



THE VICTORIAN BAR INCORPORATED

MEMBERSHIP, EXAMINATION AND READING REGULATIONS

Approved by the Bar Council on 10 October 2024

Last revised on 5 December 2024



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A. Preliminary

1. These regulations come into operation on 10 October 2024.
2. On the commencement of these regulations, the following regulations are revoked:
 - (a) the Application and Reading Regulations approved by the Bar Council on 3 June 2010 as amended from time to time (the **Revoked Regulations**).
3. Nothing in these regulations affects the validity of anything done pursuant to the Revoked Regulations.
4. Any dispensation, exemption or permission given to any person prior to the commencement of these regulations in respect of any provision of the Revoked Regulations is deemed to have been given in respect of the corresponding provision (if any) of these regulations.
5. These regulations may be amended by resolution of the Bar Council.
6. The object of these regulations is to:
 - (a) identify the reading program approved by the Victorian Bar for the purposes of s 50(1)(a) of the *Legal Profession Uniform Law*;
 - (b) set out the basis on which applications for membership of the Victorian Bar as Victorian Practising Counsel are assessed; and
 - (c) address the disclosure and assessment of matters relevant to applicants' fitness to sign the roll of counsel as Victorian Practising Counsel.

B. Interpretation

7. In these regulations:
 - (a) **Admissions Officer** means the Education Manager of the Victorian Bar, or such other officer who is from time to time responsible for receiving and coordinating applications.
 - (b) **Alternative Sitting Arrangements** means reasonable adjustments to the conditions or format of the Bar Exam, such as:



- (i) additional reading or writing time;
 - (ii) rest breaks;
 - (iii) completing the Bar Exam by electronic or other means;
 - (iv) undertaking the Bar Exam at a different venue or at a different time to that otherwise set by the Exam Committee under rule 39 of these regulations.
- (c) **Applicant** means:
- (i) a person applying to sit the Bar Exam;
 - (ii) a person applying for membership of the Victorian Bar as Victorian Practising Counsel; or
 - (iii) an existing member of the Victorian Bar applying to transfer their enrolment to the category of Victorian Practising Counsel.
- (d) **Australian Lawyer** has the same meaning as in the *Legal Profession Uniform Law*.
- (e) **Bar Exam** means the entrance examination for the Victorian Bar conducted in accordance with Part E of these regulations.
- (f) **Bar Roll** means the Roll of Counsel of the Victorian Bar.
- (g) **Constitution** means the Constitution of the Victorian Bar.
- (h) **Eligible Applicant** means an Applicant who has:
- (i) passed the Bar Exam; or
 - (ii) been dispensed from the requirement to pass the Bar Exam.
- (i) **Exam Applicant** means an Applicant who is required to pass the Bar Exam and is not an Eligible Applicant.
- (j) **Exam Committee** means the committee appointed by the Bar Council from time to time in accordance with the Exam Committee Charter.



- (k) **Exam Rules** means the rules for the conduct of the Bar Exam set by the Exam Committee from time to time.
- (l) **Honorary Secretary** means the Honorary Secretary of the Victorian Bar Council from time to time.
- (m) **Pass Mark** means a mark of 75% or above.
- (n) **Prescribed Fees** mean the fees, if any, set by the Bar Council from time to time, including in relation to:
 - (i) applications for membership of the Victorian Bar;
 - (ii) sitting the Bar Exam or the papers thereof;
 - (iii) undertaking the Readers' Course,
whether in respect of:
 - (iv) Applicants generally; or
 - (v) particular categories of Applicants.
- (o) **Reader** means an Eligible Applicant who:
 - (i) has been approved by the Bar Council under rule 35; and
 - (ii) is undertaking:
 - (A) the Reading Period; and/or
 - (B) the Development Program set out in Part F.5.
- (p) **Readers' Course** means the course of practical study and training comprising:
 - (i) the Preliminary Program set out in Part F.3;
 - (ii) the Readers' Course Intensive set out in Part F.4; and
 - (iii) the Development Program set out in Part F.5.
- (q) **Readers' Course Committee** means the committee appointed by the Bar Council from time to time in accordance with the Readers' Course Committee Charter.



- (r) **Readers' Course Executive** means the executive committee of the Readers' Course Committee appointed from time to time in accordance with the Readers' Course Committee Charter.
- (s) **Reading Period** means the period of supervised practice undertaken by Readers in accordance with Part G of these regulations.
- (t) **Reading Program** means the program comprising:
 - (i) the Bar Exam; and
 - (ii) the Readers' Course.
- (u) **Responsible Body** means the Bar Council, the Readers' Course Committee, the Readers' Course Executive, the Exam Committee, the Admissions Officer, the Honorary Secretary, and each other person or body exercising a power or discretion under these regulations.
- (v) **Standard** means a base level of core knowledge common to key areas of practice as a barrister as determined by the Exam Committee in designing, conducting and supervising the Bar Exam.
- (w) **Victorian Practising Counsel** means a member of the Victorian Bar whose name is entered on the Bar Roll in Division A Part I (Victorian Practising Counsel).

C. Allocation of responsibility, delegation and decision-making

- 8. The Bar Council is responsible for:
 - (a) setting the Exam Committee Charter;
 - (b) setting the Readers' Course Committee Charter;
 - (c) appointing examiners for the Bar Exam;
 - (d) setting the Prescribed Fees;
 - (e) determining which Applicants may:
 - (i) be accepted as Readers;



- (ii) undertake the Readers' Course; or
 - (iii) have their name entered on the Bar Roll; and
 - (f) any other responsibilities identified in the Victorian Bar Charter.
9. The Exam Committee is responsible for:
- (a) the design, conduct and supervision of the Bar Exam, including:
 - (i) determining its format and timing;
 - (ii) setting the Exam Rules;
 - (iii) determining the Standard;
 - (iv) liaising with the examiners;
 - (v) supervising whether the papers of the Bar Exam are set in accordance with the Standard;
 - (vi) approving the papers of the Bar Exam;
 - (vii) providing information for Exam Applicants, including:
 - (A) prescribed reading guides;
 - (B) access to past papers or model answers;
 - (C) information sessions, study resources or seminars;
 - (viii) determining whether Exam Applicants have passed the Bar Exam or a paper thereof, including by considering reviews and special consideration, and informing the Admissions Officer of that determination; and
 - (b) any other responsibilities identified in the Exam Committee Charter.
10. The Readers' Course Committee is responsible for:
- (a) the design, conduct and supervision of the Readers' Course;
 - (b) oversight of the Reading Period;



- (c) determining any policy about the role and duty of mentors and senior mentors; and
 - (d) any other responsibilities identified in the Readers' Course Committee Charter.
- 11. The Readers' Course Executive is responsible for:
 - (a) executive management of the Readers' Course;
 - (b) determining applications to dispense with the requirement to pass the Bar Exam, or to undertake the Readers' Course or Reading Period;
 - (c) supervising the allocation of places on the Readers' Course, including applications for deferral;
 - (d) determining whether Readers have successfully completed the Readers' Course and any part thereof; and
 - (e) any other responsibilities identified in the Readers' Course Committee Charter.
- 12. Each Responsible Body:
 - (a) has the power to do all things necessary or convenient to be done for or in connection with the exercise of its responsibilities and any task allocated to it under these regulations; and
 - (b) may delegate its powers and responsibilities:
 - (i) in accordance with the Charter of that Responsible Body; or
 - (ii) in the case of the Admissions Officer or the Honorary Secretary, to:
 - (A) another Responsible Body; and/or
 - (B) a member or members of the education team of the Victorian Bar.
- 13. Where these regulations confer any power or discretion on a Responsible Body:
 - (a) the exercise of that power or discretion may be:
 - (i) partial;
 - (ii) conditional; and/or



- (iii) made subject to conditions,
and the person in respect of whom the power is so exercised is bound by any such condition as if compliance with that condition was a requirement of these regulations;
 - (b) in deciding whether to exercise a power or discretion, the Responsible Body may:
 - (i) request further information from an Applicant and/or any other relevant source;
 - (ii) request an Applicant or any other relevant person attend an interview;
and/or
 - (iii) request an Applicant or any other relevant person undertake any further assessment reasonably necessary to determine the application;
and
 - (c) the Responsible Body may make whatever arrangements it considers appropriate to give effect to the power or discretion it has exercised.
- 14. The Bar Council may in its absolute discretion:
 - (a) waive or grant dispensation from any of the provisions of these regulations, generally, in classes of cases, or in an individual case;
 - (b) make any decisions and pass any resolutions necessary or appropriate to give effect to these regulations, generally, in classes of cases, or in an individual case;
 - (c) exercise, or vary, revoke or rescind any exercise of a power conferred by these regulations on a Responsible Body other than the Bar Council,

and nothing in these regulations derogates from or prevents the exercise by the Bar Council of any power conferred on the Bar Council by the Constitution.
- 15. Subject to these regulations, any decision of a Responsible Body made under or pursuant to these regulations is final and binding, and is not open to challenge.



D. Applications for membership of the Victorian Bar

D.1 Commencement of applications

16. All Applicants:

- (a) must lodge an application in writing with the Admissions Officer in the form prescribed from time to time; and
- (b) may withdraw their application by notice in writing to the Admissions Officer.

17. At the time of lodging an application, all Applicants must:

- (a) pay any Prescribed Fees relevant to their application;
- (b) agree to be bound by these regulations as in force from time to time; and
- (c) agree that their application and any related correspondence and supporting materials (including but not limited to any matters disclosed under rule 25, or any application for Alternative Sitting Arrangements, special consideration, deferral or review) may, on a confidential basis, be viewed and considered by:
 - (i) any Responsible Body or member of a Responsible Body; and
 - (ii) any other person whose review is considered by a Responsible Body to be reasonably necessary for compliance with these regulations, the Constitution, or any applicable law.

D.2 Requirements for membership of the Victorian Bar

18. All Applicants must:

- (a) be an Australian Lawyer; or
- (b) expect, on reasonable grounds, to become an Australian Lawyer before the time they sign the Bar Roll.

19. For the purposes of s 50(1)(a) of the *Legal Profession Uniform Law*, except as otherwise provided by these regulations, all Applicants must undertake and complete:

- (a) the Reading Program; and



- (b) the Reading Period.
- 20. Applicants who:
 - (a) were formerly Victorian Practising Counsel and:
 - (i) practised as Victorian Practising Counsel for a period of at least 12 continuous months within 10 years of lodging their application; or
 - (ii) are current members of the Victorian Bar in:
 - (A) Division A Part II (Crown Prosecutors and Public Defenders); or
 - (B) Division B (Judicial and Other Officers); or
 - (b) have practised solely as a barrister in another Australian State or Territory for a period of at least 12 continuous months within 10 years of lodging their application,are not required to undertake and complete:
 - (c) the Reading Program; or
 - (d) the Reading Period.
- 21. Applicants who do not fall within rule 20, but who seek to be exempted from some or all of the requirements to undertake and complete:
 - (a) the Reading Program; or
 - (b) the Reading Period,may apply for dispensation from those requirements.
- 22. An application for dispensation under rule 21 must:
 - (a) be made in writing to the Admissions Officer;
 - (b) identify the nature and extent of the dispensation sought by the Applicant;
 - (c) explain the basis on which the dispensation is sought; and
 - (d) be supported by evidence sufficient to justify the dispensation, having regard to the nature and purpose of the requirement from which they seek to be dispensed.



23. On receipt of an application under rule 22, the Readers' Course Executive may, in its discretion:
- (a) based on the material provided pursuant to rule 22, dispense an Applicant from some or all of the requirements to undertake and complete the Reading Program or the Reading Period;
 - (b) reject the application; or
 - (c) in exceptional circumstances, request further information from the Applicant.
24. An applicant for dispensation bears the onus of satisfying the Readers' Course Executive that such a dispensation should be granted.

D.3 Mandatory disclosure

25. All Eligible Applicants must, at the time and in the manner required by the Admissions Officer, disclose to the Admissions Officer the particulars of:
- (a) any criminal offences in Australia or elsewhere:
 - (i) with which they have been charged;
 - (ii) which they have been found to have committed;
 - (iii) of which they have been convicted;
 - (b) any disqualification in Australia or elsewhere from:
 - (i) managing or being involved in the management of any body corporate;
 - (ii) holding any financial services or credit licence;
 - (iii) registration as a migration, tax or other registered agent;
 - (c) any insolvency-related matters, including:
 - (i) any sequestration order made against them under the *Bankruptcy Act 1966* (Cth);
 - (ii) any debt agreement they have entered under Part IX of that Act;



- (iii) any personal insolvency agreement entered by them under Part X of that Act;
- (iv) any fact or matter which shows or may tend to show that they are or may be insolvent;
- (d) any disciplinary findings made against them;
- (e) any complaint concerning them made to any professional body or association;
- (f) any other fact or matter which shows or might tend to show that they are not of good character or not of sound mind or otherwise not a suitable person to become a member of the Victorian Bar;
- (g) any fact or matter which indicates or may indicate that the Applicant will or may be unable to comply with, or will or may be in contravention of:
 - (i) any provision of the Constitution; or
 - (ii) any rules, policy or regulations made by the Bar Council,(together, the ***Disclosable Matters***).

26. Eligible Applicants who have disclosed any Disclosable Matters must:

- (a) provide the Admissions Officer with particulars of the Disclosable Matters; and
- (b) upon the Admission Officer's request:
 - (i) provide the Admissions Officer with a copy of any documents relevant to the Disclosable Matters which are in their possession, control or custody; and
 - (ii) if there are documents relevant to any Disclosable Matters that are not in their possession, control or custody:
 - (A) provide the Admissions Officer with details of the likely location where, or person from whom, such documents may be obtained;
 - (B) use all reasonable endeavours to obtain copies of such documents; and



(C) provide reasonable assistance to the Admissions Officer in obtaining such documents,

(together, the *Disclosure Documents*).

27. Any Eligible Applicant who received an exemption under rules 20 or 21 on the basis of a period of practice as interstate or overseas counsel must provide to the Admissions Officer a Certificate of Good Standing from the appropriate interstate or overseas regulatory authority.

28. Eligible Applicants must notify the Honorary Secretary in writing:

(a) if they become aware that any statement or matter set out or referred to in their disclosure of Disclosable Matters is not, or is no longer, complete, true or accurate, as soon as possible after they become aware that the statement or matter is not complete, true or accurate; and

(b) if they become aware of any further information relevant to a Disclosable Matter, as soon as possible after they become aware of that information.

D.4 Undertakings

29. All Eligible Applicants must undertake to the Bar Council that they will prior to the earlier of:

(a) commencing the Readers' Course Intensive, should they be required to undertake it; or

(b) having their name entered on the Bar Roll as Victorian Practising Counsel, surrender:

(i) to the Legal Services Board:

(A) any Australian practising certificate (as that term is defined in s 6 of the *Legal Profession Uniform Law*);

(B) any Australian registration certificate issued under Part 3.4 of the *Legal Profession Uniform Law*; and



- (ii) to the Victorian Bar, any registration with a foreign registration authority (as that term is defined in s 6 of the *Legal Profession Uniform Law*) to the extent it is inconsistent with practise as a barrister.

29A. All Eligible Applicants must undertake to the Bar Council that, if their name is entered on the Bar Roll, they will:

- (a) not practise otherwise than as a barrister;
- (b) comply with the requirements of the Constitution;
- (c) comply with the rules, regulations and policies made by the Bar Council from time to time;
- (d) pay the annual subscription and any other fees and charges that may be required by the Bar Council from time to time.

D.5 Review of applications

30. The Honorary Secretary must:

- (a) review each Eligible Applicant's application; and
- (b) before the Eligible Applicant proposes to commence their Reading Period, interview the Eligible Applicant at a time and place, or by electronic means, reasonably requested by the Honorary Secretary.

31. At the request of the Honorary Secretary:

- (a) the Eligible Applicant must provide the Honorary Secretary with:
 - (i) the name of their intended mentor (if applicable);
 - (ii) a written statement setting out any facts or matters which they wish to be considered during the determination of their application, whether relating to any Disclosable Matters or otherwise;
 - (iii) any Disclosure Documents requested by the Admissions Officer; and
 - (iv) the undertakings referred to in rules 29 and 29A; and
- (b) the Honorary Secretary must:



- (i) make enquiries of the Eligible Applicant with respect to any matter referred to in or arising out of their application about which the Honorary Secretary considers it appropriate to enquire; and
 - (ii) record in writing each undertaking given by Eligible Applicant.
- 32. If the Honorary Secretary considers that an application raises an issue which:
 - (a) might affect the question of the Eligible Applicant's fitness to practise as a barrister; or
 - (b) might otherwise affect the exercise of the Bar Council's discretion to allow the Eligible Applicant to sign the Bar Roll,they must refer the application:
 - (c) to the Counsel Committee; or
 - (d) to another appropriate committee, officer or other organ of the Victorian Bar whose input is required.
- 33. If the Honorary Secretary refers the application to the Counsel Committee or another body, that committee or body must:
 - (a) consider the application; and
 - (b) give the Bar Council its recommendation about how it should deal with the application.
- 34. If the Honorary Secretary is satisfied that the application:
 - (a) does not require referral; and
 - (b) complies with the requirements of the Constitution and these and any other applicable regulations,they may recommend to the Bar Council:
 - (c) that the Eligible Applicant undertake the Readers' Course Intensive; or
 - (d) that the Eligible Applicant's name be entered on the Bar Roll,as the case may be.



35. The Bar Council may from time to time resolve that such of those Eligible Applicants recommended by the Honorary Secretary may, as it thinks fit:
- (a) be accepted as Readers;
 - (b) undertake the Readers' Course Intensive; and/or
 - (c) have their name entered on the Bar Roll,
- as the case may be.

E. The Bar Exam

36. The purpose of the Bar Exam is to:
- (a) ensure that successful candidates meet the Standard; and
 - (b) fairly allocate places in the Readers' Course.
37. The Exam Committee must oversee the design, content and delivery of the Bar Exam to give effect to its purpose.

E.1 Conduct and Assessment of the Bar Exam

38. The Exam Committee must conduct the Bar Exam:
- (a) in accordance with the Exam Rules; and
 - (b) in a manner that allows Exam Applicants to demonstrate attainment of the Standard.
39. The Exam Committee shall hold the Bar Exam:
- (a) in such a format; and
 - (b) on such dates, at such times and in such locations,
- as the Exam Committee resolves, so that the Bar Exam will ordinarily be conducted twice each year.
40. The Bar Exam comprises three separate papers relevant to the practice of counsel at the Victorian Bar in:
- (a) ethics;



- (b) evidence; and
 - (c) practice and procedure, being (at the Exam Applicant's election) either:
 - (i) civil practice and procedure; or
 - (ii) criminal practice and procedure.
41. Exam Applicants may:
- (a) undertake one or more papers of the Bar Exam in anyone sitting; and
 - (b) complete the Bar Exam in more than one sitting.
42. In order to pass the Bar Exam, an Exam Applicant must:
- (a) obtain a Pass Mark in each of the papers set out in rule 40 above within a period:
 - (i) commencing when an Exam Applicant sits any paper of the Bar Exam which they pass or are deemed to have passed; and
 - (ii) ending after the later of:
 - (A) when the Bar Exam has been held on three further occasions after the Exam Applicant's sitting referred to in (i); or
 - (B) two years; or
 - (b) be deemed by the Exam Committee to have passed in accordance with Part E.5.
43. After each Bar Exam, the Exam Committee must inform the Admissions Officer which Exam Applicants have passed the Bar Exam or a paper thereof.

E.2 Exam Applicants

44. All Exam Applicants must:
- (a) register with the Admissions Officer in the form and by the deadline prescribed by the Exam Committee from time to time:
 - (i) the particular sitting of the Bar Exam they intend to undertake; and



- (ii) which Bar Exam papers they intend to undertake at that sitting; and
 - (b) pay any Prescribed Fee for the Bar Exam or the papers thereof.
- 45. Exam Applicants who wish to sit the Bar Exam or a paper thereof outside Melbourne must:
 - (a) notify the Admissions Officer when registering to sit the Bar Exam; and
 - (b) make arrangements, satisfactory to the Admissions Officer:
 - (i) to sit the Bar Exam at a venue approved by the Admissions Officer; and
 - (ii) for that venue to supervise the exam and (if applicable) the transmission of the candidate's answers to the Admissions Officer.
- 46. Any costs associated with an Exam Applicant sitting the Bar Exam outside Melbourne must be borne by, and will if necessary be charged to, that Exam Applicant.

E.3 Alternative Sitting Arrangements

- 47. Exam Applicants who consider on reasonable grounds that circumstances outside their control will adversely affect their performance in, or ability to undertake, the Bar Exam may apply for Alternative Sitting Arrangements.
- 48. An application for Alternative Sitting Arrangements must:
 - (a) be made in writing to the Admissions Officer;
 - (b) describe in sufficient detail the circumstances relied on, and how the Exam Applicant considers those circumstances will affect their performance in, or ability to undertake, the Bar Exam;
 - (c) contain supporting evidence substantiating the circumstances relied on (for example, a letter from a health professional);
 - (d) specify the Alternative Sitting Arrangements requested by the Exam Applicant; and
 - (e) be made at least 14 days before the date of the relevant sitting of the Bar Exam, unless the Exam Committee resolves otherwise.



49. On receipt of an application under rule 48, the Admissions Officer may determine, in their discretion, whether Alternative Sitting Arrangements should be made for the Exam Applicant and, if so, which Alternative Sitting Arrangements should be made.
50. An Exam Applicant who is dissatisfied with an Admissions Officer's decision about Alternative Sitting Arrangements may request a review by the Exam Committee:
 - (a) within five business days of being notified of the decision; and
 - (b) by giving notice in writing to the Admissions Officer.
51. In reviewing an Admissions Officer's decision, the Exam Committee may, in its discretion, uphold, reverse or vary the decision.
52. Any sensitive personal information provided in relation to an application for Alternative Sitting Arrangements will be disclosed to the persons identified in rule 17(c) above on a confidential basis and only to the extent necessary for review and consideration of the application.

E.4 Special consideration

53. Exam Applicants who consider on reasonable grounds that their result in the Bar Exam or a paper thereof may be, or has been, affected by illness, injury, bereavement or other hardship, may apply for special consideration.
54. An application for special consideration must:
 - (a) be made in writing to the Admissions Officer;
 - (b) describe in sufficient detail the circumstances relied on, and how the Exam Applicant considers those circumstances may have affected their performance in, or ability to undertake, the Bar Exam;
 - (c) contain supporting evidence substantiating the circumstances relied on (for example, a letter from a health professional); and
 - (d) be made no later than five business days after the date of the sitting of the Bar Exam, unless the Exam Committee resolves otherwise.



55. On receipt of an application under rule 54, the Exam Committee may determine, in its discretion, whether to take action in response to the circumstances described in the application and, if so, what action to take (which may include requiring the Exam Applicant to undertake alternative or additional assessment, requiring the Exam Applicant to resit the Bar Exam or the relevant paper, or treating the Exam Applicant as if the Exam Committee were undertaking a review under rule 59).
56. In considering whether to grant special consideration, the Exam Committee may consider:
 - (a) the severity or likely severity of the impact of the circumstances relied on by the Exam Applicant, including:
 - (i) the Exam Applicant's statement of the impact of the circumstances on their ability to undertake, or performance in, the Bar Exam; and
 - (ii) the extent to which supporting documentation supports the Exam Applicant's statement about the impact of those circumstances;
 - (b) the need to ensure that Eligible Candidates undertaking the Readers' Course have a sufficient knowledge of the material covered by the Bar Exam to meet the Standard;
 - (c) the need to uphold the fairness and integrity of the Bar Exam for other Exam Applicants;
 - (d) the appropriateness of requiring the Exam Applicant:
 - (i) to undertake alternative or additional assessment; or
 - (ii) to resit the Bar Exam or the relevant paper; and
 - (e) any other matter it considers relevant.
57. Any sensitive personal information provided in relation to an application for special consideration will be disclosed to the persons identified in rule 17(c) above on a confidential basis and only to the extent necessary for review and consideration of the application.



E.5 Review by the Exam Committee

58. If an Exam Applicant:

- (a) has sat and failed to obtain a Pass Mark in a paper of the Bar Exam on at least three sittings; and
- (b) has demonstrated, in the view of the Exam Committee, bona fide and reasonable attempts to achieve the Standard,

the Exam Committee may:

- (c) upon the request of the Exam Applicant; and
- (d) at the Exam Committee's discretion,

undertake a review in accordance with rule 59.

59. In undertaking a review, the Exam Committee may, in its discretion:

- (a) consider the Exam Applicant's past Bar Exam papers;
- (b) interview the Exam Applicant; and/or
- (c) require the Exam Applicant to undergo any supplementary oral or written assessment,

in order to determine whether the Exam Applicant has satisfactorily met the Standard.

60. If, on undertaking a review, the Exam Committee in its discretion determines that the Exam Applicant has satisfactorily met the Standard:

- (a) in respect of a particular paper; or
- (b) in respect of the Bar Exam as a whole,

the Exam Committee may deem the Exam Applicant to have passed:

- (c) that paper; or
- (d) the Bar Exam,

as the case may be.



F. The Readers' Course

61. The purpose of the Readers' Course is to equip Readers with the skills necessary to practice at the Victorian Bar and to discharge their duties to the courts and to their clients, particularly in relation to:
- (a) oral advocacy, including examining and cross-examining witnesses, pleas, applications and addresses;
 - (b) legal drafting, including pleadings, court documents, affidavits, witness statements, advices and written submissions;
 - (c) practical applications of the rules of evidence;
 - (d) ethics and professional conduct; and
 - (e) the role of the barrister and the independent bar.
62. The Readers' Course Committee must oversee the design, content and delivery of the Readers' Course to give effect to its purpose.

F.1 Conduct of the Readers' Course

63. The Bar Council may from time to time resolve to fix:
- (a) the duration of each Readers' Course and the parts thereof; and
 - (b) the maximum number of persons who may undertake each Readers' Course, with the intention that:
 - (c) the Readers' Course will ordinarily be conducted twice each year and comprise up to 60 places per course; and
 - (d) the Readers' Course Intensive will ordinarily commence in about March and September and be of about six weeks' duration.
64. If the number of Eligible Applicants exceeds the number of available places in a future Readers' Course, the Bar Council may from time to time, after consultation with the Readers' Course Committee, resolve to:
- (a) conduct an additional Readers' Course;



- (b) increase the number of available places in each Readers' Course;
 - (c) vary the length of the Readers' Course or the parts thereof; and/or
 - (d) establish or prioritise any waiting list,
- whether on a one-off or an ongoing basis.

F.2 Allocation of places in the Readers' Course

65. The Bar Council may from time to time set the order of priority in which Eligible Applicants, or classes of Eligible Applicants, are offered places in a Readers' Course.
66. The Admissions Officer must:
- (a) notify Eligible Applicants that they are eligible to be offered a place in a Readers' Course;
 - (b) identify the likely commencement date of upcoming Readers' Courses; and
 - (c) invite Eligible Applicants to indicate, in order of preference, their preferred Readers' Courses.
67. Subject to:
- (a) any policy set by Bar Council; and
 - (b) any direction of the Readers' Course Executive,
- the Admissions Officer must allocate to each Eligible Applicant a place on an upcoming Readers' Course, having regard to:
- (c) the number of available places in upcoming Readers' Courses;
 - (d) the number of Eligible Applicants;
 - (e) the preferences expressed by:
 - (i) the particular Eligible Applicant; and
 - (ii) Eligible Applicants overall;
 - (f) the allocation of priority places in accordance with Bar Council policy, including:



- (i) Pacific Rim applicants; and
 - (ii) Indigenous applicants; and
 - (g) the Bar Exam mark obtained by Eligible Applicants, giving priority to those obtaining higher marks.
68. Eligible Applicants who are offered a place on a Readers' Course must, within 14 days of receiving the offer:
- (a) notify the Admissions Officer whether they accept the offer; and
 - (b) if they accept, pay the Prescribed Fee for the Readers' Course.
69. If an Eligible Applicant:
- (a) declines an offer of a place on a Readers' Course; and
 - (b) cannot demonstrate that special circumstances prevented them from accepting the place,
- that person:
- (c) ceases to be an Eligible Applicant; and
 - (d) if they are an Exam Applicant, must re-sit each paper of the Bar Exam and pass each of them in accordance with rule 42 above.
70. If an Eligible Applicant:
- (a) accepts an offer of a place on a Readers' Course; and
 - (b) wishes to defer that place by reason of exceptional and unforeseen circumstances,
- they may apply to defer their place to the following Readers' Course.
71. An application for deferral must be:
- (a) made in writing to the Admissions Officer;
 - (b) made as soon as practicable after the exceptional and unforeseen circumstances arise or are foreseen; and



- (c) accompanied by a detailed statement of the circumstances giving rise to the application together with any relevant supporting documentation.
72. On receipt of an application under rule 71, the Readers' Course Executive may, in its discretion, permit an Eligible Applicant to defer their place in a Reader's Course to the following Readers' Course.
73. In considering whether to grant a deferral, the Readers' Course Executive may take into account:
- (a) whether the circumstances are sufficiently exceptional to justify the grant of the application, including by reference to:
 - (i) any sudden and unexpected adverse change in the applicant's financial, family or other personal circumstances;
 - (ii) any other matter likely to affect the applicant's capacity to attend throughout the Readers' Course, that they could not reasonably have avoided or anticipated at the time they accepted a place on that course;
 - (b) the need to uphold fairness and integrity in the allocation of places on Readers' Courses among other Eligible Applicants; and
 - (c) any other matter it considers relevant.
74. An applicant for deferral bears the onus of satisfying the Readers' Course Executive that such a deferral ought be granted.
75. An Eligible Applicant who has accepted a place in a Readers' Course and:
- (a) withdraws their application; or
 - (b) applies to defer their place; or
 - (c) does not commence or complete the Readers' Course Intensive due to a finding that they are not fit to practise as a barrister,
- is not entitled to a refund of all or any part of the Prescribed Fee for the Readers' Course, unless the Readers' Course Executive in its discretion resolves otherwise.



F.3 The Preliminary Program

76. The Preliminary Program is a program of self-directed learning that must be completed before the commencement of the Readers' Course Intensive.
77. The Readers' Course Committee may determine:
- (a) the tasks comprising the Preliminary Program; and
 - (b) the manner in which Readers must record their completion of those tasks.
78. Before commencing the Readers' Course Intensive, each Reader must:
- (a) undertake the tasks comprising the Preliminary Program before the commencement of the Readers' Course Intensive;
 - (b) keep a written record of their completion of the Preliminary Program in the form prescribed by the Readers' Course Executive from time to time; and
 - (c) certify to the Admissions Officer that they have completed the Preliminary Program.
79. Prior to the commencement of each Readers' Course Intensive, the Admissions Officer may audit whether the Reader has successfully completed the Preliminary Program.
80. If a Reader:
- (a) fails to undertake the tasks comprising the Preliminary Program; or
 - (b) fails to certify to the Admissions Officer that they have completed the Preliminary Program,
- the Readers' Course Executive may by resolution recommend that the Bar Council decline to enter a Reader's name onto the Bar Roll until such time as the Bar Council in its discretion determines, or at all.

F.4 The Readers' Course Intensive

81. The Readers' Course Intensive is a full-time, in person course that will ordinarily be of about six weeks' duration.
82. A Reader must:



- (a) attend all sessions; and
 - (b) undertake all assessments and assignments,
of the Readers' Course Intensive, unless they have been excused:
 - (c) in the case of illness, injury, bereavement or other hardship, by the Admissions Officer; or
 - (d) in any other case, by the Readers' Course Executive.
83. A Reader who is unable to attend a session or undertake any assessment or assignment must:
- (a) notify the Admissions Officer as soon as practicable of the sessions or assessment they have missed or will miss, and ask to be excused;
 - (b) comply with any reasonable request made by the Admissions Officer for information concerning their absence; and
 - (c) undertake any additional sessions, training or assessment to make up for missed sessions as the Admissions Officer reasonably directs.
84. At the end of each Readers' Course Intensive, the Readers' Course Executive must inform the Bar Council whether the Reader has successfully completed the Readers' Course Intensive.
85. If a Reader:
- (a) fails to attend all sessions or undertake all assessments and assignments of the Readers' Course Intensive, without having been excused by the Admissions Officer;
 - (b) fails to undertake any additional sessions, training or assessment to make up for missed sessions as the Admissions Officer reasonably directs;
 - (c) has not passed one or more of the assessments or assignments set during the Readers' Course Intensive; or
 - (d) has not, in the opinion of the Readers' Course Executive, demonstrated during the Readers' Course Intensive a satisfactory level of competence,



the Readers' Course Executive may by resolution recommend that the Bar Council decline to enter a Reader's name onto the Bar Roll until such time as the Bar Council in its discretion determines, or at all.

F.5 The Development Program

86. The Development Program is a program of in-person and self-directed learning that must be completed within 24 months after a Reader has signed the Bar Roll.
87. The Readers' Course Committee may determine:
 - (a) the tasks comprising the Development Program; and
 - (b) the manner in which Readers must record their completion of those tasks.
88. A Reader who has signed the Bar Roll must:
 - (a) undertake the tasks comprising the Development Program;
 - (b) keep a written record of their completion of the Development Program in the form prescribed by the Readers' Course Executive from time to time; and
 - (c) certify to the Admissions Officer that they have completed the Development Program.
89. At the end of the Development Program, each Reader must submit their written record of completion of the Development Program to the Admissions Officer.
90. The Admissions Officer may audit whether the Reader has successfully completed the Development Program.

G. The Reading Period

91. The purpose of the Reading Period is:
 - (a) to provide Readers with structured mentorship and supervision at the outset of their career at the Victorian Bar; and
 - (b) by the end of the Reading Period, to equip Readers with the skills necessary to discharge their duties to the courts and to their clients through independent and unsupervised practice at the Victorian Bar.



92. Mentors, senior mentors and the Readers' Course Committee must oversee the Reading Period so as to give effect to its purpose.
93. The duration of the Reading Period is:
 - (a) nine months, starting from the commencement of the Readers' Course Intensive undertaken by the Reader; or
 - (b) in the case of a Reader who is the subject of a dispensation under rule 21, such other period as is specified by the Readers' Course Executive.

G.1 Mentors

94. A Reader must read in the chambers of a mentor for the Reading Period.
95. A mentor must:
 - (a) be a member of the Victorian Bar;
 - (b) be a Victorian Practising Counsel in active practice;
 - (c) not be King's Counsel or Senior Counsel at the start of the Reader's Reading Period; and
 - (d) unless dispensation has been granted by the Readers' Course Executive, be expected to be of at least 10 years' seniority on the Bar Roll at the end of the Reader's Reading Period.
96. A mentor:
 - (a) is not bound to accept a person as a Reader;
 - (b) may have two Readers (but no more than two Readers) at any one time, if the Reading Period for each Reader will overlap for less than three months;
 - (c) must not accept a Reader unless the mentor expects that they are likely to be substantially in attendance in chambers in Victoria during the Reading Period for that Reader;
 - (d) must not demand or accept a fee from a Reader, or pay a fee to a Reader, in respect of the reading relationship; and



- (e) must adhere to any policy or statement describing the role and duties of a mentor authorised by the Readers' Course Committee from time to time.

97. A Reader's obligation to read in the chambers of a mentor is satisfied where the Reader shares the same room in chambers with the mentor for the duration of the Reading Period following the completion of the Readers' Course Intensive undertaken by the Reader.

98. Unless otherwise agreed between the mentor and Reader, the Reader must vacate the mentor's chambers promptly at the completion of the Reading Period.

G.2 Senior mentors

99. A Reader must nominate a senior mentor.

100. A senior mentor:

- (a) must be a member of the Victorian Bar;
- (b) must be a Victorian Practising Counsel in active practice;
- (c) must be King's Counsel or Senior Counsel;
- (d) is not bound to accept a person as a Reader; and
- (e) must adhere to any policy or statement describing the role and duties of a senior mentor authorised by the Readers' Course Committee from time to time.