



The Bar Council of England and Wales

Bar Council training scheme for Chinese lawyers

Information for applicants

1. Background

The Bar Council training scheme (BCTS) for Chinese lawyers offers a unique opportunity to Chinese lawyers to experience practice at the English commercial Bar. The scheme includes a short bespoke academic programme provided by BPP University, a series of legal seminars and vocational training sessions and, for a large part of the programme, placement of Chinese lawyers in barristers' chambers. There will also be visits to key legal institutions including courts, and a social and networking programme.

Scheme participants have the opportunity to experience first-hand international commercial dispute resolution in practice (both litigation and arbitration) and to build close relationships with the barristers they work with and meet. The scheme aims at continuing and developing the relations between the Chinese legal profession and the English Bar once the Chinese lawyers return to China. There is an active alumni network that all participants are invited to join.

The Bar Council is confident that the programme will enhance participating lawyers' legal skills and knowledge, enable them to develop valuable contacts and assist them in building a successful international legal practice. In addition the lawyer's law firm can expect to gain valuable international contacts and an insight into the international legal market.

The scheme is aimed principally at Chinese lawyers with a dispute resolution practice and the focus of the training and the placements will be on international arbitration and litigation.

The scheme, developed in 2011, builds on the success of the Lord Chancellor's Training Scheme (LCTS) which ran from 1989 to 2011 and has many successful Chinese lawyers in its alumni network.

The 2014 scheme will take place over 7 weeks in June and July 2014. The exact dates will be confirmed soon.

2. Programme aims

- 2.1. Increase Chinese lawyers' understanding of:
 - How the English Legal System operates
 - English law with a focus on international commercial areas and dispute resolution
 - What barristers do, and how to work with them
- 2.2. Provide Chinese lawyers with an insight into the management and organisation of barristers' chambers.
- 2.3. Enable English barristers to better understand the Chinese legal system
- 2.4. Facilitate professional networking between barristers and Chinese lawyers

3. Programme Summary

The programme will take place over 7 weeks in June and July 2014 and includes the following activities:

3.1. Induction

The programme will begin with a day long introduction to the programme, the Bar Council and the work of barristers.

3.2. English law course at BPP University

BPP University will provide a four day academic course at the beginning of the programme. The course will include lectures on commercial international law including dispute resolution and some sessions on legal skills. The course has been specially designed for the Bar Council Training Scheme.

3.3. Barristers chambers placements

The BPP academic course will be followed by six weeks in a barrister's chambers. The chambers' practice areas will be commercial with an international dimension to their work and will be located in London. A barrister from that chambers will act as mentor and will assist with coordinating the placement and ensuring a wide variety of activities is undertaken with different members of chambers. With the daily support of the mentor there will be opportunity to follow cases, be involved in client meetings, attend court and arbitrations, learn about different areas of English law, witness advocacy and see how chambers is managed and marketed. Through these activities there will be opportunity to learn about:

- The role of barristers and the nature of their work
- Case management
- Court procedures
- The common law system
- Alternative dispute resolution, including international arbitration
- What constitutes effective advocacy
- Cross-examination of witnesses
- The code of conduct, ethics of the bar and regulation of the profession
- Chambers management

And enhance the following skills:

- Communication
- Research
- Analysis
- Drafting legal documents
- Negotiation

3.4. Seminar programme delivered by practitioners

Each week there will be one seminar on a legal topic of an international commercial nature, legal skills such as advocacy and negotiation or a business skill such as chambers management and marketing. These will be delivered by barristers and chambers managers.

3.5. Legal visits

There will also be a programme of visits to key legal institutions such as the London Centre for International Arbitration and the Commercial Court.

3.6. Social programme

The social programme will include a welcome reception, lunch in the Inns of Court and chambers drinks. This will enable networking with English barristers and other legal professionals in informal surroundings

4. Selection criteria

- 4.1. The programme can accommodate between six and ten lawyers. Programme participants are selected on a competitive basis, based on their application and an interview and must meet the following criteria:
 - a. Be Chinese nationals
 - b. Be graduates of law who have passed the national lawyers' examination in China and have practised law for between 2 and 10 years on the date of application
 - c. Have excellent written and oral English demonstrated by an overall score of 6.5 or over in the IELTS test, ideally with a score of 6.0 or over in every test, or an equivalent qualification.
 - d. Be currently working for a Chinese law firm, and be supported by their law firm to participate in the programme
 - e. Have strong personal motivation and ability to adapt to different environments
 - f. Have experience in commercial law, in particular in international work
 - g. Have a practice that principally focuses on dispute resolution (arbitration and/or litigation), in particular international dispute resolution
 - h. Have excellent communication skills
 - i. Demonstrate continuing commitment to participation in development of the Chinese legal system

5. Finance

- 5.1. The programme, including the academic course, chambers placements and other educational and social components will be offered free of charge to participating lawyers.

Participants are responsible for all other costs, including visas, travel to London and living expenses whilst in London (accommodation is around £600 to £1,000 per month). It is hoped that participants' law firms will give some financial support to their lawyers. Some guidance will be given on accommodation options.

6. Immigration

The Bar Council is licensed by the UK Border Agency as a Government Approved Sponsor under Tier 5 (Government Approved Exchange). This means it is able to issue programme participants with certificates of sponsorship for a fee of £190. A certificate of sponsorship is a unique 11 digit reference number which enables application to the UK Border Agency for leave to enter under Tier 5 (Government Approved Exchange).

It is the individual's responsibility to apply and pay for the visa from the UK Border Agency.

Please also note, the fact that a certificate of sponsorship has been issued does not guarantee that the migrant will be successful in obtaining entry clearance or leave to remain. This decision is made by the UK Border Agency.

For more information on how to apply for a visa under Tier 5 please see the UK Border Agency's website:

<http://www.ind.homeoffice.gov.uk/countries/china/?langname=UK%20English>

7. How to apply to the programme

To apply for the programme please email scanned or electronic copies of the following documents to SRichardson@BarCouncil.org.uk by **Friday 24 January 2014**.

1. Completed and signed application form
2. Reference from senior partner in law firm, signed and dated (in English and Mandarin)

3. Practising certificate/lawyers licence
4. English language test certificate (IELTS)
5. Main page of passport

Selection of participants will be made by the Bar Council according to the selection criteria and will be based on the application form and supporting documents, and a telephone interview. Short listing will take place after the application deadline, based on the applications received. Only the candidates short listed at this stage will be invited to interview.

8. Health and Insurance

Please note that the Bar Council does not take any responsibility for your health, safety, security or welfare whilst you are in the UK. We strongly recommend that successful applicants take out adequate insurance or are otherwise independently covered for any health issues or other emergency which might befall them during their time in the UK. You should not assume that you will be able to obtain free medical care whilst here. We cannot advise you in relation to medical services available to you in the UK. If you are or may be pregnant at the time of making the application or, if accepted, by the time of coming to the UK, we would encourage and consider favourably any request to postpone your visit. We are not in a position to assist you to obtain visas for entry to the UK for any of your family members, and you should not apply unless you are able to come to the UK alone for the period of the scheme.

9. Contact details

If you have any queries relating to the programme please contact Sarah Richardson, Senior International Projects Officer at SRichardson@BarCouncil.org.uk or on 0044 207 611 1316.