CHANCERY BAR

ChBA Examples of the new Established Practitioner CPD Plan requirement

You should consider the BSB Guidance (please click here) when completing your plan.

Learning Objectives

Use the following section to plan your learning objectives. The definition and explanation of learning objectives can be found on page seven in the guidance.

Learning objectives should describe what you want to be able to do, or what you want to know and understand, that you couldn't do, or didn't know and understand before. You should provide a clear rationale for choosing your particular learning objectives.

The guidance recommends using the following knowledge and skill areas to choose and structure your learning objectives (see pages five to seven) of the guidance.

- Legal knowledge and skills;
- Advocacy;
- Practice management;
- Working with clients and others; and
- Ethics, professionalism and judgement.

NB It is good practice to consider all of these knowledge and skill areas but you are not required to set a learning objective for all of these areas in a given year.

You are also required to describe the type of CPD that you intend to undertake. This does not mean noting the exact courses or activities that you will complete, but it does mean thinking about whether your learning objectives will be met by activities such as podcasts, reading or seminars. This is to encourage you to consider why you are choosing particular types of activities.

Also, if applicable, you should state the reasons why you are completing only a limited amount of CPD during the year, for example, due to a period of not working.

Chancery Examples of Recorded Activity

Example 1. **A junior barrister just under ten years call**

My practice is really a game of two halves: my governmental practice and my private practice; the former is mostly contentious tax and customs work, with some disqualification work, and the latter is generally contentious private client work, including contentious probate and Court of Protection work. I also do some advisory private client work, particularly tax planning.

I am always conscious of the need to keep my legal and procedural knowledge up to date and my advocacy under review.

My contentious tax practice is beginning to focus on a certain tax relief called Business Premises Renovation Allowances ("BPRA") and I need to obtain a comprehensive overview of this issue.

I have a good knowledge of some areas of Capital Gains Tax ("CGT") but I would like to obtain a better overview of the whole subject.

It has been some years since I reviewed my obligations in relation to money laundering and I consider that this should be reviewed in order to make sure my practice is appropriately managed.

Legal Knowledge and Skills

(A) Keeping up to date with legal development in my areas of practice so that I meet Core Duty 10 (Manage my practice in such a way as to achieve compliance with my legal and regulatory objectives) of the Handbook.

(B) Improve my ability to planning advice involving aspects of CGT. This is so that I am better able to meet Core Duty 2 (act in the best interest of the client) and Core Duty 7 (Provide a competent standard of work and service to each client) of the Handbook.

(C) Gain a thorough overview of BPRA. This will mean I am better able to act in cases in this area and I will meet Core Duties 2 and 7.

(D) Consider different styles of advocacy so that I am better able to meet Core Duties 2 and 7.

Practice Management

(E) To review my knowledge of Money Laundering Regulations so that I meet Core Duty 10 (Manage my practice in such a way as to achieve compliance with my legal and regulatory objectives) of the Handbook

I intend to achieve Learning Objective ("LO") (A) by reviewing new cases through the *Lawtel* facility and in relation to Court of Protection cases through the 39 Essex Street Newsletter and delivering training to solicitors and writing articles.

I intend to achieve LOs (B) and (E) through attending a seminar.

I intend to achieve LOs (C) and (D) through reading and study, and perhaps lectures and podcasts.

Activities

Date	Title	Provider	CPD Type	Learning Objective Reflection	Hours
Various dates - listed (generally Mondays)	Reviewed Cases	Lawtel	Reading New Cases	This is invaluable at keeping me up to date with new cases that have been decided – LO A	4 hours (conservative estimate)
Various dates-listed (Monthly)	"Essex Street Newsletter"	39 Essex Street	Reading case commentary	Again this is invaluable in allowing me to stay up to date with new (often unreported) cases in the Court of Protection and New Court of Protection Procedure – LO A	2 hours
19 January 2017	"Court of Protection Practice"	Training I provided to Solicitor	Seminar	Research for this seminar helped absorb the practical implications of recent Court of Protection	2 hours

				case law and the Case Management Pilot Scheme – LO A	
15 June 2017	"An Introduction to CGT"	Chancery Bar Association	Seminar	This was an excellent seminar which gave me a very helpful overview of CGT – I completed LO B	1 hour
3 September-21 September 2017	BPRA Self Study Booklet	Self-Study (but with particular assistance of Lincoln's Inn Library!)	Reading	I compiled my own booklet on the way in which this legislation had come through Parliament and been amended. I reviewed HMRC's consolation and guidance and looked for any decided cases. I met LO C.	10 hours
15 October 2017	"Cicero's Defence Speeches"	Oxford University Press	Reading	I thought that I might be able to learn something of advocacy from one of the classical orators. This was not as useful as first I thought because Cicero had a tendency to play the man rather than the ball (e.g. Cato the younger who was one of the Prosecutors in *Per Murano*). This contributed to LO –D.	6 hrs
30 November 2017	"Fraud & Financial Services"	Chancery Bar Association	Video of Seminar	This was very helpful in understanding new fraud and financial services cases – LO A.	1.5 hours **TOTAL: 26.5**

Reflections

(1) LO A is a task which is inherently incomplete. It thought I did well at keeping up to date this year and will continue to do so next year.

(2) I completed LO B and C and am particularly happy with the progress I made in the self-study of BPRA which I think I understand comprehensively.

(3) I was disappointed that I did not learn more in respect of LO D. I am conscious that, whilst basic advocacy can be taught, it is difficult to teach and learn advanced advocacy, partly because it is so situation dependent. I remain committed to critically reviewing my own advocacy and improving it in the best interest of clients and particularly from reviewing other advocacy that I see in Court and trying to emulate and adapt the examples of

good advocacy which I see. I think however, perhaps this is a LO which is difficult to achieve through conventional CPD and therefore presents a challenge.

(4) I did not meet LO E as I was not able to find an appropriate seminar and this will constitute one of my objectives for next year.

Example 2.   **QC – 22 years call**

I am a senior Pensions and Trusts Barrister dealing in both domestic and international disputes.

My learning objectives, which relate to core duties 2, 7 and 10, are as follows.

1. To have an in-depth understanding of new pensions decisions which are expected shortly in relation to the *Imperial* duty and the exercise of proper purposes.

2. To improve my understanding of any important issues which arise throughout the year in relation to international trust litigation.

3. To learn about recent developments civil procedure, in particular to do with injunctions, privacy in litigation and trustee disclosure.

Activities

Date	Title	Provider	CPD Type	Learning Objectives/Knowledge and Skill Area	Hours
20–21 January 2017	"Private World of Chancery"	Chancery Bar Association	Conference Seminars and work shops PDF of Programme herewith I attended the seminars on Pensions and Interim Remedies	Of particular relevance to my third learning objectives were the talks of Rose J and Morgan J which dealt with procedural change and the Chancery Divisions and privacy in hearings in the Chancery Divisions. Fenner Moeran QC's seminar on pensions was an excellent pension update. The seminar on Notification Injunctions was a comprehensive overview.	9 hours
4-5 May 2017	Hong Kong Conference	Chancery Bar Association	Conference	This provided a fascinating insight into current developments in Hong Kong much of which related to international trust disputes. I have now completed my second learning objective.	5 hours
23rd May 2017	"Injunctions and Interlocutory"	Chancery Bar Association and COMBAR	Lecture	This was extremely informative and I am now up to date on these procedural issues and I consider I have completed my third learning objective. I particularly enjoyed Elspeth Talbot-Rice's delivery.	1.5 hours
25th June 2017	"Recent Pensions Decisions"	Chambers Seminar	Lecture I gave with colleagues from Chambers	This was a seminar on the two pension decisions which I referred to in my learning objectives which provided a comprehensive overview to specialist solicitors. I have now completed my first learning objective.	1 hour **Total: 16.5 hours**

Reflections

- My learning objectives did not vary during the course of the year.
- I thought I completed my learning objectives very satisfactorily and early in the year.
- Whilst I learnt more about the jurisdiction in Hong Kong I did not learn a great deal about other international trust centres and would like to review at least one other jurisdiction next year.