



## **Guidance on Early Commencement of Vocational Bar Training for undergraduates affected by the University marking boycott**

**July 2023**

Normally, students will have completed the academic component of training in full (whether by means of an undergraduate law degree or a Graduate Diploma in Law) before commencing a vocational component Bar Course.

Industrial action by the University and College Union at around 145 UK institutions means that undergraduate students wishing to commence vocational Bar training in September 2023 may not have their final results before they are due to enrol.

The Bar Standards Board (“BSB”) has granted a waiver in relation to these specific circumstances to give Vocational AETOs<sup>1</sup> the discretion to admit students, provided that:

- i) they satisfy themselves that the students are likely to meet the normal admissions criteria; and
- ii) it is clear, on both sides, what the risks are and what the consequences will be if the final degree result is below the Bar’s minimum entry requirement<sup>2</sup>.

The waiver will allow students to commence a Bar Course, with the agreement of their Vocational AETO. Students will not be able to progress to Call to the Bar or commencement of the work-based learning (pupillage) component of Bar training until they have completed the academic and vocational components of Bar training satisfactorily, in line with the BSB waiver.

The Vocational AETO may take into consideration partial transcripts and/or predicted grades from a student’s undergraduate degree course provider; however, students completing a Graduate Diploma in Law (“GDL”) may not have many, if any, examination results for an AETO to base their decision on.

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<sup>1</sup> AETO – Authorised Education and Training Organisation, authorised by the Bar Standards Board after satisfying the requirements of the [Authorisation Framework](#).

<sup>2</sup> A lower second class honours UK/ROI undergraduate degree (or its equivalent, as determined by the award of a BSB Certificate of Academic Standing) in law or in another subject in combination with a Graduate Diploma in Law. For further details, see Part 2 of the [Bar Qualification Manual](#).

The MyBar Training Record for affected students will show an 'incomplete' academic component until the students' final results are received. Vocational AETOs are aware that they will need to send the outstanding data to the BSB as soon as they have it.

The Vocational AETO must assess the risks of allowing individual students to commence Bar Courses under these circumstances, with reference to this guidance. The AETO and the pupil must ensure that they have assessed and understand the risks of starting vocational Bar training in this way.

### **Law Degree students**

Normally, we require an undergraduate law degree awarded in England and Wales at lower second class honours (2:2) or above for completion of the academic component of Bar training. Students obtaining third class degrees would be required normally to obtain the Exercise of Discretion from us in order to proceed to the vocational component of Bar training.

As it may not be clear that students affected by the marking boycott have received third class results for their degrees until they are partway through a Bar Course, the waiver granted by BSB will enable students obtaining a third class degree to continue with their Bar Course studies; however, we do not regulate the academic awards in which Bar training may be embedded, eg a Postgraduate Diploma or an LLM, and different university regulations may apply to these awards. Students proceeding with their Bar training under this waiver will not be permitted to proceed to Call to the Bar or to pupillage unless they complete both the academic and vocational components of training satisfactorily.

A student who fails their law degree outright will not be permitted to progress to Call to the Bar, even if they were to complete their Bar Course satisfactorily. Students in this position will not be required by the BSB to leave their Bar Courses once their degree results are known. It will be for the Vocational AETO to determine whether the students may continue with their Bar Course studies and, if so, whether they will still be entitled to an academic award (eg a Postgraduate Diploma or LLM) on completion of their courses.

### **Graduate Diploma in Law students**

Students completing a GDL may similarly be permitted to commence Bar Courses before their final results are known; however, if a student in this position fails their GDL outright, they will not be permitted to progress to Call to the Bar, even if they were to complete their Bar Course satisfactorily as they would not have completed the academic component of Bar training. Students in this position will not be required by the BSB to leave their Bar Courses once their GDL results are known. It will be for the Vocational AETO to determine whether the students may continue with their Bar Course studies and, if so, whether they will still be entitled to an academic award (eg a Postgraduate Diploma or LLM) on completion of their courses.

