



The Inns of
Court College
of Advocacy

Policy on Independence between the Inns of Court and the ICCA as an Authorised Education and Training Organisation

12 October 2022 - Revisions approved by the COIC Trustees

As an Authorised Education and Training Organisation (“AETO”) providing the vocational stage of training for prospective barristers, the Inns of Court College of Advocacy is, and must be recognised to be, independent of the educational provision of the Inns of Court, so as to avoid any misapprehension of advantage or disadvantage to any student registered with any AETO providing vocational training. In maintaining such independence, the ICCA and the Inns of Court shall adhere to the following principles:

- 1. Membership of an Inn:** Student registration with the ICCA does not afford to that student membership of an Inn of Court or more or less favourable treatment of that student than an individual registered for vocational training with another AETO. Student membership of an Inn is distinct from admission as a student to the Bar Course of the ICCA and must be applied for separately and independently. No person who is employed as a member of staff on the ICCA Bar Course or who currently sits on the ICCA Board of Governors or any Committee of the ICCA Bar Course shall take any part in the decision of any Inn to admit a student member. This shall not affect the right or responsibility of the ICCA to pass on misconduct findings of any ICCA student in accordance with its misconduct rules.
- 2. Inns’ Scholarships, Bursaries and Awards:** Student registration with the ICCA does not afford any preferential status in respect of receiving any award, bursary or scholarship from the Inns of Court. The provision of any such award by the Inns is made without regard to an individual’s choice of AETO for vocational training. No person who is employed as a member of staff on the ICCA Bar Course or who currently sits on the ICCA Board of Governors or any Committee of the ICCA Bar Course shall take part in any decision to offer any individual such an award, bursary or scholarship.
- 3. Inns’ Qualifying Sessions and Educational Provision:** Student registration with the ICCA does not afford any preferential status in respect of Inns’ Qualifying Sessions or any other educational provision.
- 4. Call to the Bar:** Student registration with the ICCA does not afford any preferential status in respect of Call to the Bar. Call to the Bar is determined by objective and transparent criteria as published by the Inns. One such criterion is passing the vocational stage of training and this can be fulfilled with any AETO. No person who is employed as a member of staff on the ICCA Bar Course or who currently sits on the ICCA Board of Governors or any Committee of the ICCA Bar Course shall take part in the decision of any Inn to call any individual to the Bar. Such persons otherwise entitled to do so may attend and take part in the formalities of Call ceremonies. This shall not affect the right and responsibility of the ICCA to pass on misconduct findings of any ICCA student in accordance with its misconduct.
- 5. The ICCA Bar Course Part Two Registration:** Student registration on Part Two of the Bar Course of the ICCA requires student membership of an Inn of Court. The ICCA prescribes no preference nor affords any preferential treatment to any current or prospective student of the ICCA based upon their choice of Inn.

- 6. The ICCA Recruitment and Selection:** The ICCA shall conduct its processes and procedures for recruitment and selection of students for the Bar Course independently of those processes and procedures adopted by the Inns for recruitment and selection of students for membership of the Inns.
- 7. The ICCA Bar Course Information:** The ICCA shall ensure that clear information is contained within its Academic Regulations, Student Handbook and in its marketing materials that registration on the Bar Course of the ICCA confers no advantage in relation to Inns' scholarships or awards, Inns membership, Qualifying Sessions or Call to the Bar. The ICCA shall publish this policy on its website.
- 8. Publication of this policy to the ICCA and Inns' Staff, Members and Committees:** The ICCA shall ensure that all staff on the ICCA Bar Course, members of the Board of Governors and members of any committee of the ICCA Bar Course and the Inns shall ensure that all staff, members and committees who may be concerned with the provision of Inns scholarships or awards, Inns membership, Qualifying Sessions or Call to the Bar shall receive a copy of this policy and made aware that they are bound by it.

Background

The Council of the Inns of Court

The Council of the Inns of Court ("COIC") is a company limited by guarantee (Company No. 8804708) and a Charity (No. 1155640) established to advance education in the sound administration of the law, including by promoting high standards of advocacy and enforcing professional standards of conduct.

The Inns of Court College of Advocacy

The Inns of Court College of Advocacy ("ICCA") is constituted as a division of COIC, having no independent legal personality. All education and training activities provided by the ICCA are run on a non-profit basis. The ICCA comprises barristers, judges and others who are not practising lawyers. Ultimate responsibility for the administration and management of the College rests with the Trustees of COIC.

The Trustees of COIC delegate authority to oversee the operations and activities of the ICCA to the ICCA Board of Governors in accordance with the Scheme of Delegation for The Inns of Court College of Advocacy.

The ICCA applied for authorisation by the Bar Standards Board as an AETO on 1st April 2019 to deliver the vocational stage of training ("the Bar Course"), in what hitherto was known as the Bar Professional Training Course ("BPTC"), by way of a two-part programme consisting of online training for the knowledge subjects (Part One - Criminal Litigation, Evidence & Sentencing; and Civil Litigation, Evidence and Alternative Dispute Resolution) and face to face training of the skills subjects (Part Two – Advocacy; Conference; Opinion Writing (and Legal Research) and Drafting; and Professional Ethics.

The ICCA Board of Governors under its terms of reference, establishes Boards and Committees to assume responsibility on the Bar Course for teaching, programme development and approval, examining and appeals. Each of these, conducts business according to its terms of reference.

The Inns of Court

The four Inns of Court are the professional membership associations for barristers in England and Wales dedicated to promoting the rule of law and providing excellent education and training to their members. Under the Legal Services Act s.207(1) a “barrister” means an individual who has been Called to the Bar by an Inn of Court and is not disbarred by an order of an Inn of Court. Under the terms of this policy, any reference to the ‘Inns of Court’ is intended to be a reference to each Inn of Court, whether acting individually or collectively.

The Inns accept student members who are subject to the regulatory education and training requirements of the Bar Standards Board, as contained in the Bar Standards Board Handbook (see Part 4 Qualification Rules). The Inns are responsible for Call to the Bar of their student members.

The Inns also undertake a unique and essential role in the training of barristers. This educational role includes the following core components:

- Student membership of an Inn.
- The provision of educational and training scholarships, bursaries and awards to student members.
- The administration of fit and proper person checks both upon admission to an Inn as a student member and again before being Called to the Bar.
- The conduct of student members of an Inn.
- The provision of professional development events known as “Qualifying Sessions”.

The Bar Standards Board

The Bar Standards Board (“BSB”) is the independent regulatory body established by the Bar Council for the regulation of legal services by barristers and BSB authorised entities in England & Wales. The BSB's powers arise from various statutes and regulations including the Legal Services Act 2007. The BSB is responsible for setting the education and training requirements for those who wish to practise as barristers in England and Wales.

The BSB approves AETOs (who provide vocational training and pupillage and other forms of work-based learning for those training for the Bar) in accordance with its regulatory framework which comprises:

- The Qualification Rules (contained within the BSB Handbook, Part 4).
- The Authorisation Framework, including a Curriculum and Assessment Strategy.
- The Bar Qualification Manual.

In addition, the BSB, Inns of Court and COIC entered into a Memorandum of Understanding on 27 March 2019 which sets out the roles and responsibilities of the parties in relation to the education, training and qualification of barristers of England and Wales and is concerned with matters prior to Call to the Bar.