

PART VIII - MISCELLANEOUS

Pupils

801. A barrister who is a pupil must:
- (a) comply with Part V of the Consolidated Regulations;
 - (b) apply himself full time to his pupillage save that a pupil may with the permission of his pupil-supervisor or head of chambers take part time work which does not in their opinion materially interfere with his pupillage;
 - (c) preserve the confidentiality of every client's affairs and accordingly paragraph 702 applies to him in the same way as it does to his pupil-supervisor and to every person whom he accompanies to Court or whose papers he sees.
802. A barrister who is a pupil may supply legal services as a barrister and exercise a right of audience which he has by reason of being a barrister provided that:
- (a) he has completed or been exempted from the non-practising six months of pupillage; and
 - (b) he has the permission of his pupil-supervisor or head of chambers;
- provided that such a barrister may during the non-practising six months of pupillage with the permission of his pupil-supervisor or head of chambers accept a noting brief.
- 803.1 So long as he is a pupil a self-employed barrister may not become or hold himself out as a member of chambers or permit his name to appear anywhere as such a member.
- 803.2 A barrister who is a pupil of an employed barrister or who pursuant to Regulation 46 of the Consolidated Regulations spends any period of external training with an employed barrister or with a solicitor shall be treated for the purpose of the Code as if he were during that period employed by the employed barrister's employer or by the solicitor's firm as the case may be.

Pupil-supervisors

804. A barrister who is a pupil-supervisor must:
- (a) comply with Part V of the Consolidated Regulations;
 - (b) take all reasonable steps to provide his pupil with adequate tuition supervision and experience;
 - (c) have regard to the pupillage guidelines issued from time to time by the Bar Council and to the Equality Code for the Bar.
805. Except where a pupil is in receipt of an award or remuneration which is paid on terms that it is in lieu of payment for any individual item of work, a barrister must pay any pupil (or in the case of an employed barrister ensure that a pupil is paid) for any work done for him which because of its value to him warrants payment.

Legal Advice Centres

806. A self-employed barrister or an employed barrister¹ may supply legal services at a Legal Advice Centre on a voluntary or part time basis and, if he does so, shall in connection with the supply of those services be treated for the purpose of this Code as if he were employed by the Legal Advice Centre.
807. A barrister who is employed by a Legal Advice Centre:
- (a) must not in any circumstances receive either directly or indirectly any fee or reward for the supply of any legal services to any client of the Legal Advice Centre other than a salary paid by the Legal Advice Centre;
 - (b) must ensure that any fees in respect of legal services supplied by him to any client of the Legal Advice Centre accrue and are paid to the Legal Advice Centre;
 - (c) must not have any financial interest in the Legal Advice Centre.

¹ Amended 11th September 2006

Dual qualification

808.1 A barrister who is a member of another authorised body and currently entitled to practise as such shall not practise as a barrister.

808.2 A barrister who becomes entitled to practise as a member of another authorised body shall forthwith inform the Bar Council and the Inn(s) of Court of which he is a member in writing of that fact.

808.3 A barrister who:

- (a) has had his name struck off the roll of solicitors or been excluded from membership of an authorised body; or
- (b) has at any time been found guilty of any professional misconduct or is the subject of any continuing disciplinary proceedings in relation to his professional conduct as a member of an authorised body; or
- (c) has at any time been refused a practising certificate as a solicitor or had his practising certificate suspended or made subject to a condition

shall not practise as a barrister until the PCC has considered his case and, if it decides to refer the case to a Disciplinary Tribunal, until the case is finally determined.

808.4² A barrister who is a member of another authorised body and currently entitled to practise as a member of that body shall not be deemed to be practising as a barrister if he holds himself out as a barrister provided that before supplying legal services to any person or employer, and when first dealing with any third party in the course of supplying legal services, he informs them fully and comprehensibly in writing (a) of his status and the fact that he does not hold a practising certificate under this Code, (b) of the relevant limitations under this Code on the legal services he may undertake, (c) that he is not fully regulated by the Bar Council, and (d) of the absence of available compensatory powers for any inadequate professional services he may render.

² Paragraph 808.4 is effective from 31st July 2005

Foreign lawyers

- 809 A barrister called to the Bar under Part IV of the Consolidated Regulations (temporary membership of the Bar) may not practise as a barrister other than to conduct the case or cases specified in the certificate referred to in Regulation 39.