



Advice pack for returners and movers

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Introduction

This pack is designed to help you return to the Bar if you have spent some time out of practice, perhaps to have a family and/or work in another area (we describe someone in this position as a **'returner'**).

It is also intended to help you if you are considering switching your practice area, including perhaps a move between the employed and self-employed Bar (we describe someone in this position as a **'mover'**).

We want to make it as easy as possible for you to come back to the Bar and/or move into a different practice area to help you stay and flourish at the Bar.

Whilst advice is directed toward individual barristers, we also include a section for chambers/employers which covers good practice in supporting a return to the Bar, or in helping a member barrister to diversify or change practice area.

Also see our movers and returners webpage for links to relevant content:

barcouncil.org.uk/moversreturners.

The Inns of Court, circuits and specialist Bar associations

The Inns, circuits and specialist bar associations (SBAs), like the Bar Council, have a shared interest in supporting barristers to return and/or move practice area. Each has a part to play in assisting you. For example, the inns will support you in finding a mentor, advocacy coaching etc. The SBAs may be key to helping you get back up to speed in your specialist area of law or advising on opportunities in their specialist area.

Look out for resources and support targeting movers and returners on the inns', circuits' and relevant SBA's websites. And if you don't see anything, just get in touch with the membership manager at the Inns or administrators for the circuits and SBAs.

A list of links for Inns of Court, circuits and SBAs contacts is on our website at:

barcouncil.org.uk/moversreturners.

Inspiring you to come back or move

There are lots of great reasons to come back to a career at the self-employed and employed Bar (even if you left many years ago), and lots of help to enable you to do so.

Switching practice area or moving between the employed and self-employed Bar may also be of interest and can help you to increase your income, improve your wellbeing and/or better balance your work and home life. No switch needs to be

permanent. We want to make it easier to move around the Bar at different points in your career to better suit your needs at any time or life stage.

It is much easier to move practice area, chambers and between the employed and self-employed Bar today, than it has perhaps been in the past.

There is much greater recognition that skills acquired at the employed Bar can support a career at the self-employed Bar and vice versa. There are lots of other reasons you might transfer between the two different types of Bar. These include primarily the type of work and opportunities each may offer, but also perhaps a desire to hone advocacy skills or a need for stability and greater flexibility because of circumstances or life stage.

If [working at the employed Bar](#)¹ for a period might be of interest, take some time to explore some of the different types of work employed barristers undertake in Government, law firms and NGOs, and talk to members of our [employed barristers' committee](#)² for advice and ideas.

If the lack of flexibility associated with a court-based practice is proving too challenging, there may be ways to shift toward a more paper-based practice or start to explore doing different types of law that may be more flexible or better remunerated.

¹ <https://www.barcouncil.org.uk/support-for-barristers/employed-bar.html>

² EBC@barcouncil.org.uk

Tips for movers and returners³

Securing a new tenancy or job hunting

- Develop your job/tenancy-hunting skills through formal training, mentoring or other less formal assistance
- Get support in CV writing and completing competency-based application forms. You can sell yourself short if you don't focus your application on the relevant criteria
- Practise your interview techniques (possibly including mock interviews). Familiarise yourself with psychometric testing (try doing some [practice tests](#)⁴) and with answering competency-based questions (practice the [STAR method of answering behavioural questions](#)⁵)

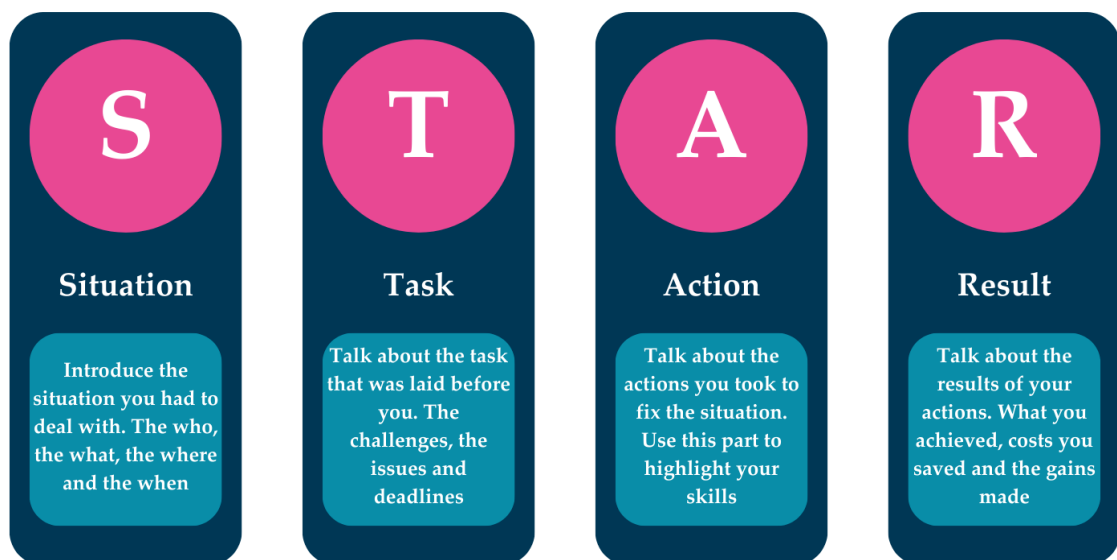


Figure 1 STAR method: Situation, Task, Action, Result

- Talk about your non-legal skills (where appropriate). Remember you can use non-legal experiences to demonstrate your skills and success
- Network. Attend events run by the Inns, SBAs, circuits, solicitors' firms and chambers
- Undertake shadowing/work experience. Try and secure a returner/mover mini-pupillage or work placement (any shadowing opportunity), if available. To arrange this, contact your Inn, circuit or the relevant SBA (or the employed

³ Our thanks to Middle Temple Talent Retention Scheme for suggested [tips and advice](https://www.middletemple.org.uk/members/inn-initiatives/talent-retention-scheme/tips-movers-and-returners) (https://www.middletemple.org.uk/members/inn-initiatives/talent-retention-scheme/tips-movers-and-returners)

⁴ <https://www.jobtestprep.co.uk/free-psychometric-test>

⁵ <https://nationalcareers.service.gov.uk/careers-advice/interview-advice/the-star-method>

Bar committee or organisations like BACFI for the employed Bar) as well as target chambers/employers direct

- Employed Bar/law firms. Consider working in short to medium-term roles in solicitors' firms as a stepping stone back into independent practice at the Bar, or a rewarding long-term change in direction
- Look out for advertised job vacancies and tenancies:
 - [Counsel magazine](#)⁶
 - [The Barrister magazine](#)⁷
 - [The Law Society Gazette](#)⁸
 - [The Lawyer magazine](#)⁹
- Opportunities at the employed Bar:
 - [Government Legal Service](#)¹⁰
 - [Crown Prosecution Service](#)¹¹
 - [Bank of England Legal Department](#)¹²
 - [Pensions Regulator](#)¹³
 - [Competition & Markets Authority](#)¹⁴
- Other regulators, such as: the FCA, PRA, the General Medical Council, the Nursing and Midwifery Regulator
- [Guardian Jobs](#)¹⁵: most charities and other third sector organisations post their legal jobs here; many jobs advertised for solicitors can in fact be done by barristers, but bear in mind possible supervision requirements if you're under three years Call
- [Totally Legal](#)¹⁶ posts hundreds of jobs for a wide range of sectors where you can set specific job searches for suitable job opportunities
- [LinkedIn](#)¹⁷ also posts hundreds of jobs for a wide range of sectors where you can set specific job searches for suitable job opportunities and get updates/messages on new jobs

⁶ <https://www.counselmagazine.co.uk/>

⁷ <https://barristermagazine.com/>

⁸ <https://jobs.lawgazette.co.uk/jobs/barrister/>

⁹ <https://jobs.thelawyer.com/jobs/barristers/>

¹⁰ <https://www.gov.uk/government/organisations/government-legal-department/about/recruitment>

¹¹ <https://www.cps.gov.uk/careers-crown-prosecution-service>

¹² <https://www.bankofengland.co.uk/careers/legal-careers>

¹³ <https://www.thepensionsregulator.gov.uk/en/about-us/work-for-us/current-job-vacancies>

¹⁴ <https://www.gov.uk/government/organisations/competition-and-markets-authority/about/recruitment>

¹⁵ <https://jobs.theguardian.com/jobs/legal-and-law/>

¹⁶ <https://www.totallylegal.com/>

¹⁷ <https://www.linkedin.com/>

- Recruitment consultants or coaches may also be of assistance

Practice development

- Work with your clerks to formulate a strategy for developing or repositioning your practice. Take advantage of opportunities for practice review in chambers whenever they arise. Fully participate in chambers' marketing events (social events with solicitors, seminars, etc). Depending on your stage of practice, actively seeking out devilling work or junior briefs may be an effective way of re-building knowledge and confidence, and growing your network of clients
- For those at the employed Bar, join & follow [BACFI](http://www.bacfi.org/)¹⁸
- Ensure you comply with your [CPD obligations](https://www.barstandardsboard.org.uk/for-barristers/cpd.html)¹⁹. Give careful thought to how your CPD plan will support the growth or realignment of your practice in line with your goals. More information on the [Bar Standards Board website](https://www.barstandardsboard.org.uk/)²⁰
- Market yourself online and offline. For online marketing to be effective you need to build and maintain a presence with regular updates and useful content. It is not sufficient just to be online. Consider training on the best use of social media as a marketing tool, including the following:
 - LinkedIn
 - X (Twitter)
 - Podcasts, webinars, seminars and lectures
 - Articles on online platforms
 - Articles for specialist and generalist legal journals
- Develop your marketing skills. [We periodically run courses and events about practice management and practice development](https://www.barcouncil.org.uk/training-events/calendar.html)²¹
- Consider whether to apply for a practicing certificate extension to accept direct access instructions and/or to be able to conduct litigation. [We provide public access training courses](https://www.barcouncil.org.uk/training-events/training-and-workshops/public-access-courses.html)²²
- Consider obtaining accreditation in mediation or arbitration. [We provide mediation training](https://www.barcouncil.org.uk/training-events/training-and-workshops/mediation-courses.html)²³

¹⁸ <http://www.bacfi.org/>

¹⁹ <https://www.barstandardsboard.org.uk/for-barristers/cpd.html>

²⁰ <https://www.barstandardsboard.org.uk/>

²¹ <https://www.barcouncil.org.uk/training-events/calendar.html>

²² <https://www.barcouncil.org.uk/training-events/training-and-workshops/public-access-courses.html>

²³ <https://www.barcouncil.org.uk/training-events/training-and-workshops/mediation-courses.html>

- Engage with your [specialist Bar association](#)²⁴. If you are a member of a circuit engage with your [circuit](#)²⁵. Annual conferences, summer schools and similar flagship events are particularly useful for training and networking
- Take advantage of the support offered by the Inns, circuits and SBAs including mentoring, networking opportunities, training and wellbeing support

Regaining your confidence as an advocate

Whilst it is important to get back on your feet as soon as you can, time away from practice can knock your confidence:

- Observing court hearings can be an excellent way to immerse yourself in oral advocacy after time away
- Consider taking on more junior briefs to support you return and get back up to speed
- [Observe court hearings online](#)²⁶ and look at the [archive of Supreme Court appeals](#)²⁷
- Consider pro bono work (eg through [Advocate](#)²⁸)

Regulatory and administrative matters

- Ensure you are familiar with the current version of the [BSB Handbook](#)²⁹ and keep abreast of any changes
- Ensure you remain compliant with your regulatory duties: practising certificate, insurance, CPD, etc (see our check list in this guide)
- Ensure you are and remain compliant with your duties under the GDPR
- We also [provide guidance on ethics and compliance with the Handbook](#)³⁰ (including qualifications regulations)

²⁴ <https://www.barcouncil.org.uk/about/about-us/other-organisations/specialist-bar-associations.html>

²⁵ <https://www.barcouncil.org.uk/about/about-us/other-organisations/circuits-of-england-wales.html>

²⁶ <https://www.gov.uk/guidance/observe-a-court-or-tribunal-hearing>

²⁷ <https://www.supremecourt.uk/>

²⁸ <https://weareadvocate.org.uk/>

²⁹ <https://www.barstandardsboard.org.uk/for-barristers/bsb-handbook-and-code-guidance/the-bsb-handbook.html>

³⁰ <https://www.barcouncilethics.co.uk/>

Get up to date with substantive and procedural law

- The [specialist Bar associations](https://www.barcouncil.org.uk/about/about-us/other-organisations/specialist-bar-associations.html)³¹ provide a wealth of training and materials on their areas of expertise. Consider attending their events and conferences to get up to date with an existing or new area of law

Pastoral and wellbeing

- We provide a range of [wellbeing resources](https://www.wellbeingatthebar.org.uk/)³² via our wellbeing at the Bar programme. The Inns, circuits and the SBAs also have a growing focus on wellbeing (see their websites for more details)

³¹ <https://www.barcouncil.org.uk/about/about-us/other-organisations/specialist-bar-associations.html>

³² <https://www.wellbeingatthebar.org.uk/>

Checklist for re-establishing your practice/establishing a new practice

- ☐ If you have not held a practising certificate in the last 5 years – check with the BSB if you are required to undertake any training in order to practice ([BSB Handbook rS45.3](#)³³)
- ☐ Apply for your practising certificate via [Bar Council's Barrister Records Office](#) (records@barcouncil.org.uk) making sure you allow sufficient time to do this

Use the [Barrister Records Support Hub](#)³⁴ for information about authorisation to practise, Certificates of Good Standing and changing practising details. You can also contact the Records team via the Hub
- ☐ Set up your home for home working (eg internet access, printing etc)
- ☐ Contact your SBA/circuit/Bar mess (renew/take out membership and see what help they offer returning barristers/barristers new to their practice area)

Self-employed only

- ☐ Renew your [professional indemnity insurance \(BMIF\)](#)³⁵ allow sufficient time to do this
- ☐ Reinstate/set up your direct debits for chambers rent
- ☐ Hold a practice meeting **before** restarting/starting a new practice with your clerk
- ☐ Inform your bank/bank manager
- ☐ **Accounts** – ensure you have set things up with an accountant and are allowing provision for tax/year-end/pension provision etc
- ☐ **Information Commissioner** – you will need to ensure you are registered with the [Information Commissioners' Office](#)³⁶ by the time you return to practice. Contact by phoning 0303 123 1113 and ask for a registration form. The Information Commissioner will send you a copy of your last completed form which will assist in completing the form. At the time of writing the fee for registration is £35
- ☐ Re-register for VAT (if appropriate). Online helpdesk on T: 0845 010 86500 or, to register for VAT online at www.online.hmrc.gov.uk
- ☐ Renew your legal online library subscription
- ☐ Inform solicitor contacts about your plans for coming back/changing your practice
- ☐ Ensure you are aware of the BSB's [CPD requirements](#)³⁷

³³ <https://www.barstandardsboard.org.uk/for-barristers/bsb-handbook-and-code-guidance/the-bsb-handbook.html>

³⁴ <https://thegeneralcouncilofthebar.freshdesk.com/support/home>

³⁵ <https://www.barmutual.co.uk/>

³⁶ <https://ico.org.uk/>

³⁷ <https://www.barstandardsboard.org.uk/for-barristers/cpd.html>

Regulations concerning returning to the Bar after a break

In 2015, the BSB introduced a regulation which could require you have additional training if you have not practised for an extended period – more than 5 years (see rS45 in the BSB Handbook below)

rS45 You are eligible for a practising certificate if:

- .1 you are a barrister or registered European lawyer and you are not currently suspended from practice and have not been disbarred; and
- .2 you meet the requirements of Rules S46.1, S46.2, S46.3 or S46.4; and
- .3 [either:
 - .a within the last 5 years either
 - (i) you have held a practising certificate; or
 - (ii) you have satisfactorily completed (or have been exempted from the requirement to complete) either the non-practising period of 6 months of pupillage or 12 months of pupillage; or
 - .b if not, you have complied with such training requirements as may be imposed by the Bar Standards Board.

rS46 You are eligible for:

- .1 a full practising certificate if either:
 - .a you have satisfactorily completed 12 months pupillage; or
 - .b you have been exempted from the requirement to complete 12 months of pupillage; or
 - .c on 30 July 2000, you were entitled to exercise full rights of audience by reason of being a barrister; or
 - .d you were called to the Bar before 1 January 2002 and:
 - .i you notified the Bar Council that you wished to exercise a right of audience before every court and in relation to all proceedings; and
 - .ii you have complied with such training requirements as the Bar Council or the Bar Standards Board may require or you have been informed by the Bar Council or the Bar Standards Board that you do not need to comply with any such further requirements; in each case, before 31 March 2012

This provision has not yet been implemented. At the moment we understand there are no additional training requirements (reference above rS45.3.b), this should however be checked with the [BSB](#)³⁸ before returning to practice.

You should also be aware rS20 if you practised for less than 3 years after qualifying – it means you may need a qualified person (if you are at the self-employed Bar). If you are employed this may not be necessary – depending on your employer/employment set up.

rS20 Subject to Rule rS21, if you are a *barrister* of less than three *years' standing*, you may:

.1 only supply *legal services* to the public or exercise any *right of audience* by virtue of authorisation by the *Bar Standards Board*; or

.2 only *conduct litigation* by virtue of authorisation by the *Bar Standards Board*, if your principal place of *practice* (or if you are *practising* in a dual capacity, each of your principal places of *practice*) is either:

.a a *chambers* or an annex of *chambers* which is also the principal place of *practice* of a relevant qualified *person* who is readily available to provide guidance to you; or

.b an office of an organisation of which an employee, *partner*, *manager* or *director* is a relevant qualified *person* who is readily available to provide guidance to you

rS21 If you are an *employed barrister (non-authorised body)* and you are only exercising a *right of audience* or conducting litigation for those *persons* listed at Rule rS39.1 to rS39.6, then the place of *practice* from which you perform such duties is only required to be an office of an organisation of which an employee, *partner*, *manager* or *director* is a relevant qualified *person* who is readily available to provide guidance to you if you are of less than one year's standing.

rS22 In Rule rS20 and Rule rS21 above, the references to “qualified *person*” mean the following:

Supply of legal services to the public – qualified person

.1 Where you are a *barrister* intending to supply *legal services* to the public, a *person* shall be a qualified *person* for the purpose of Rule rS20 if they:

³⁸ <https://www.barstandardsboard.org.uk/training-qualification/barrister-training-waivers-and-exemptions.html>

- .a have been entitled to *practise* and have *practised* as a *barrister* (other than as a *pupil* who has not completed *pupillage* in accordance with the Bar Qualification Rules) or as a *person* authorised by another *Approved Regulator* for a period (which need not have been as a *person* authorised by the same *Approved Regulator*) for at least six years in the previous eight years; and
- .b for the previous two years have made such *practice* their primary occupation; and
- .c are not acting as a qualified *person* in relation to more than two other people; and
- .d has not been designated by the *Bar Standards Board* as unsuitable to be a qualified *person*.

The exercise of a right of audience – qualified person

.2 Where:

- .a you are a *barrister* exercising a *right of audience* in England and Wales, a *person* is a qualified *person* for the purpose of Rule rS20 if they:
 - .i have been entitled to *practise* and have *practised* as a *barrister* (other than as a *pupil* who has not completed *pupillage* in accordance with the *Bar Qualification Rules*) or as a *person* authorised by another *Approved Regulator* for a period (which need not have been as a *person* authorised by the same *Approved Regulator*) for at least six years in the previous eight years; and
 - .ii for the previous two years:
 - (1) have made such *practice* their primary occupation; and
 - (2) have been entitled to exercise a *right of audience* before every *court* in relation to all proceedings; and
 - .iii are not acting as a qualified *person* in relation to more than two other people; and
 - .iv have not been designated by the *Bar Standards Board* as unsuitable to be a qualified *person*.

The exercise of a right to conduct litigation – qualified person

.3 Where:

.a you are a *barrister* exercising a *right to conduct litigation* in England and Wales, a *person* is a qualified *person* for the purpose of Rule rS20 if they:

- .i have been entitled to *practise* and have *practised* as a *barrister* (other than as a *pupil* who has not completed *pupillage* in accordance with the Bar Qualification Rules) or as a *person* authorised by another *Approved Regulator* for a period (which need not have been as a *person* authorised by the same *Approved Regulator*) for at least six years in the previous eight years; and
- .ii for the previous two years have made such *practice* their primary occupation; and
- .iii are entitled to *conduct litigation* before every *court* in relation to all proceedings; and
- .iv are not acting as a qualified *person* in relation to more than two other people; and
- .v have not been designated by the *Bar Standards Board* as unsuitable to be a qualified *person*.

Regulations concerning a change in practice area

rC21 You must not accept *instructions* to act in a particular matter if:

- .8 you are not competent to handle the particular matter or otherwise do not have enough experience to handle the matter;

Advice from barristers to other barristers who are moving or returning

1. Be positive
2. Be proactive about your diary and practice management. Set yourself achievable objectives (if you are self-employed this also applies to clerks you are working with)
3. Invest in your personal relationship with your clerk/colleagues
4. Try to take cases that fit with your life circumstances
5. Don't be afraid to say 'no' to work you can't do. Be bold and clear about defining your work parameters with clients and colleagues. Set boundaries and be clear on how much work you are willing to take on

Advice for chambers (supporting movers and returners)

1. Ensure all barristers have a regular [practice review](#)³⁹. This will help those starting a new practice and those who need to make changes within their existing practice
2. Offer career pathway programmes (eg a panel, silk or judicial appointment pathway – mapping and strategising relevant career milestones) include any directory listing strategy. This may also include support to secure different types of work, including better paid work and/or securing 'unicorn cases'⁴⁰
3. Offer a bespoke returners programme⁴¹ (to include assistance in rebuilding a practice after time away including, eg led work, inquiry work, secondments, marketing support)
4. Monitor [distribution of work](#)⁴²
5. Offer sponsorship and/or mentoring support
6. Support [flexible working arrangements](#)⁴³ (eg working patterns, contact requests)
7. Consider financial support (rent breaks, reduced percentage, interest free loans etc for a specified period)

³⁹ <https://www.barcouncilethics.co.uk/documents/practice-review-guide/>

⁴⁰ Career defining cases

⁴¹ See also Bar Council's [Family Career Breaks resource](#)

(<https://www.barcouncilethics.co.uk/documents/family-career-breaks-advice-pack/>)

⁴² <https://www.barcouncilethics.co.uk/documents/earnings-monitoring-toolkit/>

⁴³ <https://www.barcouncilethics.co.uk/documents/flexible-working-guide/>

8. Consider a 'right to return' after an extended period away eg 5 years
9. Ensure regular contact (as agreed) with any barrister during a career break
10. Provide shadowing opportunities with barrister members (with clear and transparent application processes)

Inspiring stories

[Charlotte Pope Williams dispels myths about transferring to different parts of the Bar](#)⁴⁴

[Juliette Levy, Shazia Akhtar and Graham Denholm share some tips for barrister returners after a leave of absence or a career move](#)⁴⁵

[Counsel magazine's career clinic collection](#)⁴⁶ – blogs and articles on career

Keep an eye on our [Movers and returners website page](#)
(barcouncil.org.uk/moversreturners) for more stories.

⁴⁴ <https://www.barcouncil.org.uk/resource/dispelling-myths-about-transferring-to-different-parts-of-the-bar.html>

⁴⁵ <http://counselmagazine.co.uk/articles/rebuild-your-practice>

⁴⁶ <https://www.counselmagazine.co.uk/career-hub/career-clinic?dc=50&p=1>