standards Board to provide a short document summarising the main changes to the Bar Training Civil Litigation Syllabus in 2025-2026. This document is particularly intended to enable continuing students to understand which areas of the 2024-2025 syllabus will form part of the centrally set assessments in 2025-2026, and which parts of the 2024-2025 syllabus will not be assessed.

This document provides a summary of the main changes to the syllabus. Students should also refer to the new syllabus, which includes full updated references to ‘Civil Procedure’ (the White Book) 2025 and The Jackson ADR Handbook (Fourth Edition, 2025), to understand the detailed requirements of the 2025-2026 syllabus.

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1 General Matters

1. the overriding objective
2. the duty of the court to manage cases
3. general principles of Alternative Dispute Resolution (ADR)
4. timing the use of ADR

Summary of Changes

References to Volume 2 of 'Civil Procedure' (the White Book) 2025 and The Jackson ADR Handbook (Fourth Edition, 2025) have been updated by reference to the latest editions.

The following material has been removed from the updated syllabus: paragraphs 11.34-11.37 (the claimant's failure to initiate ADR processes) of The Jackson ADR Handbook (Third Edition, 2021).

2 Limitation

1. accrual of causes of action
2. limitation periods in cases of tort, latent damage, personal injury, fatal accident, contract, and contribution claims

Summary of Changes

No changes in the updated syllabus.

3 Pre-action Conduct

1. the Practice Direction (Pre-Action Conduct and Protocols)
2. the Pre-Action Protocol for Personal Injury Claims
3. consequences of non-compliance
4. ADR prior to the issue of proceedings

Summary of Changes

References to Volume 1 of 'Civil Procedure' (the White Book) 2025 and The Jackson ADR Handbook (Fourth Edition, 2025) have been updated by reference to the latest editions.

4 Alternative Dispute Resolution: Adjudicative Options

1. arbitration
2. expert (or neutral) determination

Summary of Changes

References to The Jackson ADR Handbook (Fourth Edition, 2025) have been updated by reference to the latest edition.

5 Alternative Dispute Resolution: Non-Adjudicative Options

1. early neutral evaluation
2. conciliation and mediation

Summary of Changes

No changes in the updated syllabus.

6 Commencing Proceedings

1. the Part 7 procedure
2. validity, extension and service of claim forms
3. service of other court documents within the jurisdiction
4. the Part 8 procedure

Summary of Changes

The following material has been removed from the updated syllabus: CPR 6.11 (service of the claim form by contractually agreed method) and CPR 7.5(2) (service of claim form out of the jurisdiction).

7 Parties

1. partnerships, sole traders, LLPs and companies, trusts and deceased persons
2. children and persons suffering from mental incapacity

Summary of Changes

No changes in the updated syllabus.

8 Statements of Case

1. claim forms and particulars of claim
2. acknowledgement of service, defences, replies, counterclaims

Summary of Changes

The following material has been removed from the updated syllabus: CPR 10.3(2) (exceptions to general rule regarding the period for filing an acknowledgement of service).

Under the updated syllabus, examinable material on acknowledgement of service, defence, replies, counterclaims includes the commentary at paragraph 15.8.1 of Volume 1 of 'Civil Procedure' (the White Book) 2025.

9 Multiple Causes of Action, Counterclaims and Other Additional Claims

1. multiple causes of action and multiple parties
2. counterclaims against the claimant or an additional party
3. contribution notices and claims against third parties and fourth parties

Summary of Changes

Under the updated syllabus, examinable material on multiple causes of action and multiple parties includes the commentary at paragraph 19.6.3 (first two sub-paragraphs ending "... if a new party is substituted") and 19.6.5 (first sub-paragraph ending "... so that the appellant could enforce any finding that she was so liable.") of Volume 1 of 'Civil Procedure' (the White Book) 2025.

10 Amendment

1. permission or consent to amend
2. costs consequences of amendment

Summary of Changes

References to Volume 1 of 'Civil Procedure' (the White Book) 2025 have been updated by reference to the latest edition.

Under the updated syllabus, examinable material on permission or consent to amend includes the commentary at paragraph 17.4.5 (correcting name of party) of Volume 1 of 'Civil Procedure' (the White Book) 2025.

The following material has been removed from the updated syllabus: the commentary at paragraphs 17.3.7 (deferred amendment), 17.3.9 (amendment after evidence heard at trial) and 17.4.2 (resolving disputes as to whether a limitation period has expired) of Volume 1 of 'Civil Procedure' (the White Book) 2025.

11 Further Information

1. requests for further information
2. responding to a request for further information

Summary of Changes

No changes in the updated syllabus.

12 Default Judgment and Summary Judgment

1. default judgment
2. applications to set aside
3. summary judgment

Summary of Changes

Under the updated syllabus, examinable material on default judgment includes the commentary at paragraph 12.9.1 (effect of rule 12.9) of Volume 1 of 'Civil Procedure' (the White Book) 2025.

The following material has been removed from the updated syllabus: the commentary at paragraph 13.3.4 (applications to set aside judgment by a non party) of Volume 1 of 'Civil Procedure' (the White Book) 2025.

13 Case Management, Sanctions, Striking Out and Discontinuance

1. the small claims track, fast track, intermediate track and multi-track
2. allocation and assignment
3. case management
4. costs management
5. directions
6. relief from sanctions
7. striking out a claim
8. discontinuance

Summary of Changes

Under the updated syllabus, examinable material on costs management includes the commentary at paragraph 3.14.1 (effect of rule 3.14) of Volume 1 of 'Civil Procedure' (the White Book) 2025.

Under the updated syllabus, examinable material on directions includes the commentary at paragraph 29.6.1 (form and purpose of the pre-trial check list) of Volume 1 of 'Civil Procedure' (the White Book) 2025.

Under the updated syllabus, examinable material on relief from sanctions includes the commentary at paragraph 3.8.1 (effect of rule 3.8) of Volume 1 of 'Civil Procedure' (the White Book) 2025.

The following material has been removed from the updated syllabus: CPR 3.10 (general power of the court to rectify matters where there has been an error of procedure).

14 Disclosure and Inspection of Documents

1. disclosure and inspection of documents
2. specific disclosure
3. collateral use of disclosed documents
4. pre-action disclosure
5. disclosure against non-parties
6. legal professional privilege and without prejudice communications in civil cases

Summary of Changes

References to Volume 1 of 'Civil Procedure' (the White Book) 2025 have been updated by reference to the latest edition.

15 Interim Applications

1. with notice and without notice applications
2. documentation required in interim applications
3. periods of notice in interim applications
4. the duty of full and frank disclosure in without notice applications

Summary of Changes

Under the updated syllabus, examinable material on with notice and without notice applications includes CPR 23.1-2, 23.5 and 23.8-12; CPR 25.1, 25.2, 25.3, 25.8 and 25.9; PD 23A paragraphs 3, 5 and 6.1-6.3; and the commentary at paragraphs 25.3.2 and 25.3.4 of Volume 1 of 'Civil Procedure' (the White Book) 2025.

Under the updated syllabus, examinable material on the duty of full and frank disclosure includes the commentary at paragraphs 25.8.1-25.8.5 of Volume 1 of 'Civil Procedure' (the White Book) 2025.

16 Interim Payments and Security for Costs

- interim payments
- security for costs

Summary of Changes

Under the updated syllabus, examinable material on interim payments consists of the court's powers; applications; evidence; conditions to be satisfied; and restriction on disclosure. The relevant material is addressed in CPR 25.20-23 and 25.25.

Under the updated syllabus, examinable material on security for costs consists of applications for security for costs, and the conditions to be satisfied. It includes the discretionary power to order security for costs and the following conditions: condition (b)(ii): insolvent or impecunious company; and condition (b)(vi): taking steps as to assets which hinder enforcement. The relevant material is addressed in CPR 25.26 and 25.27; the editorial introduction at paragraph 25.26.1, and the commentary at paragraphs 25.27.1, 25.27.2, 25.27.3, 25.27.19 and 25.27.23 of Volume 1 of 'Civil Procedure' (the White Book) 2025.

17 Interim Injunctions

1. interim injunctions
2. *American Cyanamid* principles
3. exceptions and variations to *American Cyanamid*
4. usual undertakings and cross-undertakings

Summary of Changes

References to Volume 1 of 'Civil Procedure' (the White Book) 2025 have been updated by reference to the latest edition.

18 Settlement (including offers to settle)

1. negotiation and joint settlement meetings
2. *Calderbank* offers and offers to settle under Part 36
3. withdrawing, reducing and increasing offers to settle
4. consequences of accepting Part 36 offers
5. consequences of failing to obtain judgment more advantageous than offer to settle

Summary of Changes

Under the updated syllabus, examinable material on consequences of failing to obtain judgment more advantageous than offer to settle includes CPR 36.24 (4) and (5) and the commentary at paragraphs 36.24.1 and 36.24.2 (to "... with a fixed uplift in costs of 35%.") of Volume 1 of 'Civil Procedure' (the White Book) 2025.

19 Evidence of Fact

1. evidence of fact in civil proceedings
2. witness statements and witness summonses
3. notices to admit facts and notices to prove documents

Summary of Changes

No changes in the updated syllabus.

20 Expert Evidence

1. the adducing of expert evidence in civil proceedings
2. the main exceptions to the general exclusionary rule in relation to evidence of opinion
3. expert opinion evidence in civil proceedings

Summary of Changes

No changes in the updated syllabus.

21 Civil Trial and Evidence

1. the trial of civil cases
2. hearsay evidence in civil proceedings
3. convictions as evidence in civil proceedings

Summary of Changes

No changes in the updated syllabus.

22 Judgments, Orders and Enforcement

1. judgment and orders, including Tomlin orders
2. enforcing money judgments
3. recording and enforcement of settlements following ADR

Summary of Changes

The following material has been removed from the updated syllabus: CPR 40.9 (who may apply to set aside or vary a judgment or order).

23 Costs

1. costs orders in civil cases
2. costs on the standard basis and costs on the indemnity basis
3. summary and detailed assessment of costs
4. interim costs orders

Summary of Changes

No changes in the updated syllabus.

24 Appeals

1. Civil appeals in England and Wales (excluding appeals to the Supreme Court)

Summary of Changes

The following material has been removed from the updated syllabus: CPR 52.3A (permission to appeal in certain contempt proceedings), CPR 52.3B (permission to appeal from the Court of Appeal to the Supreme Court) and CPR 52.15A (variation of time in certain contempt proceedings).