

Current CPD Rules

C. The CPD Rules

The Mandatory Continuing Professional Development Requirements

rQ130 For the purpose of this Section 4.C:

- .1 "calendar year" means a period of one year starting on 1 January in the year in question;
- .2 the "mandatory requirements" are those in Rules 0 to 0 below.
- .3 a "*pupillage year*" is any calendar year in which a *barrister* is at any time a *pupil*.

rQ131 Any practising *barrister* who, as at 1 October 2001, had started but not completed the period of three years referred to in the Continuing Education Scheme Rules at Annex Q to the Sixth Edition of the Code of Conduct must complete a minimum of 42 hours of continuing professional development during his first three years of *practice*.

Guidance on Rules 0

gQ1 Rule 0 is intended to apply only in those limited circumstances where a *barrister* started *practice* before 1 October 2001 but after the New Practitioners Programme ("NPP") first came into force, left *practice* before completing the NPP, but has since returned. Rule 0 requires them to finish their NPP during whatever is left of their first three years of *practice*.

rQ132 Any practising *barrister* who starts *practice* on or after 1 October 2001 must during the first three calendar years in which the *barrister* holds a practising certificate after any *pupillage year* complete a minimum of 45 hours of continuing professional development.

rQ133 Subject to Rule 0, any *barrister*:

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- .1 must, if he holds a practising certificate or certificates throughout the whole of any calendar year, complete a minimum of 12 hours of continuing professional development during that period; and
- .2 must, if he holds a *practising certificate* or certificate for part only of a calendar year, complete one hour of continuing professional development during that calendar year for each month for which he holds a *practising certificate*.

rQ134 Rule Q133 does not apply:

- .1 in the case of a *barrister* to whom Rule 0 applies, to any calendar year forming or containing part of the period of 3 years referred to in Rule Q131; or
- .2 In the case of a *barrister* to whom Rule 02 applies, during any *pupillage* year or during the first three calendar years in which the *barrister* holds a *practising certificate*.

rQ135 Any *practising barrister* must submit details of the continuing professional development he has done to the *Bar Standards Board* in the form prescribed, and at the time specified, by the *Bar Standards Board*.

rQ136 The *Bar Standards Board* may, by resolution, specify the nature, content and format of courses and other activities which may be done by *barristers* (or by any category of *barristers*) in order to satisfy the mandatory requirements.

rQ137 The *Bar Standards Board* may, by resolution and after consultation with the Inns, Circuits and other providers as appropriate, increase the minimum number of hours of continuing professional development which must be completed in order to satisfy any of the mandatory requirements.

Proposed Changes to the CPD Rules

C. THE CPD RULES

The mandatory continuing professional development requirements

rQ130 For the purpose of this Section 4.C:

1. "calendar year" means a period of one year starting on 1 January in the year in question;
2. "continuing professional development" ("CPD") means work undertaken over and above the normal commitments of a *barrister* and is work undertaken with a view to developing the *barrister's* skills, knowledge and professional standards in areas relevant to their present or proposed area of practice in order to keep the *barrister* up to date and maintain the highest standards of professional practice.
3. "CPD Guidance" means guidance issued by the Bar Standards Board from time to time which sets out the CPD structure with which an EPP *barrister* should have regard to.
4. "EPP" means the Established Practitioners Programme which requires *barristers*, once they have completed the NPP, to undertake CPD during each calendar year in accordance with these Rules.
5. the "mandatory requirements" are those in Rules Q131 to Q138 below.
6. "NPP" means the New Practitioner Programme which requires barristers to complete CPD in their first three calendar years of practice in accordance with these rules.
7. a "*pupillage* year" is any calendar year in which a *barrister* is at any time a *pupil*.
8. a "learning objective" is a statement of what a *barrister* intends to achieve through their CPD activities for that calendar year with reference to a specific aim and one or more outcomes.

rQ131 Any practising *barrister* who, as at 1 October 2001, had started but not completed the period of three years referred to in the Continuing Education Scheme Rules at Annex Q to the Sixth Edition of the Code of Conduct must complete a minimum of 42 hours of CPD during his first three years of *practice*.

Guidance

Guidance on Rule Q131

gQ1 Rule Q131 is intended to apply only in those limited circumstances where a *barrister* started *practice* before 1 October 2001 but after the NPP first came into force, left *practice* before completing the NPP, but has since returned. Rule Q131 requires them to finish their NPP during whatever is left of their first three years of *practice*.

rQ132 Any practising NPP *barrister* who starts *practice* on or after 1 October 2001 must during the first three calendar years in which the *barrister* holds a *practising certificate* after any *pupillage* year complete a minimum of 45 hours of CPD.

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Guidance

Guidance on Rule Q132

gQ2 NPP *barristers* should have regard to rQ137 and the NPP guidance which will note the details of any compulsory courses the NPP *barristers* must complete. It also provides guidance as to the types of activities that count towards CPD.

rQ133 Subject to Rule Q136, any EPP *barrister* who holds a *practising certificate* or certificates during a calendar year must undertake CPD.

rQ134 An EPP *barrister* who is required to undertake CPD must:

1. prepare a written CPD Plan setting out the *barrister's* learning objectives and the types of CPD activities he or she proposes to undertake during the calendar year
2. keep a written record of the CPD activities the *barrister* has undertaken in the calendar year
3. keep a written record in the CPD Plan for each calendar year of:
 - a. the *barrister's* reflection on the CPD he or she has undertaken;
 - b. any variation in the *barrister's* planned CPD activities; and
 - c. the *barrister's* assessment of his or her future learning objectives.
4. Retain a record of the CPD Plan and completed CPD activities for three years.
5. submit to the Bar Standards Board an annual declaration of completion of CPD in the form specified by the BSB

Guidance

Guidance on Rules Q133 and Q134

gQ3, EPP *barristers* who are required by these Rules to undertake CPD should refer to the CPD Guidance. The CPD Guidance provides further detailed information which EPP *barristers* should have regard to when planning, undertaking and recording their CPD. The CPD Guidance is not prescriptive. Its purpose is to provide a structure that would represent good practice for most *barristers* when considering their CPD requirements.

gQ4 The CPD Guidance explains that these Rules do not specify a minimum number of CPD hours which an EPP *barrister* must undertake in a calendar year: it is the responsibility of the individual *barrister* to determine the CPD activities he or she will undertake in order meet the requirements of CPD. The Bar Standards Board will assess and monitor *barristers'* compliance with CPD.

gQ5 The underlying principle behind the requirement to plan CPD and set learning objectives is that *barristers* consider their own circumstances and development needs when they complete CPD activities. This best ensures that activities completed contribute to the development of the *barrister's* practice.

rQ135 Upon the request of the Bar Standards Board, a *barrister* must produce his or her

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CPD Plan and record of CPD activities for assessment.

rQ136 Rule Q133 does not apply:

.1 in the case of a *barrister* to whom Rule Q131 applies, to any calendar year forming or containing part of the period of 3 years referred to in Rule Q131;

or

.2 in the case of a *barrister* to whom Rule Q132 applies, during any *pupillage* year or during the first three calendar years in which the *barrister* holds a *practising certificate*.

rQ137 The *Bar Standards Board* may, by resolution, specify the nature, content and format of courses and other activities which may be undertaken by *barristers* (or by any category of *barristers*) in order to satisfy the mandatory requirements.

rQ138 The *Bar Standards Board* may, by resolution and after consultation with the Inns, Circuits and other providers as appropriate, vary the minimum number of hours of CPD which must be completed by an NPP *barrister* in order to satisfy any of the mandatory requirements.