

BAR
STANDARDS
BOARD

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**THE BAR STANDARDS BOARD
CENTRAL EXAMINATIONS BOARD
CHAIR'S REPORT
PART 2**

**Pupillage stage Professional Ethics
April 2026 Sitting**

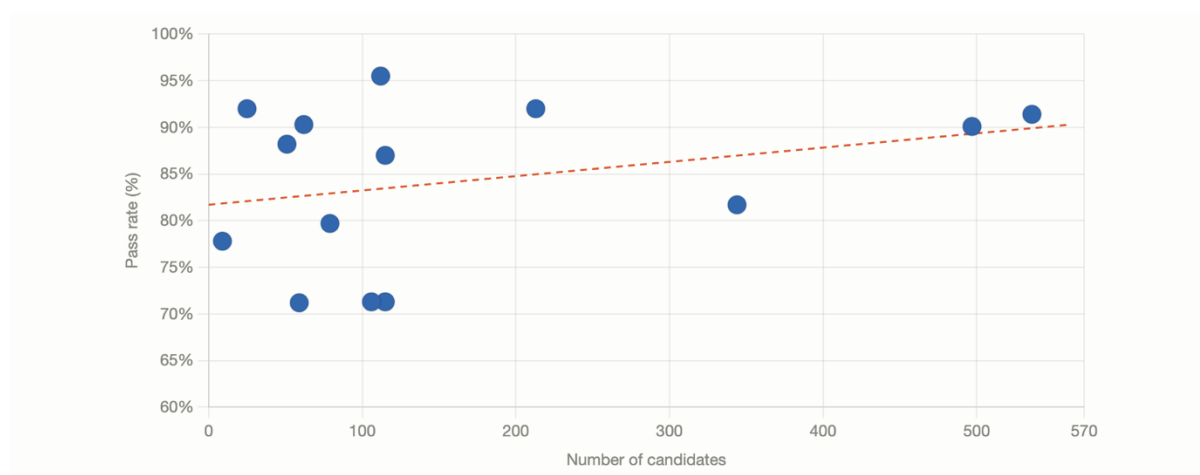
1. EXECUTIVE SUMMARY

The fourteenth sitting of the pupillage component Professional Ethics examination was held on Tuesday 28 April at 10am. The summary of results is as follows:

Apr-26	
Total Number of Candidates	106
Number Passing	92
Passing Rate (%)	86.8%

All Exams To-Date			
Average Pass Rate over 14 sits			85.4%
	Apr-22	Jul-22	Oct-22
Number of Candidates	112	25	9
Number Passing	107	23	7
Passing Rate	95.5%	92.0%	77.8%
	Jan-23	Apr-23	Jul-23
Number of Candidates	213	59	51
Number Passing	196	42	45
Passing Rate	92.0%	71.2%	88.2%
	Jan-24	Apr-24	Jul-24
Number of Candidates	344	115	62
Number Passing	281	100	56
Passing Rate	81.7%	87.0%	90.3%
	Jan-25	Apr-25	Jul-25
Number of Candidates	497	115	79
Number Passing	448	82	63
Passing Rate	90.1%	71.3%	79.7%
	Jan-26	Apr-26	Jul-26
Number of Candidates	536	106	
Number Passing	490	92	
Passing Rate	91.4%	86.79%	

The April 2026 sitting saw 106 candidates attempting the assessment. The passing rate of 86.8% was slightly above the average across the pupillage stage assessments of Professional Ethics since the first sitting in April 2022 (85.4%) and was the ninth highest recorded to date. The outcome for the April 2026 cohort was also the second highest April sitting passing rate since the introduction of the assessment. The data suggests that there is only a weak correlation (+0.3) between larger cohort size and higher cohort passing rates. Whilst there is no obviously decisive causative factor, it may be significant that the larger cohorts tend to have a higher proportion of first sit candidates.



There were no interventions required in respect of any cohorts of candidates for the April 2026 sitting and no interventions required in respect of the substantive content of any of the assessment questions.

2. THE APRIL 2026 PROFESSIONAL ETHICS EXAMINATION RESULTS

2.1 Report from the Examinations Manager: candidate numbers

2.1.1 The Examinations Manager confirmed that 106 pupils sat the April 2026 Exam. 70 sat online invigilated (OI) exams (66%); and 36 pupils sat in test centres (TC) (34%). One candidate sat overseas at a test centre in Sri Lanka, and two candidates sat their exam over the course of two consecutive days as part of their reasonable adjustments.

2.2 Report from the Examinations Manager: operational issues

2.2.1 There were no technological or administrative issues which affected multiple candidates either those sitting OI or those at test centres.

2.3 Report from the Examinations Manager: academic misconduct

2.3.1 A 'Red-Amber-Green' (RAG) report was received from OI proctors containing four 'red' flags and two 'amber' flags. All flagged recordings were reviewed by the Senior Examination Officers (SEOs), as were four randomly sampled 'green' flag recordings. All 'red' and 'amber' flags

were stood down by the SEOs, and there was no behaviour arising from these recordings or the random sample of un-flagged recordings warranting any further investigation under the Examination Misconduct Policy. The test centres all supplied invigilation reports alongside one incident report. The incident report related to two candidates who failed to bring suitable ID documents on the exam day. These candidates' identity was verified through alternate means. There was nothing else arising from the TC reports that warranted any further investigation.

2.4 Report from the Examinations Manager: Extenuating Circumstances

- 2.4.1 The Extenuating Circumstances Panel received five applications. All related to individual candidates. Three were accepted. As a result of this, there is one failing result to set aside and one absence to disregard.

2.5 Report from the Chief Examiner on the standard setting process

- 2.5.1 Following the sitting, a sample of scripts was selected for the purposes of standard setting. Ten candidate responses were chosen per question.
- 2.5.2 A team of standard setters comprising legal practitioners and professional legal academics was selected. They were given a briefing and written guidance on their tasks for the standard setting process along with the exam paper, the sample scripts, and suggested mark scheme drafted by the examining team as part of the paper confirmation process. Following the briefing, the standard setters undertook the first part of standard setting, namely the task of identifying, independently of each other, the standard expected for each of four level descriptors for each question.¹
- 2.5.3 The examining team collated the material submitted by individual standard setters, which comprised commentary and suggestions regarding the content for each descriptor for each question. In addition, the examining team checked a wider selection of scripts, so that the available pool of 'observed' responses for each question was as wide as possible. Any additional matters were recorded for discussion at the standard setting meetings. The meetings, involving all standard setters and the examining team, were held and scrutinised by the Independent Observer. The content for each question was discussed and agreed by standard setters. Immediately following the meetings, the examining team applied the mark scheme to further responses for each question and any issues arising from that task were raised and resolved with standard setters before the mark scheme was shared with markers.

¹ See Appendix 1

2.6 Report from the Chief Examiner on the marking and moderation processes

- 2.6.1 Before marking began, a sample marking exercise was carried out, and team leaders' meetings and markers' meetings were held. A sample of ten candidates' answers for each exam question was selected for discussion at the markers' meeting. All markers were required to independently mark these sample responses for each of the two questions they would be marking. Markers submitted the grades they would award and the feedback they would provide for each response prior to the team leader's meeting. These materials were analysed by team leaders and the examining team in advance of the markers' meeting.
- 2.6.2 At the team leaders' meeting, team leaders were provided with written instructions about their role and each allocated two of the twelve exam questions. All team leaders attended a general team leader briefing, as well as each attending a separate meeting with a member of the examining team to discuss the specific two questions for which they had responsibility, the sample responses chosen for this question, and the markers' sample marking submissions.
- 2.6.3 At the markers' meeting, a general briefing session for all marking teams focused on the need to provide accurate and meaningful feedback for each answer, and particularly for answers which were graded Poor or Unacceptable. Following the plenary markers' meeting, each marking team consisting of the Team Leader and relevant markers, along with a member of the examining team, took part in individual discussions relating to the operation of the mark scheme of the questions they were to mark, with reference to the sample marking submitted by the markers. This was a "think aloud" process in which individual markers talked through the sample answers and discussed the grade they awarded, the feedback they gave, and the reasons for these decisions with reference to the content of the mark scheme. Clarification was provided, where necessary, on the operation of the mark scheme, and agreement was reached on the correct application of the mark scheme to the sample answers. Additional answers submitted by the candidature were provided for discussion and grading as 'unseen samples' after the earlier set of samples had been considered.
- 2.6.4 Following the markers' meeting, where necessary, the examining team discussed and, if required, issued guidance on the mark schemes to clarify any issues which had arisen during the markers' meeting discussions.
- 2.6.5 Team leaders then undertook a quota of marking which was moderated by a member of the examining team who also provided feedback not only on the application of the mark scheme but also the quality of commentary/feedback on the response. All markers then marked the same number of responses which were moderated by the Team Leader. Feedback was provided to all markers. Where necessary, discussions between Team Leaders and the examining team took place regarding the operation of the mark scheme

during and following this calibration exercise, and further guidance was provided to all affected markers in these circumstances. Responses which were discussed and resolved during the moderation/calibration process were submitted as final grades by either the member of the examining team or Team Leader responsible for the relevant question. Following submission of this initial calibration quota and receipt of feedback on their marking, markers were given access to their full quota of assigned responses. Where it was considered necessary, a small number of markers were required to complete a further batch of moderated marking (including feedback) which was reviewed by the team leader, who provided further feedback to the marker before allowing them to progress to their full quota of marking.

- 2.6.6 Live blind double marking then took place *ie* each response was blind marked by two markers and written feedback was provided.
- 2.6.7 During the live marking period the examining team also undertook dip sampling of the marking. Where required, individual markers were provided with appropriate direction in relation to specific issues arising out of their marking.
- 2.6.8 Where both markers graded a response the same grade, this grade stood as the final grade, with the exception of Unacceptable responses which were escalated to and reviewed by the team leader who could either confirm that they agreed that the response merited a grading of Unacceptable or remark the response and provide amended feedback.
- 2.6.9 Where markers graded a response differently, the response was adjudicated upon by the team leader who could view the mark and feedback awarded by both of the original markers and either confirm one or other of these grades or insert their own grade and feedback. This grade was then submitted as the final grade, except in cases where the team leader had assigned a grade of Unacceptable. All responses deemed Unacceptable by a team leader at the adjudication stage were escalated to a member of the examining team for further review and either confirmation or amendment.
- 2.6.10 Following marking and adjudication, all results were collated according to the number of Good, Satisfactory, Poor and Unacceptable answers achieved.

2.7 Automatic passes and fails, and forensic reviews

- 2.7.1 Scripts which had eight or more Satisfactory or Good responses, and no more than two Unacceptable responses² (“automatic passes”) were removed from further review processes. All such scripts were recorded as Competent.
- 2.7.2 Scripts which had four or fewer Satisfactory or Good responses (“automatic fails”) were removed from further review processes. All such scripts were recorded as Not Competent.
- 2.7.3 For this sitting, there was a small number of scripts which contained three or more Unacceptable responses thus requiring a further review by the examining team. The examining team confirmed once more that the responses graded as unacceptable merited this grade in line with a correct application of the mark scheme. The examining team may at this point amend any grades or feedback in relation to a response graded as Unacceptable which they assess to have not merited this grading. Any scripts which remained with three or more Unacceptable responses following the further review by the examining team were recorded as Not Competent.

2.8 Holistic reviews

- 2.8.1 Scripts which contained between five and seven Satisfactory or Good responses and no more than two Unacceptable answers were subject to a final holistic review.
- 2.8.2 The task undertaken at this point was a “read through” of whole scripts and the reviewers were to judge whether the candidate had demonstrated the competence threshold, bearing in mind the threshold criteria contained in the Professional Statement and the General Descriptors. The overriding criterion for grading a script as Competent was that, on the basis of the candidate’s performance across the paper as a whole, there was no reasonable doubt that s/he had displayed an awareness of Professional Ethics issues commensurate with the granting of a full practising certificate.³ Each script was reviewed independently by two reviewers, who were part of a team of seven performing the holistic review task. Reviewers were asked to write feedback detailing their reasons for their final judgement. If there was disagreement between the reviewers as to whether a candidate’s script ‘passed’, a final review was undertaken by the Chief Examiner.

² Following marking of the July 2022 sitting, the examining team reviewed all scripts containing nine or more Satisfactory or Good responses. All scripts within this category were removed from further review as they more than met the competence threshold; this change was subsequently approved at the July 2022 review meeting. At the July 2023 exam review, it was decided when considering post-exam processes that scripts with eight or more “passing” answers (and which did not fall into the automatic ‘three strikes’ category) would be deemed “automatic” passes: over the first five sittings of the PE assessment no script with a profile of eight or more “passing” answers had ‘failed’ at the holistic review stage.

³ The presumption being that those scripts containing seven Satisfactory or Good answers met the threshold, whereas those scripts with five Satisfactory or Good answers did not. Scripts with six Satisfactory or Good answers were scrutinised using the same principles, bearing in mind that this category contained scripts which were “right on the competence threshold”

- 2.8.3 A further dip sampling of scripts which “failed” at the holistic review stage was undertaken at this stage. A sampling of those scripts which “passed” at the holistic review stage (and, in particular, those “just passing”) was also undertaken.

2.9 Chief Examiner’s conclusions on process

- 2.9.1 The Chief Examiner reported to the Exam Board that she was content that that all standard setting, moderation/calibration, marking, adjudication and review processes were followed satisfactorily. Further quality assurance, review, and oversight steps introduced throughout the process in earlier sittings continued to provide additional assurance that marking was carried out consistently by all markers in relation to all candidates and accurately as regards the mark schemes and Threshold Standard.
- 2.9.2 The Chief Examiner received a report from each of the team leaders reflecting on the performance of the cohort with respect to the two questions they worked on and the operation of the marking period. The Chief Examiner summarised any issues of note for the Exam Board arising from these team leader reports in her report to the Exam Board.
- 2.9.3 The Chief Examiner confirmed that the quality of feedback/commentary given by markers to individual responses continues to be of a high standard and is monitored by team leaders and the Central Examination Board (CEB) throughout the marking process.
- 2.9.4 The Chief Examiner noted that, as in the last few sittings of the Professional Ethics assessment, the system of blind double marking and adjudication had worked effectively. Team leaders’ reports had been positive in this regard. It was straightforward for team leaders to see marking trends and it was noted that the process was transparent in monitoring marking progress across teams. The introduction of blind double marking has promoted greater consistency amongst markers overall and, as a consequence, is fairer to candidates.
- 2.9.4 The Chief Examiner confirmed that she was satisfied that no issues arose during any of the individual stages outlined following the April 2026 sitting of the Professional Ethics Examination which would cause concern regarding the validity of the inferences to be drawn from the results.

3. THE OPERATION OF THE ASSESSMENT – RESULTS FOR EACH QUESTION

- 3.1 The following is a summary of the distribution of candidate performance in respect of each question and a brief overview of any discernible patterns in terms of candidate answers, in particular areas that proved challenging. To preserve the integrity of its question bank, the BSB does not provide full details of the questions used in the assessment, although the broad syllabus area under consideration is identified. Note that, for reporting purposes, in this section “Did Not Attempt” (DNA) responses are disaggregated from other Unacceptable responses (where a candidate did provide a written response.) However, for purposes of marking, DNA responses are not treated differently from any other type of Unacceptable response.

SAQ 1									
DNA		Unacceptable		Poor		Satisfactory		Good	
#	%	#	%	#	%	#	%	#	%
1	1%	0	0%	34	32%	42	40%	29	27%
Broad syllabus areas covered: This scenario, involving a barrister arrested at a protest, required candidates to identify that while the barrister was entitled to attend a protest, he must be mindful that CD5 applies to non-professional conduct and therefore although he was not charged with any offence, his being arrested may potentially breach CD5. Candidates needed only recognise the application of CD5 to non-professional conduct in this regard. They did not need to conclude either way in terms of a breach of CD5. Candidates also had to identify that the barrister did not need to inform the BSB of his arrest, nor of having been issued a fixed penalty notice for speeding. Candidates were also required to recognise that the barrister should not have prioritised his friend's case over the High Court hearing and that he needed to be honest with the court in providing an explanation as to why he was late.									
Key observations from Chief Examiner on cohort performance: On the whole candidates dealt with this question well, identifying the key issues in the question. Some candidates missed the need for the barrister to be honest with the judge when providing an explanation as to why he was late, however, overall candidates were able to pick up on the key points and suggest ways in which the barrister must address the issues in the case.									
Decision of the exam board in relation to question: No intervention necessary; results for question confirmed and applied to candidates.									

SAQ 2									
DNA		Unacceptable		Poor		Satisfactory		Good	
#	%	#	%	#	%	#	%	#	%
1	1%	0	0%	37	35%	29	27%	39	37%
Broad syllabus areas covered: Barrister's responsibility to manage his practice; to act in the client's best interests; to be honest in dealings with the court. and to take remedial action where required.									
Key observations from Chief Examiner on cohort performance: This question proved challenging to some candidates. Some failed to identify the barrister had been dishonest in his email to the judge, others struggled to identify the scenario engaged CD10, with some missing the duty to the court in respect of attending the sentencing hearing on time. Some candidates also had a tendency of listing core duties without proper application.									
Decision of the exam board in relation to question: No intervention necessary; results for question confirmed and applied to candidates.									

SAQ 3									
DNA		Unacceptable		Poor		Satisfactory		Good	
#	%	#	%	#	%	#	%	#	%
0	0%	3	3%	17	16%	59	56%	27	25%
Broad syllabus areas covered: This scenario required candidates to identify and apply the relevant ethical principles where a barrister is asked to take on a case which is outside of her competence. Candidates were expected to identify that the barrister must refuse the instructions due to her lack of competence/experience. It would not be ethical to rely on the advice already given to the lay client as the barrister is responsible for her own work. Candidates were also expected to apply CD4 in that the barrister must not be influenced by either the pressure from the clerk or the fee.									
Key observations from Chief Examiner on cohort performance: Most candidates were able to identify that this question centred on competence and that the barrister lacked the necessary experience. Many were also able to identify at least one of the ways that CD4 applied to the fact pattern. However, there were some candidates who considered this to be a situation where the barrister may accept the case and did not appreciate that it was a scenario where the refusal of instructions could be justified. Better responses discussed why the cab rank rule did not apply and that the barrister risked wasting the court's time if she continued.									
Decision of the exam board in relation to question: No intervention necessary; results for question confirmed and applied to candidates.									

SAQ 4									
DNA		Unacceptable		Poor		Satisfactory		Good	
#	%	#	%	#	%	#	%	#	%
0	0%	2	2%	42	40%	38	36%	24	23%
Broad syllabus areas covered: This scenario required candidates to identify and apply the relevant ethical principles for a barrister when instructed by a client to put a range of questions to a claimant in a civil trial. The proposed questions were inappropriate, the reason being that they were designed merely to insult, humiliate, or annoy the claimant. Candidates also had to consider whether there were any grounds upon which the barrister could withhold her services on the basis that the client's opinions or beliefs surrounding women were unacceptable to her; thus, consideration of the cab rank rule was required.									
Key observations from Chief Examiner on cohort performance: Most, but not all, candidates successfully identified that if the barrister proceeded to ask the questions and make the submissions proposed by the client, she would be in breach of rC3.2 and therefore she should explain to the client that she was prohibited from complying with his instructions. However, weaker candidates failed to extend their reasoning by addressing the situation where the barrister must withdraw if the client insists that his instructions be complied with, with some candidates thinking the barrister had a discretion whether or not to withdraw. Most candidates included consideration of the cab rank rule. Better candidates were able to identify that the statements from the client were discriminatory and also applied CD5. Some better candidates also described the client care required in this scenario.									
Decision of the exam board in relation to question: No intervention necessary; results for question confirmed and applied to candidates.									

SAQ 5									
DNA		Unacceptable		Poor		Satisfactory		Good	
#	%	#	%	#	%	#	%	#	%
1	1%	0	0%	32	30%	52	49%	21	20%
<i>Broad syllabus areas covered:</i> This scenario involved a defence barrister failing to check the defence case statement and discussing the case with, and disclosing the proof of evidence to, prosecuting counsel. (CDs 2, 4, 6 & 7)									
<i>Key observations from Chief Examiner on cohort performance:</i> Performance on this question appeared to be quite strong, with no Unacceptable grades recorded. The principal weakness in the poorer scripts was a failure to identify the confidentiality point, namely that the barrister had breached CD6 in showing the proof of evidence and consultation notes to prosecuting counsel without the client's consent. This was sometimes the result of candidates misinterpreting the interaction as a form of bullying, or of thinking that a breach occurred only if something was said in the courtroom rather than during the exchange in the robing-room.									
<i>Decision of the exam board in relation to question:</i> No intervention necessary; results for question confirmed and applied to candidates.									

SAQ 6									
DNA		Unacceptable		Poor		Satisfactory		Good	
#	%	#	%	#	%	#	%	#	%
0	0%	2	2%	38	36%	52	49%	14	13%

Broad syllabus areas covered:

The scenario covered a wide range of issues, including: a barrister's overriding duty to the court, including the obligation to ensure that his ability to act independently is not compromised (CD1; rC3.5), and that his duty to act in the client's best interests (CD2) is subject both to the duty to the court and to his obligation to maintain his independence (CD4). Candidates needed to identify that, as part of his duty to the court, the barrister must not make any representation he knows to be untrue or misleading, so that his knowledge of the client's past conduct limited his ability to make submissions as to his impeccable character at the bail application, which in turn limited his ability to act in the client's best interests. Candidates needed to recognise that the barrister must not be influenced by his personal interests (CD4) and that, given his personal feelings towards the client, there was a real risk of a conflict between his own interests and those of his client, and/or a prospect that he could not maintain his independence. A satisfactory answer also needed to conclude that the barrister must cease to act and return his instructions promptly (rC25), inform the client and his instructing solicitor of his reasons for doing so and, as it was the day of the hearing, take steps to protect the client's interests by seeking an adjournment and assisting in securing alternative representation.

Key observations from Chief Examiner on cohort performance:

Most candidates engaged with the analysis of the potential conflict and reached a reasoned conclusion as to whether the barrister could continue to act or should withdraw (either conclusion was acceptable provided appropriate reasoning was provided). Candidates also did well in dealing with the instructions to put the client forward as being of impeccable character. The principal weakness in poorer scripts was a conclusion that there was no conflict and that the barrister could therefore continue to act, which left those candidates unable to identify the consequent need to withdraw or cease to act. Other poorer answers tended to miss the barrister's duty to the court in relation to the character evidence (CD1), or to overlook the fact that the potential conflict required withdrawal. A very small number of candidate answers were graded Unacceptable for failing to state that the barrister needed to disclose a personal/social connection shared by the barrister and the client. .

Decision of the exam board in relation to question:

No intervention necessary; results for question confirmed and applied to candidates.

SAQ 7									
DNA		Unacceptable		Poor		Satisfactory		Good	
#	%	#	%	#	%	#	%	#	%
0	0%	6	6%	15	14%	25	24%	60	57%

Broad syllabus areas covered:

This scenario involved a female barrister who had disclosed to a more junior member of chambers ('the male barrister') certain information about her private life, including the fact that she was involved in an online gambling syndicate, had bankruptcy proceedings initiated against her recently, and had been transferring funds from an account in her elderly mother's name without her consent in order to lay bets. The female barrister discloses that she has attempted to cover up the transactions but may not have succeeded. She also discloses that she has not told anyone else about the bankruptcy proceedings or the gambling, and that she expects the male barrister to keep the matter confidential. The male barrister is the female barrister's former pupil.

Candidates were expected to identify the ethical issues arising in relation to both the male and female barrister. To be graded as satisfactory candidates were required to identify that the female barrister's actions in transferring funds from her elderly mother's account without consent amount to dishonesty (CD3), which in turn is serious misconduct. Candidates were therefore expected to identify the obligation on both the male and female barristers to report the same to the BSB, the male barrister's obligation arising given that it appears clear that the female barrister is not going to self-report. Additionally, candidates were expected to identify the female barrister's failure to report the initiation of bankruptcy proceedings against her as required by rC65.6. Finally, satisfactory candidates were expected to identify and apply CD4 to the scenario, specifically noting that the male barrister should not let the female barrister's seniority or their relationship influence the way that he deals with the matter.

Key observations from Chief Examiner on cohort performance:

This question was answered well overall, with a good number of both Satisfactory and Good grades. Most candidates correctly identified the serious misconduct on the part of the female barrister, and the duty on both barristers to report the same. Most candidates also noted the duty on the part of the female barrister to report to the BSB the fact that bankruptcy proceedings had been initiated against her. The independence point (CD4) was not always addressed, but the absence of the same did not automatically render an answer Poor.

The most common error amongst those graded Poor was the failure to expressly identify the duty to report the bankruptcy proceedings to the BSB. There were a small number of Poor candidates who failed to identify the duty on the part of the male barrister to report the serious misconduct of the female barrister.

Other candidates identified serious misconduct, but on the wrong basis. These candidates concluded incorrectly that the failure to report the bankruptcy proceedings amounted to serious misconduct but then went on to miss entirely the dishonest behaviour in respect of the transfer of funds. These candidates were graded as Unacceptable as per the mark scheme. A smaller number of candidates

were also graded as Unacceptable for simply failing to identify any serious misconduct at all.

Good candidates tended to identify the fact that the female barrister's behaviour amounts to criminal conduct, and the application of CD5. Other common Good points included the fact that the male barrister may wish to seek advice from/ report the matter to chambers' HOLP, that the male barrister should seek to encourage the female barrister to self-report, and that no duty of confidentiality is owed by the male barrister in this scenario. A good number of candidates identified a number of these additional points alongside the Satisfactory content.

Decision of the exam board in relation to question:

No intervention necessary; results for question confirmed and applied to candidates.

SAQ 8									
DNA		Unacceptable		Poor		Satisfactory		Good	
#	%	#	%	#	%	#	%	#	%
0	0%	1	1%	11	10%	59	56%	35	33%

Broad syllabus areas covered:

This question raised three distinct issues for candidates to address. The underlying theme was that the barrister had got himself into difficulties through being busy/behind in his work. The first issue required candidates to consider the basis upon which work may be delegated to a pupil, and the barrister's personal responsibility for that work. The second issue required candidates to identify that the client in the criminal case was vulnerable, and the steps that the barrister should take, in light of her vulnerabilities. The third issue involved a failure by the barrister to check his post regularly and read his instructions promptly, resulting in him missing an important deadline for which he sought to blame his clerk. Candidates were expected to identify that all three issues engaged the duty to provide a competent standard of work and service and/or the duty to act in the clients' best interests. Regarding the work completed by the pupil, candidates were required to note that whilst a barrister may delegate work in this way, he should have ensured that he checked the accuracy of the work before it was sent to the solicitor. The question asked candidates to identify how the ethical issues should be resolved, and as such in relation to the second issue, candidates were expected to identify that the conference with the vulnerable client should go ahead, since meeting the client shortly before the trial was due to start was unlikely to be sufficient given the client's needs and her anxiety regarding the proceedings. Finally, in relation to the third issue, candidates were expected to note the breach of CD10 and the failure on the part of the barrister to manage his practice properly. Candidates were then required to identify practical steps that the barrister should take in terms of looking at the papers as a matter of urgency and contacting his instructing solicitor to explain his oversight.

Key observations from Chief Examiner on cohort performance:

This question was generally answered well, with candidates engaging appropriately with all three issues. Most candidates dealt well with the issue involving the work done by the pupil. A large number of the candidates also identified the vulnerability of the client, and the failings on the part of the barrister in terms of not checking his post regularly/reading his instructions promptly. However, weaker candidates struggled to deal adequately with how the issues should be resolved, *ie* the practical advice as to how the barrister should now proceed. This was particularly the case regarding the steps that the barrister should take in relation to the conference. A number of candidates were marked as Poor as a result of failing to engage with this issue at all, despite noting that the client was vulnerable. A reasonable number of candidates also failed to identify the breach of CD10 regarding the failure to check his post/read his instructions promptly. Provided candidates had addressed appropriate remedial steps in relation to this issue, they were able to avoid being graded as Poor. However, candidates who missed both the breach of CD10 and any remedial steps in relation to the missed instructions were graded as Poor as per the mark scheme.

Candidates who performed better in this question tended to give equal and adequate weight to the three separate issues, with their answers not only identifying what the barrister had done wrong, but also giving practical advice as to the steps needed to remedy any breaches. There were fewer 'Good' points available on this mark scheme, and a reasonable amount of content to cover in order to be graded as Satisfactory. Those candidates who were graded as Good tended to mainly identify the additional points related to the application of CD2/gC37, the application of CD5, and the fact that the barrister should put in place proper systems for the checking of post when working from home.

Decision of the exam board in relation to question: No intervention necessary; results for question confirmed and applied to candidates.

SAQ 9									
DNA		Unacceptable		Poor		Satisfactory		Good	
#	%	#	%	#	%	#	%	#	%
1	1%	0	0%	15	14%	42	40%	48	45%
Broad syllabus areas covered: The scenario raised issues relating to the fair distribution of work in chambers. The scenario required candidates to identify that the female barrister appeared to be being discriminated against. They also had to identify that chambers must have a written policy in relation to equality and diversity and/or that the male barrister must take reasonable steps to ensure that the affairs of his chambers are conducted in a manner that ensures a fair distribution of work opportunities to members of chambers.									
Key observations from Chief Examiner on cohort performance: This question was answered well, with most candidates identifying the key issues. The better candidates provided responses which gave more detail about the requirements placed on chambers regarding equality and diversity. A few candidates failed to address the connection between the barrister being female and the work she was receiving, thus failing to state the obvious concern that the female barrister was being discriminated against.									
Decision of the exam board in relation to question: No intervention necessary; results for question confirmed and applied to candidates.									

SAQ 10									
DNA		Unacceptable		Poor		Satisfactory		Good	
#	%	#	%	#	%	#	%	#	%
1	1%	0	0%	1	1%	44	42%	60	57%
Broad syllabus areas covered: Receipt of gifts from clients and the use of social media to promote client interests.									
Key observations from Chief Examiner on cohort performance: Most candidates did well on this question and were able to identify the risk to the first barrister's independence if she were to accept the holiday and promote the business on social media. Those candidates also discussed the risk to the second barrister's independence of accepting the wine. Better candidates applied CD5 to the scenario. A few weaker candidates failed to address the issues for the second barrister or became confused as to whether this was a referral fee scenario rather than a question about gifts.									
Decision of the exam board in relation to question: No intervention necessary; results for question confirmed and applied to candidates.									

SAQ 11									
DNA		Unacceptable		Poor		Satisfactory		Good	
#	%	#	%	#	%	#	%	#	%
2	2%	12	11%	21	20%	39	37%	32	30%
Broad syllabus areas covered: The scenario explored the use of AI as a research tool, and to check other AI generated output. It also raised issues about not misleading the court as to who had undertaken the research for skeleton arguments, etc. A satisfactory answer needed to recognise that the barrister must act in his client's best interests and provide a competent standard of work and service, which required him to verify the output of the AI software rather than rely on it unchecked (CD2 and CD7). Candidates needed to identify that, in failing to take any proper care over the accuracy of the results, he had acted recklessly and as a result had misled the court and wasted the court's time (CD1). They also needed to recognise that the barrister had failed to act with honesty and with integrity in lying to the judge about the source of the authorities (CD3), that his conduct in misleading the court was likely to amount to serious misconduct such that he must consider reporting himself to the BSB, and that he must take remedial steps including not serving fictitious authorities on the court, admitting to the judge that the court had been misled, applying to withdraw the skeleton argument, and/or apologising to the court, his opponent and his professional and lay client.									
Key observations from Chief Examiner on cohort performance: The general impression was that this question was answered well. Most candidates identified the issue arising from the use of AI and dealt competently with the duties owed to the court in respect of what the barrister had said, thus applying CD1 and CD3 as well as CD2 and CD7. A good number of candidates went further, identifying the engagement of CD5 and CD10. Where candidates fell into the Poor category, the typical failing was a lack of specificity as to the practical remedial action required: candidates asserted that the barrister "must take remedial action" without saying what that action was or focused on self-reporting to the BSB while overlooking the more immediate need to correct the position in the litigation itself. The small number of Unacceptable answers were those which failed to recognise that the barrister had committed serious misconduct and/or that he was required to report himself to the BSB.									
Decision of the exam board in relation to question: No intervention necessary; results for question confirmed and applied to candidates.									

SAQ 12									
DNA		Unacceptable		Poor		Satisfactory		Good	
#	%	#	%	#	%	#	%	#	%
3	3%	9	8%	23	22%	50	47%	21	20%

Broad syllabus areas covered:

This scenario concerned a barrister of five years' call who is qualified to accept public access instructions and is instructed on that basis by a company to draft a defence to a personal injury claim. A particular issue was alleging fraud without clear instructions to do so. There were also issues related to complying with BSB requests for evidence following a referral. A satisfactory answer needed to recognise that, while the barrister could properly draft a defence denying negligence, she must not allege fraud without clear instructions from the client and reasonably credible material establishing an arguable case of fraud, and that she should have explained to the client that she could not plead fraud on the information she had been provided. Candidates needed to identify that pleading fraud where there was no evidence to support it lacked integrity (CD3) and breached CD1 and CD5. They also needed to recognise that the barrister must respond promptly to the BSB and cooperate fully with it: a failure to do so would engage CD9, and that she must provide a copy of her conference notes as requested. Finally, candidates needed to identify the remedial steps required, namely advising the client accordingly and applying to the court to amend the defence.

Key observations from Chief Examiner on cohort performance:

Candidate performance on this question was mixed. Almost all candidates recognised the central point that the barrister should not have pleaded fraud, and most understood the need to comply with the BSB's request. Some candidates, however, struggled with the question, and a small number became fixated on the accident report, addressing whether that document should be disclosed in the litigation rather than the key point surrounding pleading fraud. Poor and Unacceptable answers were characteristically those which expressed uncertainty or caution about disclosing the conference notes (while at the same time expressing the need to cooperate with the BSB investigation), typically due to treating client confidentiality under CD6 as an absolute bar to disclosure when the circumstances gave rise to the need to comply with the request of the regulator that she provide them.

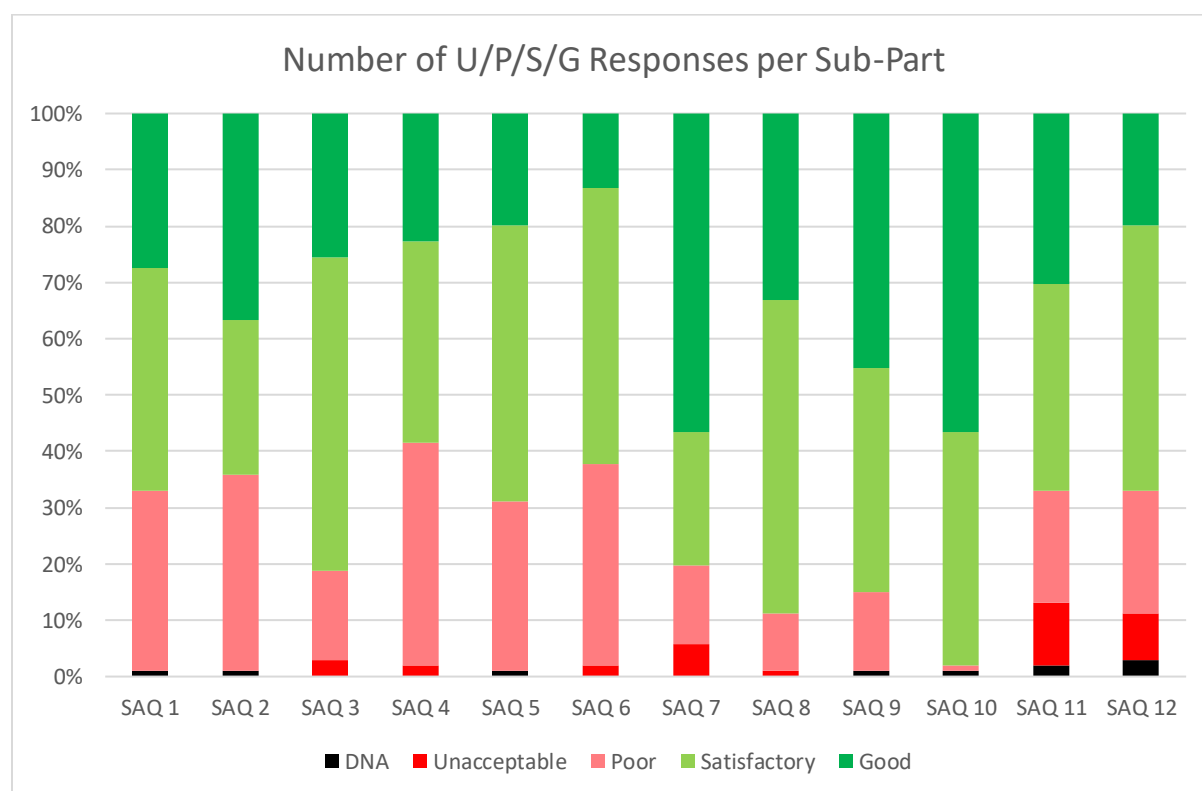
Decision of the exam board in relation to question: No intervention necessary; results for question confirmed and applied to candidates.

- 3.2 The Exam Board: (i) confirmed that no interventions were required in respect of any of the assessment questions, or cohort results; and (ii) that all questions would be included in the assessment for the purposes of compiling candidate results.
- 3.3 Taking the 12 question responses across 106 candidates produces 1,272 answers which were graded as follows:

Grading	% of all responses April 2026
Did Not Answer (DNA)	0.79%
Unacceptable	2.75%
Poor	22.48%
Satisfactory	41.75%
Good	32.23%

Across all 12 questions the competency rate (*ie* percentage of answers rated either 'Satisfactory' or 'Good') was 74%. The overall candidate passing rate for the April 2026 sitting was 86.8% which is higher than 74%, as candidates can be rated 'Competent' overall, without having to achieve a Good or a Satisfactory grading in respect of every one of the 12 questions.

3.4 Distribution of categorisations across questions April 2026 sitting



The graph above shows the distribution of answer categorisations across all 12 questions of the assessment for the April 2026 sitting. Question 4 proved to be the most challenging in terms of the percentage (41.5%) of responses graded as either Unacceptable or Poor. By contrast, 98% of the responses to Question 10 were graded Good or Satisfactory.

- 3.5 Assuming candidates attempted the questions in sequence, the data does not suggest a falling-off in candidate performance when comparing grades awarded for the first four questions, with those awarded for the last four questions. The average competency rate (*ie* answers rated either Satisfactory or Good) for Questions 1 to 4 was 68%, compared with 75% for Questions 5 to 8, and 79% for Questions 9 to 12.
- 3.6 The word count for the April 2026 assessment paper (3,889) was almost identical to the average for the preceding 13 sittings (3,881) and reflects efforts by the examining team to respond to concerns raised in candidate feedback regarding the challenge experienced by some candidates in attempting to complete the entire assessment within the time permitted.

4. APPROVAL OF EXAM BOARD OUTCOMES

- 4.1 The Chief Examiner confirmed that she was content that all standard setting, marking, and review processes were followed satisfactorily and that there was nothing to cause concern about any of these individual stages following the sitting of the April 2026 Professional Ethics Assessment.
- 4.2 The Independent Psychometrician endorsed the decisions taken by the Exam Board and felt that the outcomes were reassuring.
- 4.3 The Independent Observer confirmed to the Exam Board that he was entirely happy with the way the board had considered the operation of the assessment, and the decisions made.
- 4.4 Both the Interim Director General and the Chief Operating Officer confirmed that they were happy with the conduct of the Board and the conclusions which had been arrived at.

5. TREND DATA

5.1 The Candidate Journey: Cumulative data on candidate outcomes

Candidate Journey														
Examination Date	Apr-22	Jul-22	Oct-22	Jan-23	Apr-23	Jul-23	Jan-24	Apr-24	Jul-24	Jan-25	Apr-25	Jul-25	Jan-26	Apr-26
Single-Assessment Candidate Profiles and Outcomes														
Candidates First Sitting ¹	112	21	7	212	44	34	340	58	43	492	76	53	521	62
Candidates Resitting	N/A	4	2	1	15	17	4	57	19	5	39	26	15	44
Total Number of Candidates Sitting	112	25	9	213	59	51	344	115	62	497	115	79	536	106
First Sit Candidates Deemed 'Competent'	107	19	5	196	33	30	277	49	38	445	56	43	479	56
Resit Candidates Deemed 'Competent'	N/A	4	2	0	9	15	4	51	18	2	26	20	11	36
First Sit Candidates Deemed 'Not Competent'	4	2	1	16	10	3	62	9	5	44	11	10	42	6
Resit Candidates Deemed 'Not Competent'	0	0	0	1	6	2	0	6	1	0	5	6	4	7
Results Set Aside or Voided ²	1	0	1	0	1	1	1	0	0	6	17	0	0	1
Single-Assessment Pass Rate	95.5%	92.0%	77.8%	92.0%	71.2%	88.2%	81.7%	87.0%	90.3%	89.9%	71.3%	79.7%	91.4%	86.8%
Cumulative Outcomes														
Total Number of Unique Candidates to-date	112	132	139	351	394	427	767	824	867	1359	1434	1477	1998	2060
Cumulative Total of Unique Candidates Deemed 'Competent'	107	130	137	333	375	420	701	801	857	1304	1386	1449	1939	2031
Cumulative Total of Candidates Not Yet Deemed 'Competent' ³	5	2	2	18	19	7	66	23	10	55	48	28	59	29
Cumulative Pass Rate	95.5%	98.5%	98.6%	94.9%	95.2%	98.4%	91.4%	97.2%	98.8%	96.0%	96.7%	98.1%	97.0%	98.6%
(1) A Candidate may be recorded as a first sitter more than once, if their earlier attempts were deemed invalid, eg due to extenuating circumstances.														
(2) Results may be set aside or voided due to extenuating circumstances or examination misconduct.														
(3) Not all candidates previously deemed "Not Competent" will continue to attempt the assessment.														

5.2 Candidate success rate by reference to number of attempts

	Total	%
Unique Candidates	2060	100%
<i>Of which have been deemed competent</i>	2031	99%
<i>Of which remain not yet competent</i>	29	1%

Of candidates who have been deemed 'Competent', those who	2031	100%
<i>Passed on their first valid attempt</i>	1833	90%
<i>Passed on their second valid attempt</i>	177	9%
<i>Passed on their third valid attempt</i>	18	1%
<i>Passed on their fourth valid attempt</i>	3	0%
<i>Passed on their fifth valid attempt</i>	0	0%

Of candidates who remain 'Not Competent', those who	29	100%
<i>Have made one valid attempt</i>	18	62%
<i>Have made two valid attempts</i>	8	28%
<i>Have made three valid attempts</i>	2	7%
<i>Have made four valid attempts</i>	1	3%
<i>Have made five valid attempts</i>	0	0%

The two tables on the previous pages show that, across the 14 sittings to date, 2,060 unique candidates have attempted this exam at least once. 2,031 of these candidates have been deemed 'Competent', giving an overall cumulative passing rate of 98.6%.

Of the 2,060 unique candidates who have sat this exam, 1,833 have achieved a 'Competent' grading result on their first valid attempt, giving a cumulative first valid sit passing rate of 89%.

209 candidates have made at least one resit attempt, of which 198 have ultimately achieved a 'Competent' result following one or more previous valid attempts, giving a cumulative resit passing rate of 94.7%.

2,010 candidates have, to date, achieved a 'Competent' grade within two attempts (*ie* within those attempts which are funded by the profession via the PCF) indicating a success rate within two valid attempts of 97.6%.

5.3 Trends in Single-Assessment Marks and Results

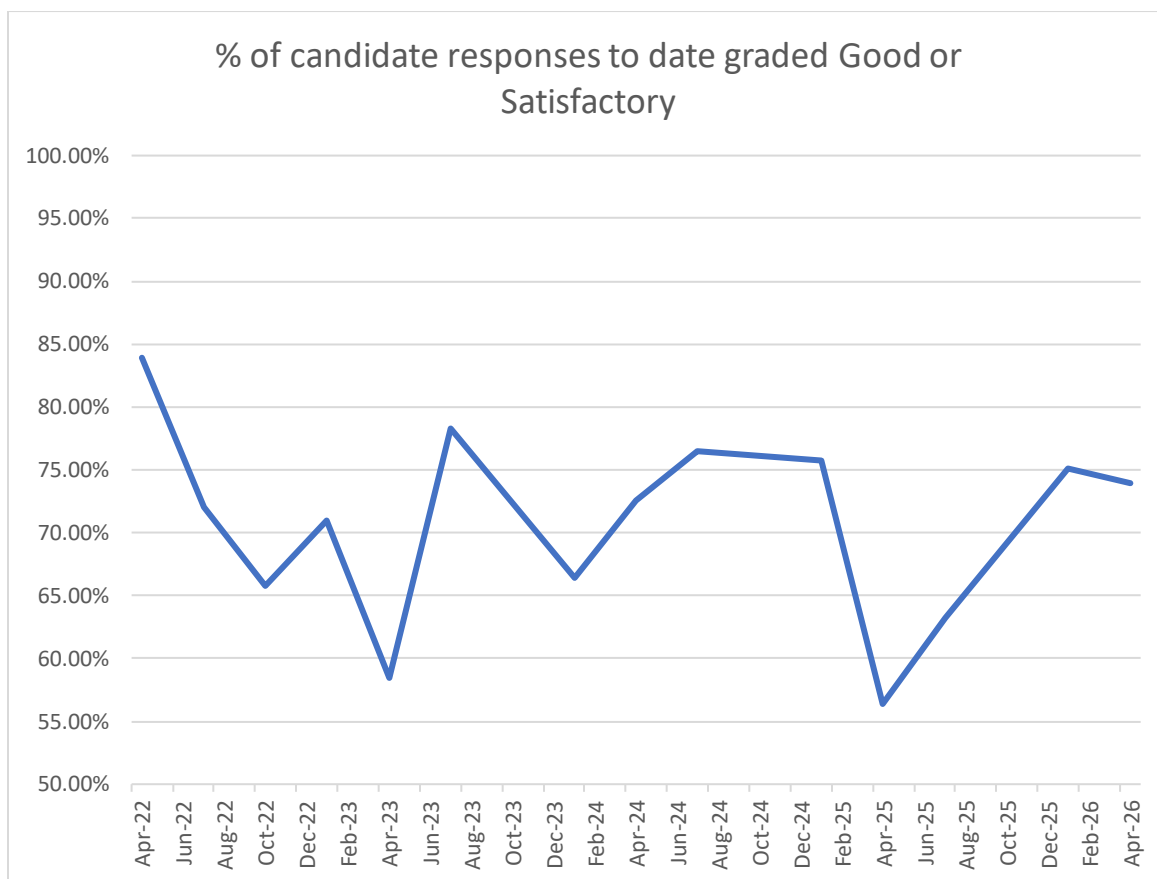
Sitting	Number of Attempts	Number of 'Competent' Results	% of Attempts Deemed 'Competent'
Apr-22	112	107	95.5%
Jul-22	25	23	92.0%
Oct-22	9	7	77.8%
Jan-23	213	196	92.0%
Apr-23	59	42	71.2%
Jul-23	51	45	88.2%
Jan-24	344	281	81.7%
Apr-24	115	100	87.0%
Jul-24	62	56	90.3%
Jan-25	497	447	89.9%
Apr-25	115	82	71.3%
Jul-25	79	63	79.7%
Jan-26	536	490	91.4%
Apr-26	106	92	86.8%
Cumulative Total to Date	2323	2031	87.4%
Average Single-Assessment Pass Rate			85.4%

It should be noted that the 'candidate journey' table at 5.2 (above) counts 2,060 unique candidates (each pupil only counted once, regardless of how many attempts they have made), whilst the table at 5.3 counts the total number of attempts (for example, a candidate who sat three times will have had each of their three attempts added to the total). Hence, 98.6% of candidates have passed the Professional Ethics pupillage stage assessment to date (table at 5.2 above), and 87.4% of attempts at the Professional Ethics pupillage stage assessment have been successful to date (table at 5.3 above), the passing rate in table 5.3 being lower because some candidates who passed required more attempts to do so.

5.4 Trends in SAQ response classification

The table below also considers all attempts and shows the total number of individual SAQ responses submitted by candidates at that attempt and the percentage of those responses which were assigned each grade boundary. As above, at section 3.1, Unacceptable responses are disaggregated into "DNAs" and those deemed Unacceptable on the basis of a written response, for reporting purposes only.

Sitting	Apr-22	Jul-22	Oct-22	
Number of SAQ Responses	1344	300	108	
% DNA	0.00%	0.67%	2.78%	
% Unacceptable	3.20%	4.33%	4.63%	
% Poor	12.87%	23.00%	26.85%	
% Satisfactory	48.21%	43.00%	49.07%	
% Good	35.71%	29.00%	16.67%	
Sitting	Jan-23	Apr-23	Jul-23	
Number of SAQ Responses	2556	708	612	
% DNA	1.02%	2.54%	1.47%	
% Unacceptable	1.02%	4.52%	0.98%	
% Poor	27.03%	34.46%	19.28%	
% Satisfactory	51.49%	44.63%	51.63%	
% Good	19.44%	13.84%	26.63%	
Sitting	Jan-24	Apr-24	Jul-24	
Number of SAQ Responses	4128	1380	744	
% DNA	0.65%	0.65%	1.48%	
% Unacceptable	5.74%	8.91%	3.36%	
% Poor	27.20%	17.90%	18.68%	
% Satisfactory	45.78%	43.04%	51.34%	
% Good	20.62%	29.49%	25.13%	
Sitting	Jan-25	Apr-25	Jul-25	
Number of SAQ Responses	5964	1380	948	
% DNA	1.01%	7.25%	1.05%	
% Unacceptable	1.56%	2.61%	4.64%	
% Poor	21.66%	33.77%	31.12%	
% Satisfactory	43.83%	39.57%	39.87%	
% Good	31.94%	16.81%	23.31%	
Sitting	Jan-26	Apr-26	Jul-26	Cumulative
Number of SAQ Responses	6432	1272		27876
% DNA	0.67%	0.79%		1.18%
% Unacceptable	2.13%	2.75%		3.07%
% Poor	22.09%	22.48%		23.65%
% Satisfactory	42.44%	41.75%		44.64%
% Good	32.66%	32.23%		27.47%



Of the 27,876 individual responses submitted across all sittings to date, the proportion of answers rated either Satisfactory or Good is 72.1%. The April 2022 cohort was arguably the strongest so far, with a Satisfactory or Good percentage score of 83.9%, compared to the April 2025 cohort (the weakest cohort so far) on 56.4%.

6. COHORT AND CANDIDATE PERFORMANCE APRIL 2026 SITTING

Results for the April 2026 sitting of the pupillage stage Professional Ethics examination are as follows.

Apr-26	
Total Number of Candidates	106
Number Passing	92
Passing Rate (%)	86.8%

6.1 Analysis of cohort performance

6.1.1 Based on the marking protocols relating to candidates automatically graded as 'Competent' and those candidates whose overall examination performance is referred for a holistic review (see further 3.3 Chair's report Part 1) 73.6% of April 2026 candidates were deemed to be automatic passes, and a further 13.2% of all candidates were deemed to have passed following a holistic review of their scripts.

6.1.2 The following tables provide an analysis of each cohort at each sitting to date by reference to the operation of the rules relating to automatic passes, automatic fails, and holistic review:

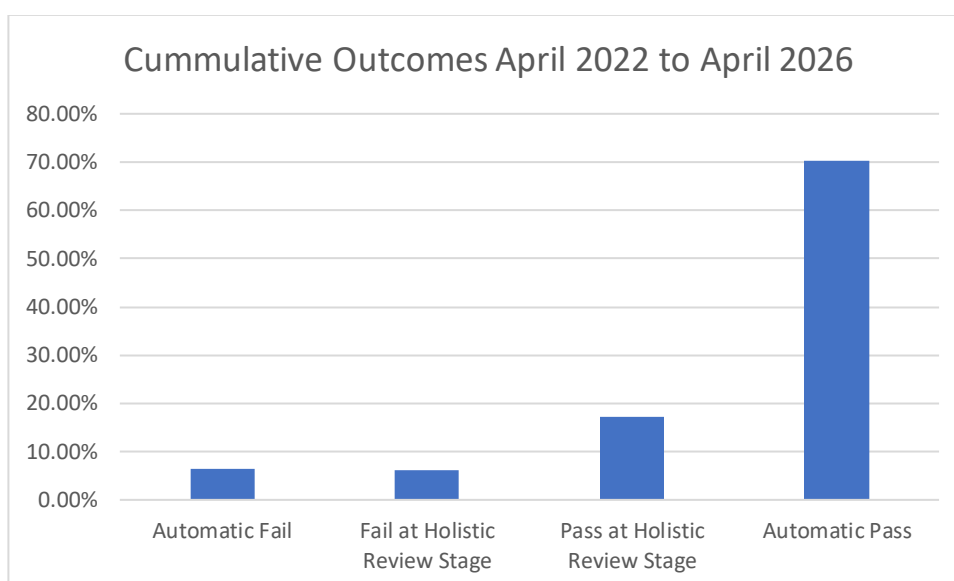
Exam Sitting	Apr-22	Jul-22	Oct-22
Total number of candidates	112	25	9
Percentage of candidates subject to holistic review	15.2%	40.0%	44.4%
Percentage of Candidates deemed as 'Automatic Fail'	1.8%	4.0%	22.2%
Percentage of candidates failing at holistic review stage	2.7%	4.0%	0.0%
Percentage of candidates passing at holistic review stage	12.5%	36.0%	44.4%
Percentage of candidates deemed as 'Automatic pass'	83.0%	56.0%	33.3%

Exam Sitting	Jan-23	Apr-23	Jul-23
Total number of candidates	213	59	51
Percentage of candidates subject to holistic review	41.3%	59.3%	15.7%
Percentage of Candidates deemed as 'Automatic Fail'	5.2%	15.3%	3.9%
Percentage of candidates failing at holistic review stage	2.8%	13.6%	5.9%
Percentage of candidates passing at holistic review stage	38.5%	45.8%	9.8%
Percentage of candidates deemed as 'Automatic pass'	53.5%	25.4%	80.4%

Exam Sitting	Jan-24	Apr-24	Jul-24
Total number of candidates	344	115	62
Percentage of candidates subject to holistic review	28.8%	15.7%	11.3%
Percentage of Candidates deemed as 'Automatic Fail'	8.7%	9.6%	3.2%
Percentage of candidates failing at holistic review stage	9.6%	3.5%	6.5%
Percentage of candidates passing at holistic review stage	19.2%	12.2%	4.8%
Percentage of candidates deemed as 'Automatic pass'	62.5%	74.8%	85.5%

Exam Sitting	Jan-25	Apr-25	Jul-25
Total number of candidates	497	115	79
Percentage of candidates subject to holistic review	17.5%	37.4%	30.4%
Percentage of Candidates deemed as 'Automatic Fail'	3.8%	20.0%	11.4%
Percentage of candidates failing at holistic review stage	6.0%	8.7%	8.9%
Percentage of candidates passing at holistic review stage	11.5%	28.7%	21.5%
Percentage of candidates deemed as 'Automatic pass'	78.7%	42.6%	58.2%

Exam Sitting	Jan-26	Apr-26	Jul-26	Cumulative
Total number of candidates	536	106		2323
Percentage of candidates subject to holistic review	15.7%	18.9%		23.42%
Percentage of Candidates deemed as 'Automatic Fail'	3.2%	7.5%		6.3%
Percentage of candidates failing at holistic review stage	8.6%	5.7%		6.2%
Percentage of candidates passing at holistic review stage	10.3%	13.2%		17.2%
Percentage of candidates deemed as 'Automatic pass'	81.2%	73.6%		70.3%



6.1.3 This data must be read in the context of refinements to the holistic review policy over time. In April 2022 candidates with no more than two “Unacceptable” responses and between five and nine “Satisfactory” or “Good” responses were subject to holistic review. From October 2022 to April 2023, candidates with no more than two “Unacceptable” responses and between five and eight “Satisfactory” were referred for holistic review. From July 2023 onwards, holistic review has been applied to scripts containing no more than two “Unacceptable” answers and between five and seven “Satisfactory” and “Good” responses. Candidates with eight or nine “Satisfactory” or “Good” responses are now graded as ‘automatic’ passes.

6.1.4 The tables below show the breakdown of ‘Competent’ candidates by reference to the number of answers graded as ‘Good’ or ‘Satisfactory’ and the breakdown of ‘Not Competent’ candidates by reference to the number of answers graded as ‘Unacceptable’ or ‘Poor’:

Number of Passing Candidates With	
5 Satisfactory/Good Responses	1
6 Satisfactory/Good Responses	1
7 Satisfactory/Good Responses	12
8 Satisfactory/Good Responses	14
9 Satisfactory/Good Responses	15
10 Satisfactory/Good Responses	16
11 Satisfactory/Good Responses	22
12 Satisfactory/Good Responses	11

Number of Failing Candidates With	
3 Unacceptable/Poor Responses	0
4 Unacceptable/Poor Responses	0
5 Unacceptable/Poor Responses	1
6 Unacceptable/Poor Responses	2
7 Unacceptable/Poor Responses	4
8 Unacceptable/Poor Responses	4
9 Unacceptable/Poor Responses	1
10 Unacceptable/Poor Responses	1
11 Unacceptable/Poor Responses	0
12 Unacceptable/Poor Responses	0

6.1.5 The table below illustrates the operation of the grading and holistic review processes (outlined at 3.3 Chair's report Part 1) in respect of the April 2026 cohort.

Profiles April 2026 Sitting	Unacceptable	Poor	Satisfactory	Good
Strongest Profile - candidate automatically failing with 3 or more "Unacceptable" gradings	3	2	3	4
Strongest Profile -- candidate automatically failing with 4 or fewer "Good" or "Satisfactory" gradings	0	8	3	1
Strongest profile -- candidate failing following holistic review	0	7	4	1
Weakest profile - candidate passing following holistic review	2	3	6	1

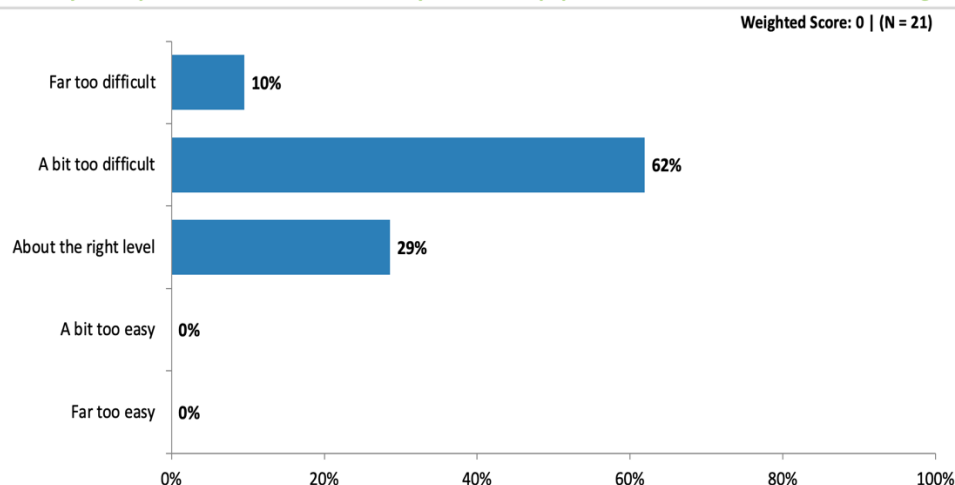
6.1.6 In respect of the candidates being considered in the holistic review process, it should be borne in mind that the determination of a 'Competent' or 'Not Competent' grading is not driven by a simple mathematical formula but ultimately rests on the overall view of the quality of the script taken by the examiners. Hence, as the above table shows, the weakest candidate passing as a result of the holistic review process had no answers graded as Good but had five answers graded as Satisfactory. By contrast, the strongest candidate failing following holistic review had one answer graded as Good, and six answers graded as Satisfactory. The passing candidate also had a weaker profile as regards Unacceptable or Poor responses. A consideration for reviewers was the nature and seriousness of the defect contained in an answer, for example whether an answer was graded Unacceptable on the grounds of what the candidate has failed to address, or because of what the candidate had (wrongly) asserted to be the correct ethical position.

6.2 Feedback from candidates

6.2.1 The Examinations Manager reported that feedback was solicited from all candidates via a survey immediately following the exam, with reminders sent a week later. 21 candidates (20%) responded to the feedback survey.

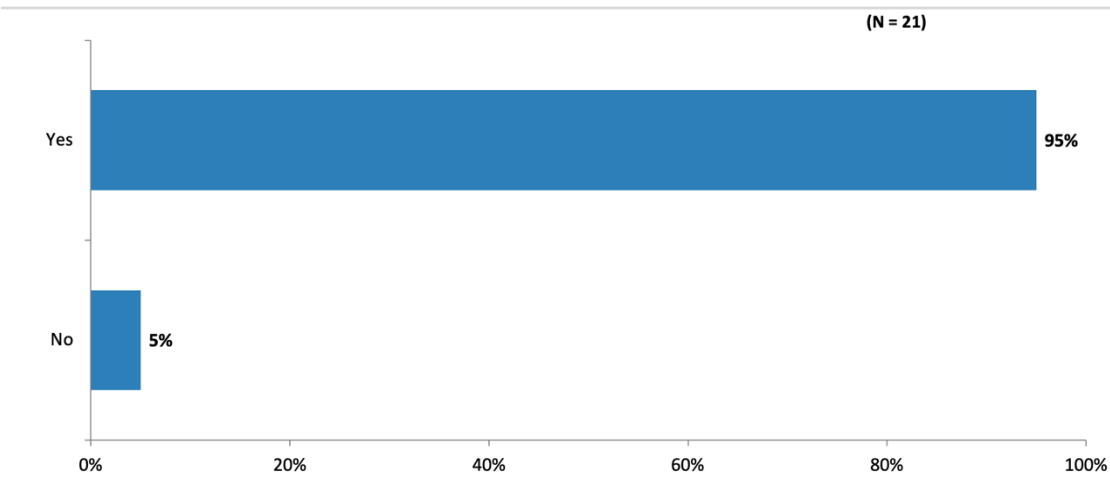
6.2.2 A summary of the general feedback: Level of difficulty

What was your impression of the overall difficulty level of the paper for a barrister at this level of training?

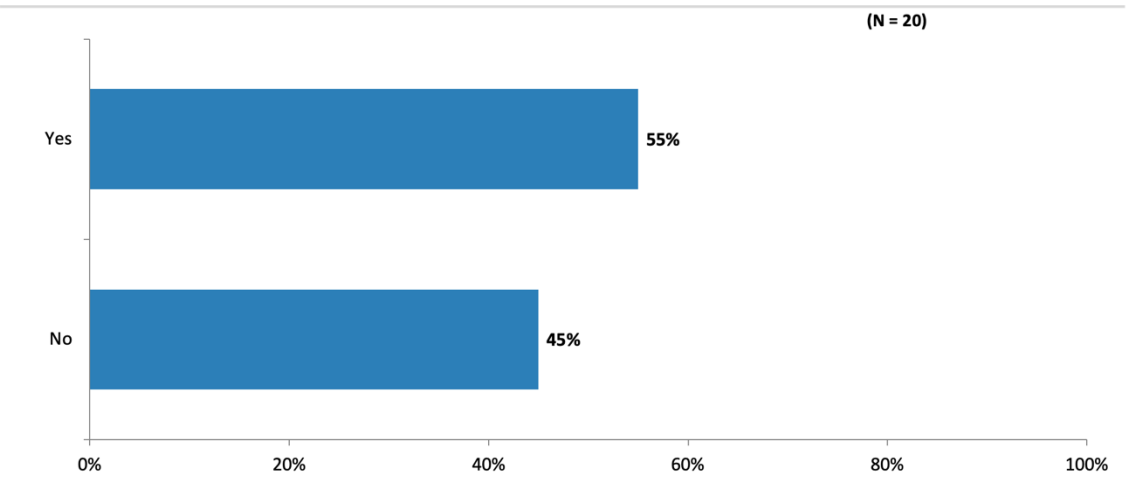


6.2.3 A summary of the general feedback: Sufficiency of time allowed

Did you use all of the time allowed for the examination?

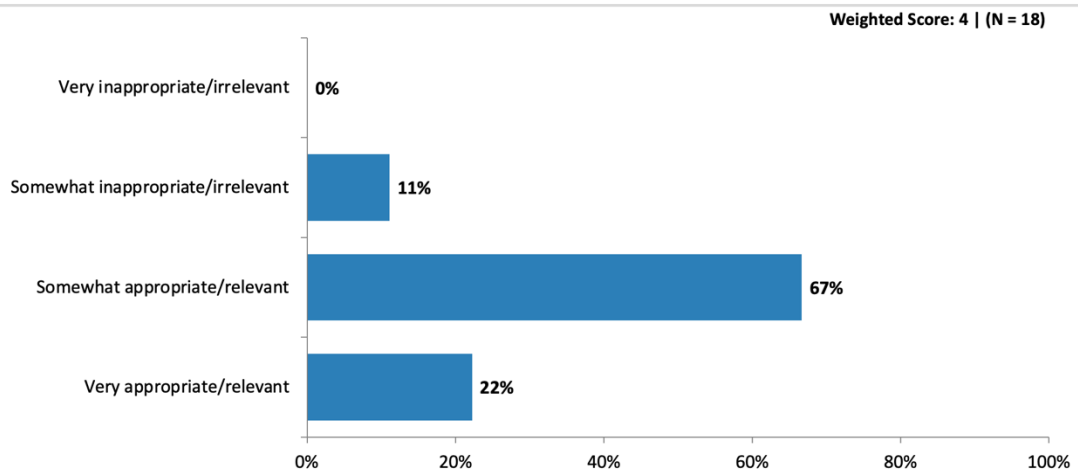


Did you leave any answers blank or incomplete due to insufficient time?



6.2.4 A summary of the general feedback: Relevance of scenarios

How appropriate and relevant did you find the scenarios were to the experience of early years practitioners?



6.2.5 Candidate feedback trend analysis

From the July 2022 sitting onwards, the BSB has canvassed candidate feedback on the Professional Ethics assessment, focussing on the level of difficulty posed by the questions, the extent to which candidates were unable to complete all items, and the relevance of the scenarios used to early years practitioners. Inevitably, response levels are quite low and the opportunity to give feedback is more likely to be taken up by those candidates who have more negative feelings regarding the assessment. The summary of responses to date is as follows:

	Apr-22	Jul-22	Oct-22	Jan-23	Apr-23	Jul-23	Jan-24
No. Responding	N/A	3	3	73	12	12	88
% of candidates responding	N/A	12%	33.33%	34.27%	20.34%	23.53%	25.58%
% of respondents confirming that the difficulty level of the paper as a whole was appropriate for a barrister at this level of training.	N/A	66%	33%	19%	33%	50%	17%
% of respondents self-reporting as leaving answers blank or incomplete due to lack of time	N/A	0%	33%	55%	91%	25%	45%
% of respondents confirming that the question scenarios were somewhat appropriate/relevant of very appropriate/relevant to the expertise of early years practitioners	N/A	100%	33%	57%	41%	83%	64%
Passing rate for this sit	95.50%	92%	77.80%	92%	71.20%	90.20%	81.70%

	Apr-24	Jul-24	Jan-25	Apr-25	Jul-25	Jan-26	Apr-26
No. Responding	19	16	110	14	20	72	21
% of candidates responding	16.52%	25.81%	22.13%	12%	25%	13%	20%
% of respondents confirming that the difficulty level of the paper as a whole was appropriate for a barrister at this level of training.	37%	31%	37%	29%	35%	32%	29%
% of respondents self-reporting as leaving answers blank or incomplete due to lack of time	50%	31%	36%	69%	42%	41%	55%
% of respondents confirming that the question scenarios were somewhat appropriate/relevant of very appropriate/relevant to the expertise of early years practitioners	69%	84%	70%	43%	69%	71%	89%
Passing rate for this sit	87%	90.30%	90.10%	71%	79.7%	91.4%	86.8%

Comparing the responses of the April 2026 respondents with the average of responses across previous sittings shows the following variations:

	Average across previous 13 sittings	April 2026 respondents	Variance
% of respondents confirming that the difficulty level of the paper as a whole was appropriate for a barrister at this level of training.	34%	29%	-5%
% of respondents self- reporting as leaving answers blank or incomplete due to lack of time	44%	55%	11%
% of respondents confirming that the question scenarios were somewhat appropriate/relevant of very appropriate/relevant to the expertise of early years practitioners	67%	89%	22%

Professor Mike Molan
Chair of the CEB
3 July 2026

Appendix 1

General Descriptors

Grade	Descriptor
Good = "More than Competent"	Content exceeds the criteria for a Satisfactory answer ie, "more than Satisfactory"
Satisfactory = Competent	A competent answer demonstrating satisfactory understanding of the key issues, but with some inaccuracies and/or omissions. Such inaccuracies and/or omissions do not materially affect the integrity of the answer. Analysis and/or evaluation is present but may not be highly developed Evidence of insight, but it may be limited. Use of appropriate information and principles drawn from syllabus materials. Shows an awareness of the key issues and comes to appropriate conclusions.
Poor = Not yet Competent	Poor understanding of the key issues with significant omissions and/or inaccuracies. Limited or completely lacking in evidence of understanding. Interpretation, analysis and/or evaluation is shallow and poorly substantiated. Little or no evidence of insight. Limited use of information and principles. Not evident that syllabus materials were understood and/or incorporated into answer. Shows a very limited awareness of the key issues and fails to come to appropriate conclusions.
Unacceptable = Not yet competent	The answer contains material which, in the view of the examiners, is so <i>clearly incorrect</i> that, if it were to be replicated in practice, it could significantly affect the client's interests or the administration of justice (such acts or omissions would include behaviour which would require reporting to the BSB) and/or place the barrister at risk of a finding of serious misconduct. An answer which, in the view of the examiners, fails to make a genuine attempt to engage with the subject-matter of the question (eg, the candidate's response amounts only to "<i>I do not know the answer to this question, but I would telephone my supervisor for assistance</i>") will fall into the "clearly incorrect" category of answers. A failure by a candidate to provide any answer will be treated in the same manner as a candidate who provides a "clearly incorrect" answer.