

**REGULATORY OPERATIONS DEPARTMENT**

**AUTHORISATIONS TEAM**

**CRITERIA AND GUIDELINES FOR THE REACTIVATION OF STALE QUALIFICATIONS**

These Notes are divided into two sections:

**A. Guidance Notes – General Procedure for applications and appeals**

**B. Criteria for applications**

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| ***Nature of Application*** | ***Brief Summary*** |
| 1. **Reactivation of Stale Qualifications**
 | This covers applications by students who wish to commence a vocational component Bar Training Course/Bar Practice Course more than five years after completion of the academic component of training for the Bar. |

**A. Guidance Notes – General Procedure for applications and appeals**

**1 General**

* 1. In these Notes, the Bar Standards Board and its staff are referred to as the “the BSB”. The BSB Handbook is referred to as “the Handbook”. The Bar Qualification Rules, which constitute Section 4B of the Handbook, are referred to as “BQR”.
	2. These Notes set out the criteria and guidelines which the BSB applies in considering applications and should be read carefully and in conjunction with the Handbook.
1. **How applications are dealt with**
	1. Applications must be made on the current designated application, available from the BSB’s website, and accompanied by the relevant application fee.
	2. Applications may either be submitted as hard-copies by post or as scanned copies by email. All applications must contain a hand-written signature.
	3. The application fees for each type of application are listed on the BSB website. The preferred method of payment is bank transfer (BACS), the details for which are:

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| Bank Name: | Royal Bank of Scotland |
| Branch Name:  | Childs, Fleet Street |
| Sort Code: | 15-80-00 |
| Account No: | 62428522 |
| Account Name/Alias: | General Council of the Bar |
| Currency: | GBP |
| Bank Identifier Code (BIC): | RBOSGB2L |
| International Bank Account No (IBAN): | GB60RBOS15800062428522 |

When paying by BACS, you must ensure that the BSB receives the full amount in Sterling: i.e. **you must pay all charges of your bank and agents charges, including those of the BSB**. This may include a handling charge levied by RBS if the issuing bank does not pay all bank charges.

* Please put a reference of “**AUTH**” against your name on the transaction to help identify the payment.
* Please provide proof of payment/a copy of your payment receipt with your application.
* If someone else is paying the fee on your behalf, please confirm the name of the person making the payment and any reference quoted.

If you are unable to pay by BACS, you may submit payment by cheque (made payable to the ‘Bar Standards Board’) or by credit/debit card. Please call the Authorisations Team on 020 7611 1444 to make a card payment.

Details of the Fee Waiver Policy are available on the BSB website.

* 1. All applications contain a declaration that the applicant has read, understood and complied with these Criteria and Guidelines.
	2. Applications are considered and determined under the powers of the Bar Standards Board. The Bar Standards Board has delegated to BSB staff the ability to take decisions within the criteria and guidelines set out in this document.
	3. An applicant must ensure that all supporting evidence is sent with the application form. Where original certificates or certified copies are required, these must be sent in hard-copy or emailed directly to the BSB.
* Any hard-copy documents will be scanned upon receipt. To facilitate this process, please ensure that documents supplied with an application are not stapled or submitted in individual plastic wallets.
* If an applicant requires their original documents to be returned, they must provide a pre-paid envelope for this purpose. If the documents are to be returned by courier, it is the applicant’s responsibility to arrange for the courier and pay any necessary charges.
	1. An application will not be treated as “complete” until the application form, required supporting documentation and application fee have been received. The BSB may request further information or documentation be supplied in support of an application, but applicants should note that it is the primary responsibility of the applicant to provide all relevant information and supporting evidence.
* Applicants should exercise judgement when selecting supporting evidence and ensure that only documentation that is relevant to the criteria set out in this document is supplied.
* It is usually **not** appropriate to supply examples of work with an application. Any applicant who does supply such examples should ensure that documents that refer to third parties (e.g. clients) are suitably redacted so as to ensure anonymity. Any application that is supported by unredacted material will be returned to the applicant.
	1. The BSB will take into account all the circumstances of the particular application and will apply the guidelines set out in these Notes.
	2. All applications will be acknowledged in writing within seven days of receipt of the complete application form.
	3. The BSB normally deals with all applications within eight weeks of receipt and notifies applicants of its decision within 10 days of a decision.
	4. The BSB will treat all applications and any supporting documentation provided in the strictest confidence.
	5. All enquiries about applications whether proposed or pending should be addressed to the BSB.
1. **Reviews and Appeals**
	1. Any applicant who is dissatisfied with a decision may request a review of the decision.
	2. Any request for a review must be made on the designated application form and accompanied by the relevant application fee within **one month** of notification of the relevant decision and must be accompanied by the appropriate application fee. All requests will be acknowledged in writing within seven days of receipt.
	3. The Independent Decision-making Body (IDB) deals with reviews of decisions as if the application was being dealt with afresh, applying the guidelines set out in these Notes. An Independent Decision-making Panel (IDP) shall be entitled to have such regard to the original decision, and to uphold, vary or take into account such decision, as in its absolute discretion it feels appropriate.
	4. Applications for review are normally determined within 10 weeks of receipt. Should it not be possible to deal with a review within this timescale, the applicant will be notified.
	5. All enquiries about reviews whether proposed or pending should be addressed to the BSB.
	6. Where an IDP has determined a review of a decision, there is no procedure under the BQR for a further review. An IDP may review its own decisions under section B4 of the BQR but is not obliged to carry out such a further review. Any person dissatisfied with a determination of an IDP is advised to take independent legal or other appropriate advice.
	7. Rule Q39 provides that where the BQR provide 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.

3.8 Rule Q40 provides that subject to Rule Q39, a person or organisation who is adversely affected by a decision of the BSB may appeal to the High Court, in accordance with the Civil Procedure Rules.

**Online Resources**

BSB website: <https://www.barstandardsboard.org.uk/>

Applications forms and guidance notes: <https://www.barstandardsboard.org.uk/training-qualification/barrister-training-waivers-and-exemptions.html>

**Contact details**

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Bar Standards Board

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**B. Criteria for applications**

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| **Reactivation of Stale Qualifications** |
| **General**1.1 Please read these notes carefully, in conjunction with the current Bar Qualification Manual, available to view and download from [www.barstandardsboard.org.uk](http://www.barstandardsboard.org.uk), before completing and submitting your application.1.2 For details of the application fees for all academic components of training applications, please refer to the Bar Standards Board website: [www.barstandardsboard.org.uk/training-qualification/barrister-training-waivers-and-exemptions.html](http://www.barstandardsboard.org.uk/training-qualification/barrister-training-waivers-and-exemptions.html)  |
| **Introduction**2.1 A person may not start the vocational component of training for the Bar more than five years after completing the academic component of training, except with the permission of the Bar Standards Board and after complying with any condition which the Bar Standards Board may impose.2.2 You may apply for the validity of individual qualifications for completion of the academic component of training (eg a Law Degree or a Graduate Diploma in Law Course) to be extended by means of an application for the reactivation of stale qualifications.2.3 Submission of an application for the reactivation of stale qualifications must not be taken as a guarantee that such an application will be successful.2.4 A successful application for the reactivation of stale qualifications does not guarantee a place on a vocational component Bar Training Course/Bar Practice Course.  |
| **Information and Documentation**3.1 An applicant will be required to provide the following information and documentation:3.1.1 Transcripts: currently dated official transcripts must be provided for all qualifications listed on the application form. Transcripts must show:* The student’s full name
* The final overall classification/overall mark of the qualification
* The date of award
* All subjects taken within the qualification
* The number of attempts at each subject
* All marks and/or credits obtain in all years of study. Where an alphanumeric grading system is used, a key must be included showing the actual marks, or mark ranges, represented by the grades shown on the transcript.

**Transcripts should be submitted as originals in a sealed envelope over-stamped with the official stamp, or seal, of the awarding institution**. If you are unable to supply documents in this format, we are currently accepting scanned copies of official documents via email. Please note that we may contact the issuing bodies of any official transcripts/certificates to verify their content as part of our assessment process.3.1.2 Eligibility to undertake the Graduate Diploma in Law (GDL): if you are applying for the reactivation of a stale GDL, you must provide evidence of the qualification(s) upon which you were eligible to undertake the GDL for the purpose of completion of the academic component of training for the Bar. This evidence must be in the form of official transcripts as set out at paragraph 3.1.1. 3.1.3 References: references must be in the referee’s own words and must be submitted in sealed envelopes. There is no minimum or maximum number of references required. However, all references must relate directly to the purpose of the application (i.e. to support your current competence in the foundations of legal knowledge subjects). References must be from an impartial and professional source that has first-hand knowledge of the applicant.3.1.4 Evidence of change of name: if, for any reason, the names you have entered on your application form differ from those given on your degree transcripts and/or other supporting evidence, appropriate evidence of the change(s) must be enclosed with your application. Photocopies of this documentation must be certified copies (i.e. certified as true copies by a UK Notary Public, or a qualified legal practitioner from your home jurisdiction). Any other form of certification will not be accepted.  |
| **Criteria** 4.1 Applications for the reactivation of stale qualifications will normally be granted on the basis of reliable independent evidence of experience/qualifications gained to maintain current competence in the foundations of legal knowledge subjects[[1]](#footnote-1), eg:4.1.1 subsequent study and/or performance in appropriate examinations (e.g. legal postgraduate education)4.1.2 relevant employment experience4.1.3 relevant teaching experience4.2 The following factors will be taken into account when considering applications for the reactivation of stale qualifications:4.2.1 The length of time since the qualification first became stale; and4.2.2 The extent to which any further work experience or study relied upon in support of the application required or enabled the applicant to utilise and keep up to date his or her knowledge of the whole range of foundation of legal knowledge subjects. |
| **Guidelines**5.1 Subject to meeting the Bar’s minimum entry requirement, successful completion of the GDL will have the effect of reactivating stale academic component qualifications for a period of five years from the date of award of the GDL. Students undertaking the GDL for this purpose will not be required to apply to the Bar Standards Board for the reactivation of their stale academic component qualifications.5.2 Where the Bar Standards Board approves an application for reactivation of stale academic component qualifications, the approval will usually be limited so as to enable the applicant to commence a vocational component Bar Training Course/Bar Practice Course at the next reasonably available opportunity. Applications for the reactivation of stale qualifications should therefore not be made unless the applicant intends to start a vocational component Bar Training Course/Bar Practice Course in the immediately following academic year. |

1. The foundations of legal knowledge are: Obligations I (Contract), Obligations II (Tort), Criminal Law, Public Law, Property Law, Equity & The Law of Trusts, and Foundations of EU Law. [↑](#footnote-ref-1)