

**CENTRALISED EXAMINATIONS BOARD
PROFESSIONAL ETHICS
SYLLABUS GUIDANCE FOR BPTC ASSESSMENTS IN 2021**

PROLOGUE

This guidance is provided in relation to the **BPTC Professional Ethics Assessment** taking place in 2021.

Any additions to the 2021 syllabus guidance from the January 2020 version are in red script and double underlined. Any deletions from the January 2020 version have been ~~double-stricken~~ and are highlighted in grey.

A. INTRODUCTION

This guidance is issued to provide clarity to students in respect of the source material, which will be used by the Ethics Team of the Centralised Examination Board (CEB) when setting the Ethics examinations in 2021.

Please note that this guidance should not be used for any sitting of a BPTC Professional Ethics assessment which takes place in 2020.

B. SYLLABUS

The SAQs for all Ethics assessments in 2021 will be drawn from the following source material (NB. When sections of the Handbook are referred to, the material included is all rules and guidance within those sections.):

1. *The Bar Standards Board Handbook – Version 4.5 published September 2020*

[as published on the BSB website]

Part 1

A-D

Part 2

A

B (to include gC2A)*

C1, C2, C3, C4, C5 (to include rC85A) (excluding rC89 – rC98 inclusive]

D1 (rC99-rC105), (rC110-112), D2

D4

D6

Part 3

B2, B3, B7 & B9
C1 & C2

Part 4

C – rQ130-135

Part 6

The definitions section will not be discretely examined, but knowledge of the Handbook's definitions relevant to the rest of the syllabus is required.

Supporting Information for Chambers BSB Handbook Equality Rules

Sections 1, 2, 8, 9, 11,12

<https://www.barstandardsboard.org.uk/uploads/assets/eb082d32-1522-4995-980aa797a14cf2b4/4720f5e7-8d61-46e1-bd930c490b7f7897/02020403-Supporting-Information-for-Chambers-BSB-Handbook-Equality-Rules.pdf>

The Supporting Information will not be examined discretely, but candidates should be familiar with the contexts contained therein.

** In answering questions where Core Duty 9 is engaged, students will not be expected to go beyond the relationship with the Bar Standards Board and the Legal Services Board.*

2. Code Guidance

Guidance on Practising Rules and Requirements

- Unregistered Barristers Guidance (Oct 2019)
- Barristers Supervising Immigration Advisers Guidance (February 2020)
- ~~Barristers Supervising Immigration Advisers Guidance (Oct 2019)~~
- Public Access Guidance for Barristers (Oct 2019)
- Conducting Litigation Guidance (Oct 2019)

Guidance on the Administration of a Barrister's Practice

- First Tier Complaints Handling Guidance (October 2019)
- Referral and Marketing Arrangements Guidance (October 2019)
- Confidentiality Guidance (October 2019)
- Investigating and Collecting Evidence and Taking Witness Statements Guidance (October 2019)

Guidance on the Professional Conduct of Barristers

- Reporting Serious Misconduct of Others Guidance (October 2019)

- Social Media Guidance (October 2019)
- Clash of Hearing Dates Guidance (October 2019)

Additional Guidance

- Guidance on the Transparency Rules
 - Introduction to the guidance
 - Mandatory transparency rules for all self-employed barristers, chambers and BSB entities
 - Additional transparency rules for those undertaking Public Access work
- Authorisation to practise (BSB Website) Authorisation to Practise section <https://www.barstandardsboard.org.uk/for-barristers/authorisation-to-practise.html> -
 - Practising Certificate, including fees
 - Applying for a Practising Certificate
 - Pupils

3. Crown Prosecution Service Publications

- The Code for Crown Prosecutors – October 2018 (8th edition)
- [Farquharson Guidelines: Role of Prosecuting Advocates \(January 2020\)](https://www.cps.gov.uk/legal-guidance/farquharson-guidelines-role-prosecuting-advocates)
 - <https://www.cps.gov.uk/legal-guidance/farquharson-guidelines-role-prosecuting-advocates>

4. Money Laundering and terrorist financing

- Anti-Money Laundering Guidance for the Legal Sector
 - <https://www.barstandardsboard.org.uk/uploads/assets/fab61854-1e1f-4e4c-b050410d1ff7ff71/20180306lsagamlguidancefinal.pdf>
 - Chapters 1,6,8

C. IMPORTANT ADDITIONAL NOTES FOR PROVIDERS & STUDENTS

In answering SAQs and applying ethical principles drawn from the material above, students will not be required to quote specific reference number(s) for outcomes, rules or guidance. However, accurate identification and quoting of the Core Duties applicable to any given scenario will be expected. The habit of listing all ten Core Duties at the beginning of an answer, irrespective of their relevance to the scenario, is not only to be deprecated but is unlikely to secure for the student any credit available for the correct identification of applicable duties in the given scenario. For credit to be earned, students must demonstrate within their answers that they have correctly identified only those duties that are applicable and how they are germane to the scenario.

NB The close application of ethical principles to the facts outlined in each scenario is the key to success in this assessment. In order to obtain high or full marks candidates are advised to write in full sentences so as to evidence their knowledge and understanding of the issues involved and their evaluation of the correct ethical approach to adopt in the circumstances. Examiners are looking for answers that clearly demonstrate a full appreciation of the Core Duties and ethical issues involved. Therefore, answers should provide a detailed description of these as well as a comprehensive and clearly reasoned explanation in support of the resolution proposed. As a result, bullet point style answers should be avoided, and such answers may attract no marks in cases where an examiner takes the view that the ethical issues have not been properly understood.

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[September 2020](#)