

SOUTH-EASTERN CIRCUIT RESPONSE TO THE REVIEW OF OLPAS AND BVC ONLINE

The Review of OLPAS and BVC online is being conducted by the Training for the Bar Committee (TfBC) after consultation. The TfBC invites responses to a number of questions.

OLPAS

1. There should be a common timetable for pupillage applications to be followed by all Chambers. Uniformity in this area prevents early cherry-picking and is manageable for Chambers and applicants alike.
2. There should not be compulsory and universal participation in OLPAS for the foreseeable future. Common Law, mixed practice and certain specialist sets find that the constraints of the application form mean that they are unable to choose the most suitable candidates except by guess-work. Even though OLPAS (and earlier schemes) has now been operating for approximately 10 years there is still no better than a two-thirds take-up by sets of Chambers. The number of 12 applications would also be insufficient.
3. If the scheme is to remain voluntary it is hard to see on what basis the application procedure for each set should be stamped as approved. The application procedure for each set would need to be approved annually. The burden and cost upon the Bar Council and or the Bar Standards Board would be substantial for the limited benefit that would ensue.

COMMON TIMETABLE

4. The autumn season should be abandoned.
5. There should be only one season a year.
6. In accordance with the recommendations of the Calvert-Smith report the timetable should be set (if possible) to enable students to know whether they have pupillage before committing themselves to a BVC place. The current timetable is fairly tight.

SANCTIONS

7. It is difficult to see what sanction it would be proper to impose upon breach of a voluntary scheme. Those Chambers who do infringe should be named and circulated, which would be sufficient embarrassment in itself.
8. See above.
9. If a provider agrees to abide by the selection procedure of the OLPAS scheme and part of the scheme was that there would be sanction for breach, it would be appropriate for a sanction to be imposed.
10. The sanction should be under the Code of Conduct against the individual responsible for pupillage in Chambers.

FUNDING

11. It would not be appropriate to charge applicants.
12. If OLPAS is to remain voluntary the costs should be borne by the participating providers.

BVC ONLINE

13. BVC Online is a different system. As the cost is likely to be passed onto the applicants in any event, a one-off payment in advance by the student would seem reasonable.
14. No information as to the cost of the scheme has been provided to say whether the sum of £40 is reasonable.
15. It is difficult to say whether the BVC providers should bear all or some of the cost of administering the scheme without knowing what the cost is and how it would be borne by the providers without passing the cost straight back to applicants.
16. It would not be appropriate for the Bar to fund this scheme.