

Bar Standards Board

Centralised Examinations Board

Professional Ethics Pupillage/Work Based Learning Assessment Syllabus ~~2023-24~~ 2025

Issued ~~October 2023~~ October 2024

INTRODUCTION

This syllabus has been prepared for the purposes of the Professional Ethics pupillage/WBL assessment for the ~~academic year 2023-24~~ 2024-25 calendar year 2025. Successful completion of the assessment aims to:

- distinguish between pupils who are ready to receive their Full Practising Certificate;
- safeguard the public by ensuring that those who are authorised to practise (by having received their Full Practising Certificates) have fulfilled the ethical requirements set out in the Professional Statement; and
- ensure a strong, ethical profession.

The Professional Ethics pupillage/WBL assessment will be devised with reference to the source materials as set out in this document. Accordingly, with careful study of the materials and sections highlighted herein, candidates will be able to acquire a comprehensive understanding of the principles that underpin the Professional Statement, enabling them to prepare fully for the Professional Ethics pupillage/WBL assessment.

UPDATES TO SOURCE MATERIAL

Candidates should be aware that the content of the source materials may be edited or updated during the year. We will endeavour to keep up-to-date the referencing in the version of the syllabus which is published on the BSB's website, for example by amending URLs or version and section numbers, as appropriate. For the avoidance of doubt, the version of any source material which is considered on-syllabus and assessable, and which candidates should consult in preparation for their exam, will always be the most current version of the relevant document.

Should any syllabus source material undergo substantive changes while this syllabus is in effect, we will consider the impact those changes may have on our assessment material, and we will issue guidance to candidates clarifying the position of the new source material in relation to the Professional Ethics pupillage/WBL assessment.

NAVIGATION

The syllabus is set out into two parts, A and B. Each part is divided between source materials.

Part A relates to subject matter which **WILL** be examinable and form the basis of assessment questions. When sections of the Handbook are referred to, the material included is all rules and guidance within those sections. Where other documents are referred to, unless otherwise stated, the entirety of that text will be examinable.

Where source material refers to additional references within a particular rule or guidance paragraph, unless otherwise indicated, candidates will not be required to study material beyond the details contained within the rule or guidance paragraph.

Part B of the Syllabus makes reference to material which **WILL NOT** be examined as part of the assessment; however, candidates will be required to understand the principles contained therein to meet the outcomes of the Professional Statement.

PART A

The BSB Handbook version ~~4.7~~4.8

Part 1: Introduction

Part 1 – A. General~~Part 1 A-D~~

Part 1 – B. Application

Part 1 – C. Commencement and Transitional Provisions

Part 1 – D. Interpretation

Part 2: The Code of Conduct

Part 2 – A. Application

Part 2 – B. The Core Duties

Part 2 – C. The Conduct Rules

C1 – You and the Court

C2 – Behaving Ethically

C3 – You and Your Client*

*Candidates **WILL** be expected to be familiar with the principles that arise in the cases set out in gC86, namely:

English & American Insurance Co Ltd & Others -v- Herbert Smith, ChD 1987; (1987) NLJ 148; and,

Ablitt -v- Mills & Reeve (A Firm) and Another, ChD (Times, 24-Oct-1995).

C4 – You and Your Regulator **

Candidates **WILL NOT be expected to go beyond the principles set out within gC93 in referring to the cases contained therein.

C5 – You and Your Practice

Part 2 – D. Rules Applying to Particular Groups of Regulated Persons

D1 – Self-employed barristers, chambers and BSB entities

D2 – Barristers undertaking public access and licensed access work

D4 – Unregistered barristers

D6 – Price and service transparency rules for self-employed barristers, chambers and BSB entities

Part 3: Scope of Practice, Authorisation and Licensing Rules

Part 3 – B. Scope of Practice

~~[B1 – No practice without authorisation \(Rule S6\)](#)~~

~~[B1 – No practice without authorisation \(Rules S7-S15\)](#)~~

~~B1 – No practice without authorisation~~

B2 – Provision of reserved legal activities and of legal services

B3 – Scope of practice as a self-employed barrister

~~[B4 – Scope of practice as a BSB Entity \(Rules S27-S28\)](#)~~

~~[B4 – Scope of practice as a BSB entity \(Rules S29-S30\)](#)~~

~~B4 – Scope of practice as a BSB Entity~~

B5 – Scope of practice as a manager of a BSB Entity or Employed Barrister

B6 – Scope of practice as a manager of an authorised (non-BSB) body or as an employed barrister (authorised non-BSB body)

B7 – Scope of practice as an employed barrister (non authorised body)

B9 – Legal Advice Centres

B10 – Barristers authorised by other approved regulators

Equality Rules

[Supporting Information for Chambers BSB Handbook Equality Rules](#) (BSB Document) *Updated 3 December 2021*

- Sections 1, 2, 8, 9, 12

~~[Supporting Information for BSB Authorised Bodies](#)~~ [Supporting Information for BSB Authorised Bodies](#) BSB Handbook Equality Rules (BSB Document 2019)

- Sections 1, 2, 8, 9, 12

Code Guidance*

**Not to include appendices unless otherwise stated*

Guidance: Practising Rules and Requirements

[Unregistered Barristers Guidance](#) (Oct 2019)

[Public Access Guidance for Barristers](#) (Oct 2019)

~~[Conducting Litigation Guidance](#) (Oct 2019)~~ [Conducting Litigation Guidance](#) (September 2024)

Guidance on the Transparency Rules

- ~~[Introduction to the guidance](#)~~ [Introduction to the Guidance](#)
- ~~[Mandatory transparency rules for all self-employed barristers, chambers and BSB entities](#)~~ [Mandatory rules on price, service and redress transparency for everyone](#) (Updated November 2023)
- ~~[Additional transparency rules for those undertaking Public Access work](#)~~ [Additional mandatory transparency rules for those undertaking Public Access work](#)

Guidance: Administration of a Barrister's practice

~~[First Tier Complaints Handling Guidance](#) (October 2019)~~ [First Tier Complaints Handling Guidance](#) (Updated June 2024)

[Referral and Marketing Arrangements Guidance](#) (October 2019)

[Confidentiality Guidance](#) (October 2019)

[Investigating and Collecting Evidence and Taking Witness Statements Guidance](#) (September 2020)

Guidance: Professional Conduct of Barristers

[Reporting Serious Misconduct of Others Guidance](#) (October 2019)

[Clash of Hearing Dates Guidance](#) (October 2019)

[Guidance for barristers using social media](#) (September 2023)

[Guidance on the regulation of non-professional conduct](#) (September 2023)

Crown Prosecution Service Publications

[The Code for Crown Prosecutors, 8th edition](#) – October 2018 (CPS)

[Farquharson Guidelines: Role of Prosecuting Advocates](#), January 2020 (CPS)

Money Laundering and Terrorist Financing

Executive Summary - [Part 2A of the Legal Sector Affinity Group Anti-Money Laundering Guidance for the Legal Sector](#)

Vulnerability

[Youth Proceedings Competencies and Guidance](#) – February 2017 (BSB Document)

[Identifying Vulnerability in Witnesses](#) – March 2017 (The Advocate's Gateway)

Bar Council Guidance

[Documents disclosed to Counsel by mistake](#) (March 2023)

PART B

Candidates are expected to have an understanding of the principles contained within the following provisions, in order to properly deal with the issues that arise during the course of practice. However, Candidates will not be examined on these provisions for the purposes of the Professional Ethics Assessment.

PART B
The BSB Handbook version 4.84.7
Part 3: Scope of Practice, Authorisation and Licensing Rules
Part 3 – C. Practising Certificate Rules
C1 – Eligibility for practising certificates and litigation extensions C2 – Applications for practising certificates and litigation extensions by barristers and registered European lawyers C3 – Practising certificate fees and litigation extension fees C4 – Issue of practising certificates and litigation extensions C5 – Amendment and revocation of practising certificates and litigation extensions C6 – Applications for review
Part 4: Qualification Rules
Part 4 – C. The CPD rules
Part 6: Definitions
Definitions
Code Guidance – Transparency Rules

~~[Additional best practice on transparency for all \(which goes beyond the mandatory rules\)](#)~~ [Additional best practice on transparency for everyone](#)

Data Protection

[GDPR Bar Council Guide for Barristers and Chambers](#) (December 2020)

Money Laundering and Terrorist Financing

Main Text [Part 2A of the Legal Sector Affinity Group Anti-Money Laundering Guidance for the Legal Sector](#) (July 2022)