Part 8 - Reviews and appeals

8A: Review applications and procedures

Individuals or organisations may submit a request for review of a decision of the Bar Standards Board, and a further appeal to the High Court, in line with the Bar Qualification Rules (Rules Q35-Q40).

This section includes information on requests for review of decisions of the Bar Standards Board, the Bar Council Records Office, the Inns of Court, and the Inns' Conduct Committee (ICC).

Bar Qualification Rules

BSB Handbook

Rule Q35 Where provision is made under this Section for a review by the BSB of a decision, any request for such a review must be accompanied by:

.1 a copy of any notice of the decision and the reasons for it received by the person requesting the review ("the applicant");

.2 where the decision is a decision of an Inn or the ICC, copies of all documents submitted or received by the applicant which were before the Inn or the ICC;

.3 any further representations and evidence which the applicant wishes the BSB to take into account; and

.4 payment of such fee or fees as may be prescribed.

Rule Q36 Where the decision under review is a decision of an Inn, the BSB will invite the Inn to comment on any further representations and evidence which the applicant submits under Rule Q35.3.

Rule Q37 On a review under this Section the BSB:

.1 may affirm the decision under review or substitute any other decision which could have been made on the original application;

.2 may in an appropriate case reimburse the fee paid under Rule Q35.4; and

.3 will inform the applicant and any other interested person of its decision and the reasons for it.

Rule Q38 Where provision is made under this Section for a review of a decision by the BSB, this review may be delegated to an Independent Decision-Making Panel, where specified by the BSB.

Rule Q39 Where under this Section provision is made for a review by the BSB of a decision, no appeal may be made to the High Court unless such a review has taken place.

Rule Q40 An individual who is adversely affected by a decision of the BSB under Section B.2 may appeal to the High Court against the decision.

Overview

1 You may submit a request for review to us up to **one month** after notification of the original decision (eg the date of the relevant decision letter).

Independent Decision-making Body

2 The Independent Decision-making Body (IDB) is a non-executive body with responsibility for taking all regulatory decisions that require independent input.

3 The IDB consists of a pool of 25 decision makers, 13 of whom are barristers and 12 are members of the public who are not solicitors or barristers (ie lay members). Panels of lay and barrister members will be formed to take decisions on individual cases. Three-person panels will be used for authorisations cases. All panels will have a lay majority and each panel meeting will have a Chair, drawn from the IDB pool.

4 The IDB ensures that all request for review are determined fairly, effectively and efficiently and in accordance with the relevant regulations and guidelines.

Types of request for review

5 There are four main types of review considered by the IDB.

Review of a decision taken by us (exemptions/waivers of the Bar Qualification Rules, AETO authorisation decisions)	**Application Form** **Application Guidelines**

Review of an entity authorisation decision	**Application Form** **Application Guidelines**
Review of a decision of an Inn of Court or the **Inns' Conduct Committee** (ICC) on the admission and/or conduct of a student	**Application Form** **Application Guidelines**
Review of a decision of the Bar Council Records Office regarding the issue/amendment/revocation of a practising certificate	**Application Form** **Application Guidelines**

6 If you are seeking a review of a practising certificate decision, you may apply for a temporary practising certificate, pending the outcome of the request for review. Applications for the issue of a temporary practising certificate should be made on the same application form as the application for review. If you are issued with a temporary practising certificate, it will usually be valid for **three** months from the date of issue.

Other types of review

7 For information on the results review process for the **BPTC Centralised Assessments** , please see **Part 3D** of the Bar Qualification Manual.

Appeals to the High Court

8 For information on appealing our decisions to the High Court, please see **Part 8B** of the Bar Qualification Manual.

8B: Appeals to the High Court

Individuals or organisations may submit a request for review of our decisions, and a further appeal to the High Court, in line with the Bar Qualification Rules (Rules Q35-Q40).

This section includes information on appeals to the High Court of our decisions.

Bar Qualification Rules

BSB Handbook

Rule Q35 Where provision is made under this Section for a review by the BSB of a decision, any request for such a review must be accompanied by:

.1 a copy of any notice of the decision and the reasons for it received by the person requesting the review ("the applicant");

.2 where the decision is a decision of an Inn or the ICC, copies of all documents submitted or received by the applicant which were before the Inn or the ICC;

.3 any further representations and evidence which the applicant wishes the BSB to take into account; and

.4 payment of such fee or fees as may be prescribed.

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Rule Q37 On a review under this Section the BSB:

.1 may affirm the decision under review or substitute any other decision which could have been made on the original application;

.2 may in an appropriate case reimburse the fee paid under Rule Q35.4; and

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Rule Q39 Where under this Section provision is made for a review by the BSB of a decision, no appeal may be made to the High Court unless such a review has taken place.

Rule Q40 An individual who is adversely affected by a decision of the BSB under Section B.2 may appeal to the High Court against the decision.

Overview

1 Any appeal to the High Court, in line with **Rules Q39** and **Q40** , must be made in accordance with the Civil Procedure Rules .

2 The starting point of the **21-day deadline** to file an appeal to the High Court is dependent on when the applicant is notified of the outcome of the application which they are intending to appeal.

In circumstances where the applicant has been informed of the outcome of an application before the IDB decision sheet containing the written reasons has been finalised and sent to them, we take the time to appeal to run from the date that the IDB decision sheet is sent to the applicant .

Where the outcome of an application and the written reasons are provided to the applicant at the same time in the IDB decision sheet, we take the time to appeal to run from the date the IDB decision sheet is sent to the applicant .

Appeal Hearings

3 If the matter goes to an appeal hearing, this will ordinarily take place in public at the Royal Courts of Justice and the case will be listed in the ' Daily Cause List '. This will give details of the court room and the time at which the hearing will start.

4 All parties are entitled to be represented at the appeal hearing, and in nearly all cases we will appoint a barrister to represent us at the hearing and assist with the pre-hearing preparation.

5 If you wish to submit an appeal and require **reasonable adjustments** to assist you with making, or progressing, an appeal due to a disability, you should contact the Administrative Court as soon as possible to discuss your needs:

a. Email: administrativecourtoffice.generaloffice@hmcts.x.gsi.gov.uk

b. Telephone: 020 7947 6655

6 The decision of the High Court is final and therefore no appeal lies against its decision (except to the Court of Appeal in the event of a decision to disbar a barrister).