



VICTORIAN BAR



THE VICTORIAN BAR INCORPORATED

**ENTRANCE EXAM**

**INFORMATION GUIDE FOR CANDIDATES**

**EXAM DATE: SUNDAY 24 OCTOBER 2021**

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## 1. READERS' ENTRANCE EXAM

All persons who wish to begin their career as a barrister at the Victorian Bar must sit the Victorian Bar Readers' Entrance Exam (**Exam**), participate in the Readers' Course, and complete a reading period with a suitable mentor.

The Exam serves the purpose of ensuring that Readers commencing the Readers' Course are equipped with core knowledge so that they can commence the practical training exercises involved in the Course.

The Exam typically attracts a high number of applicants. Successful candidates are offered a place in the next available course, as set out in regulation 6(7) of the Victorian Bar's [Application and Reading Regulations](#) (**Regulations**).

Following an extensive review conducted by the Victorian Bar in 2019, a number of improvements were made to the Exam for the benefit of the Bar's current and future members. Further changes were made in the first half of 2020 in response to the restrictions and challenges posed by COVID-19 and the Exam was successfully conducted online in October 2020. The Exam will again be conducted online in 2021.

### IMPORTANT DATES

Some important dates for 2021 and 2022 are as follows:

2021	
Exam Information Webinar	Monday, 16 August 2021 at 4.00pm (AEST) ( <b>NEW DATE</b> )
Registration Opens	Tuesday, 17 August 2021 at 5.00pm (AEST)
Exam Preparation Webinar	Thursday, 23 September 2021 at 4.00pm (AEST)
Registration Closes	Thursday, 23 September 2021 at 5.00pm (AEST)
Exam	Sunday, 24 October 2021 at 9.30am–1.00pm (AEDST)

2022	
2022 March Readers' Course	3 March – 5 May 2022 (Dates to be confirmed.)
2022 September Readers' Course	18 August – 20 October 2022 (Dates to be confirmed.)
2022 Entrance Exam (for 2023 Readers' Courses)	Date(s) to be confirmed.

As dates and arrangements for the Exam are subject to change, candidates should check the [Victorian Bar website](#) for any updates.

## WHAT CANDIDATES CAN EXPECT

In 2020, the format of the Exam and the mode of conducting the Exam changed, moving to an electronic format, but the content of the Exam was not significantly different to previous years. This remains the case in 2021.

The Exam will be conducted remotely and electronically using ExamSoft software:

- Candidates will each undertake the Exam remotely, at their own location (e.g. home, office).
- Candidates will be required to use the ExamSoft software, (including Examplify, ExamID and ExamMonitor), which will be supplied to the candidate following registration and must be downloaded onto the candidate's own device and tested well prior to the time for undertaking the Exam.
- Security and identification screening measures (including some that are built into the ExamSoft software) will be in place to ensure that only registered candidates may undertake the Exam, and that the Exam is only undertaken during the permitted time window on the day of the Exam. Other measures will be in place to prevent and detect cheating.
- The Exam will be open-book. This means that candidates will be allowed to use any non-electronic materials during the Exam (e.g. printed notes, textbooks, other printed materials). Recourse to other resources, including any electronic materials or resources, is strictly prohibited. Other than the device used for the Exam, a candidate must not access or consult any other electronic device and must not communicate with any other person for the duration of the Exam. Once the Exam commences, the ExamSoft software will block access to the internet and all other software, features and files on the device that is used to undertake the Exam.
- An electronic practice exam will be made available to registered candidates, for the purposes of practice and so as to test their device and software, well prior to undertaking the Exam.

Candidates should consider the information in this guide, and the other resources referred to in it and on the Victorian Bar website, before deciding whether to register and undertake the Exam.

## 2. ELIGIBILITY FOR EXAM

To be eligible to undertake the Exam a candidate must:

- be admitted as an Australian Lawyer, or expect on reasonable grounds to become an Australian Lawyer by the time the candidate signs the Bar Roll;
- be of fit and proper standing, (refer to Victorian Legal Services Board's [Fit and Proper Person Policy](#));
- be available and willing to undertake either of the next two Victorian Bar Readers' Courses immediately following the Exam (noting that successful completion of the Exam does not guarantee a place in those courses);
- be prepared to read with an eligible mentor for nine months, commencing at the start of the Readers' Course;
- agree to the Exam Rules and Conditions (as set out in the Annexure hereto);
- register and pay the registration fee (non-refundable).

Candidates should consult the Victorian Bar's [Application and Reading Regulations \(Regulations\)](#) for further information about their eligibility to undertake the Exam and to apply to become a member of the Victorian Bar.

### 3. REGISTRATION FOR EXAM

To register to undertake the Exam a candidate must:

- complete the online registration on the [Victorian Bar website](#) during the registration period;
- pay online the non-refundable registration fee of **\$620 including GST**;
- supply photographic proof of identity (either current passport, government issued identity document or Australian state drivers' license), by electronic file upload;
- agree to the Exam Rules and Conditions (as set out in the **Annexure** hereto); and
- complete the online registration survey.

At the time of registration candidates must provide the following information:

- name – use the full legal name as it appears on the proof of identity document;
- date of birth;
- email address – use an email address that has no expiry and is checked frequently (all communications from the Victorian Bar will be sent only to this email address);
- contact details;
- approved photographic identification document (electronic file).

Once a candidate has successfully registered they will receive confirmation of registration and further instructions on access to pre-exam materials and other information.

Persons interested in registering for the Exam should note that **registration must be completed strictly within the time specified on the Victorian Bar's website**. A candidate will not be permitted to register after that time. Due to the possibility that technical issues and/or delays may be encountered in registering online, it is **strongly recommended** that interested persons register **well prior to the deadline**.

The Victorian Bar does not presently intend to limit the number of registered candidates who may sit the October 2021 Exam. However, the Victorian Bar reserves the right to limit the number of registered candidates for the October 2021 Exam and to close registration for the Exam earlier than the advertised registration closure date, or to cancel a candidate's registration and refund their registration fee. The Victorian Bar also reserves the right to cancel or reschedule the October 2021 Exam if deemed necessary for any reason, at the Victorian Bar's sole discretion.

### 4. ONLINE EXAM

#### OVERVIEW OF THE EXAM – HOW IT WILL WORK

Candidates will undertake the Exam at their own location (e.g. home, office), using the ExamSoft software, which will be supplied to them after registration and must be downloaded onto their own device and tested well prior to the Exam.

Shortly prior to the Exam, candidates will download an encrypted copy of the Exam onto their device, which can only be accessed (via password) and completed on the day of the Exam.

Candidates will have **three hours** to complete the Exam after accessing and commencing it. This includes time to read and complete the exam (there is no reading period).

On the day of the Exam, candidates must undertake the three hour Exam within the permitted window, which is between 9:30AM and 1:00PM (Australian Eastern Daylight Saving Time - AEDST). This means that candidates must access and commence the Exam at or shortly after 9:30AM AEDST. Candidates will be automatically "timed out" three hours after commencing the Exam, and they will then have to upload the Exam promptly - and before 2:00PM AEDST at the latest - on the same day (as described further below).

During the Exam, candidates must **type** their answers directly into the software on their device. There is **no** mechanism for candidates to handwrite their answers or for use of dictation software or equipment.

The Exam is an **open book** exam, but **candidates may only refer to non-electronic materials** (i.e. printed or hand-written notes and hard copy texts and materials). While undertaking the Exam, candidates **must not access or consult any**

**electronic materials or other devices** (including phone, tablet, smart watch), and they must not communicate with any person.

During the Exam, internet access and other features of a candidate's device will be disabled by the ExamSoft software, which will access the camera on the candidate's device and will **capture a video of the candidate that will subsequently be reviewed and retained by ExamSoft and the Victorian Bar**. As the ExamSoft software and the Exam and video are stored locally on the candidate's device, there is no need for access to the internet or Wi-Fi **during** the Exam, and the ExamSoft software will prevent that access.)

After the Exam is completed, a candidate must promptly reconnect to the internet and upload the Exam to ExamSoft. At that time, the candidate will be required to **make a declaration** that they have complied with the Exam Rules and Conditions (as set out in the Annexure hereto), including that they have not had access to or consulted any electronic materials or device (including phone, tablet, smart-watch), and have not communicated with any person, for the duration of the Exam – alternatively, the candidate must fully disclose in the declaration any non-compliance and the reasons for it.

Candidates who do not upload the Exam to ExamSoft and make the declaration **by 2:00PM AEDST** on the day of the Exam will be **disqualified, will forfeit all fees paid and their Exam will not be marked**.

The process for downloading and using the ExamSoft software, and the system requirements for candidates' devices, are summarised below.

## **SYSTEM REQUIREMENTS AND CANDIDATE'S RESPONSIBILITY FOR DEVICE**

In undertaking the Exam, candidates must use a laptop or other device which has a camera and which meets or exceeds the minimum system requirements for devices as determined by ExamSoft. The Exam will require the use of three software programs provided by ExamSoft: **Examplify (Version 2.6.4)**, **ExamID** and **ExamMonitor**.

The minimum system requirements differ according to the operating system for the chosen device. These can be viewed at [ExamSoft Minimum System Requirements](#). Candidates' devices must meet the minimum system requirements that apply for **exams with ExamID and ExamMonitor enabled**.

**NB: Virtual camera or audio software and iPad is not supported** for use with ExamMonitor and cannot be used for the exam.

In addition, ExamSoft provide various video tutorials and other resources which are available on the [ExamSoft website](#). Candidates should consult those resources.

Candidates are responsible for supplying their own device for use in the Exam (whether it is a device they own, or have hired or borrowed for the occasion) and ensuring that it meets these minimum system requirements. Candidates should familiarise themselves with the minimum system requirements, with the specifications of the device they intend to use, and with the resources which ExamSoft provide.

Candidates assume all risk, and sole responsibility, in the event that their device does not meet the minimum system requirements as determined by ExamSoft, or if it malfunctions or experiences other technical difficulties which affect the candidate's performance or ability to access, complete and/or upload the Exam on the day of the Exam.

Candidates will have an opportunity to test their device and its compatibility when undertaking the practice exam, after registration. It is strongly recommended that candidates do so at least 10 days prior to the day of the Exam (i.e. before 14 October 2021), and that they check that the software is correctly installed and operating on their device several times prior to the day of the Exam. For this reason, candidates should use the **same device** to undertake the practice exam and the actual Exam.

## 5. PREPARING FOR THE EXAM: EXAM MATERIALS AND RESOURCES

In 2020, the *format* of the Exam and the *mode of conducting* the Exam changed, but the *content* of the Exam was not significantly different to previous years. This remains the case in 2021.

Accordingly, it is still relevant to consult past papers and resources relating to previous exams in preparing for the Exam.

In addition, the Victorian Bar will provide materials and resources from the Chief Examiner and others in relation to preparation for the Exam in October 2021. Candidates will be provided with further information and access to these resources on successful registration.

## 6. EXAM RULES AND CONDITIONS

In registering for the Exam, candidates must agree to accept and comply with the **Exam Rules and Conditions** (as set out in the **Annexure** hereto).

Failure to comply with any of the Exam Rules and Conditions will result in a candidate's disqualification from the Exam, and other possible consequences (referred to below under "Cheating, Fraud, Dishonesty and Other Misconduct").

## 7. PASSING THE EXAM

The pass mark for the Exam is 75%.

The process for marking is explained in the Chief Examiner's Information Seminar for candidates, which has been provided in previous years and will be updated and delivered for the Exam to be conducted in October 2021 and published on the [Victorian Bar's website](#).

The Victorian Bar's grading of a candidate's Exam is final. Candidates do not have any right to have their Exam reassessed, reviewed or re-marked. The Victorian Bar retains copyright in the Exam papers and ownership of the papers completed by candidates.

Passing the Exam does not automatically entitle candidates to enrol and participate in the next Readers' Courses or the Readers' Course of their choosing. The Readers' Course is subject to capacity constraints and regulation 6(7) of the [Regulations](#) provides details as to the process for offering places in the next available courses to successful candidates.

## 8. APPLICATIONS FOR ALTERNATIVE EXAM ARRANGEMENTS OR SPECIAL CONSIDERATION

In some limited circumstances, candidates who register to sit the Exam may apply for alternative exam arrangements and/or for special consideration.

Candidates should refer to the [Regulations](#) for the circumstances in which such applications may be made, and for the timing and process for making an application. Applications for special consideration or alternative exam arrangements should be submitted at the time of registration, or in the event that the need for special consideration or alternative exam arrangements arises after registration, as soon as possible after the need for such application becomes known. Where circumstances arise after registration, submissions can be made by email ([education@vicbar.com.au](mailto:education@vicbar.com.au)).

Notwithstanding the time limits specified in the regulations, any candidate who intends to make an application should do so at the earliest opportunity, as soon as the candidate becomes aware of the circumstances which give rise to the need for alternative exam arrangements or special consideration.

The applications are summarised below.

## ALTERNATIVE EXAM ARRANGEMENTS

Candidates who register to sit the Exam and who consider that circumstances outside their control will adversely affect their performance in, or ability to undertake, the Exam, may make an application for alternative exam arrangements (regulation 6A(1)).

Any such application for alternative exam arrangements must be made in accordance with the requirements set out in regulation 6A(2), including that it must be made in writing no more than 5 business days before the date of the Exam, and that it be accompanied by supporting evidence substantiating the circumstances relied upon (e.g. a letter from a health professional).

## SPECIAL CONSIDERATION

Candidates who register to sit the Exam and who consider that their result in the Exam may be affected, or has been affected, by illness, injury, bereavement or other hardship, may make an application for special consideration (regulation 6A(8)).

Any such application for special consideration must be made in accordance with the requirements set out in regulation 6A(9), including that it must be made in writing no more than 5 business days after the date of the Exam, and that it be accompanied by supporting evidence substantiating the hardship relied upon (e.g. a letter from a health professional).

Special consideration will only be considered if the candidate would not otherwise pass the Exam and receive an offer of a place in a Readers' Course.

## 9. CHEATING, FRAUD, DISHONESTY AND OTHER MISCONDUCT

Candidates for the Exam must not cheat or engage in any forms of fraud, dishonesty or other misconduct in connection with registering for or taking the Exam. The Victorian Bar has a zero tolerance policy for cheating. Candidates who engage in cheating will be disqualified from the Exam and may face additional consequences.

Prohibited conduct includes (without limitation):

- Using or accessing a prohibited item while undertaking the Exam (e.g. mobile phone, tablet, smart-watch, electronic file or other materials).
- Using or wearing ear buds or headphones (whether electronic or not).
- Communicating or attempting to communicate with any person while undertaking the Exam.
- Copying or attempting to copy answers to any questions on the Exam from another candidate or person, or giving such information to another candidate or person.
- Accessing the Exam other than while undertaking it on the day of the Exam during the permitted window.
- Providing any false or misleading information in connection with the candidate's application to the Victorian Bar for admission to the Bar Roll, registering for the Exam, taking the Exam or making any application for alternative exam arrangements and/or special consideration.
- Any other conduct which the Victorian Bar considers to be in contravention of the Exam Rules and Conditions (as set out in the Annexure hereto) or otherwise contrary to the ethical standards that may reasonably be expected of a person who seeks admission to practise as a member of the Bar.

The penalties for candidates who are found to have engaged in such conduct include:

- Disqualification from the Exam, and nullification of Exam results.
- Disqualification from taking future Exams.
- Reporting the candidate to relevant bodies for professional misconduct.

## 10. WITHDRAWAL FROM THE EXAM

Candidates who decide to withdraw from the Exam must promptly notify the Victorian Bar by email ([education@vicbar.com.au](mailto:education@vicbar.com.au)). The registration fee is non-refundable.

## 11. FREQUENTLY ASKED QUESTIONS

Candidates should consult the “Frequently Asked Questions” on the [Victorian Bar website](#).

Other questions in relation to the process of applying for and sitting the Exam should be communicated by email ([education@vicbar.com.au](mailto:education@vicbar.com.au)).

Candidates who have questions about the ExamSoft software including issues about the compatibility of their device and the operation of the software on their device may communicate with ExamSoft Support (contact details below).

## 12. KEY CONTACTS

### THE VICTORIAN BAR

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Phone: +61 (0)3 9225 7985

Email: [education@vicbar.com.au](mailto:education@vicbar.com.au)

### EXAMSOFT 24/7 SUPPORT

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Email: [support@examsoft.com](mailto:support@examsoft.com)

#### Telephone

**Australia: (03) 8594 1209**

New Zealand: +64 9801 0887

US & Canada: 866 429 8889, ext. 1

Saudi Arabia: 800 814 7872

International: +1 954 429 8889, ext. 1

Singapore: 3163 3259

Hong Kong: 800 938 687

Sweden: 010 888 6699

India: 000 800 100 8513

Thailand: 1 800 014 023

Mexico: 001 883 429 8889

United Kingdom: 020 3868 8293

## ANNEXURE: EXAM RULES AND CONDITIONS

Each candidate for the Exam agrees to be bound by and comply with the following rules and conditions:

1. The candidate must read the [Information Guide for Candidates](#) and the [Application and Reading Regulations](#) and comply with all requirements therein.
2. The Victorian Bar reserves the right to refuse the candidate's application for registration and/or for entry to the Bar Roll, and to cancel the candidate's registration.
3. The registration fee is non-refundable.
4. The candidate must provide proof of identity, being either a current passport, government issue identity document or a current drivers' license issued by an Australian state.
5. The candidate will be solely responsible for supplying their own device for use in the Exam and for ensuring that the device meets the minimum system requirements as determined by ExamSoft.
6. The candidate will be solely responsible in the event that their device does not meet the minimum system requirements as determined by ExamSoft, or it malfunctions or experiences other technical difficulties which affect the candidate's performance or ability to access, complete and/or upload the Exam on the day of the Exam.
7. The candidate bears sole responsibility for ensuring that the ExamSoft software is correctly downloaded onto their device and that it is operating correctly for the purposes of the Exam.
8. The candidate must accept the [End User License Agreement for ExamSoft software Worldwide, Inc](#) and such other conditions for use of the ExamSoft software as may be required by ExamSoft or the Victorian Bar.
9. The candidate bears sole responsibility for ensuring that the location in which they undertake the Exam (e.g. own home, office) is conducive for that purpose at the time of the Exam, and for the entire duration of the Exam.
10. The candidate must download the Exam onto their device prior to the Exam, and must only access the Exam (via password) and undertake the Exam on the day of the Exam in the permitted window of time for that to occur, as notified by the Victorian Bar to candidates (the **Permitted Window**).
11. The candidate will have a maximum of three (3) hours in which to complete the Exam, commencing at the time the candidate accesses the Exam (via password). The candidate must both access and complete the Exam within the Permitted Window.
12. There is no reading period. The candidate will be "timed out" three (3) hours after accessing the Exam (via password) and commencing the first question of the Exam.
13. During the Exam, the candidate:
  - a) must type their answers directly into the ExamSoft software on their device;
  - b) may have available, and may refer to, any hard copy or printed materials (i.e. non-electronic materials); for example, printed or hand-written notes, printed texts, commentary and legislation;
  - c) must not access or consult any electronic materials;
  - d) may make notes by hand on hard copy paper (for personal reference, and not as any part of the candidate's response to the Exam);
  - e) may consume drinks and snacks;
  - f) must not have on their person or within reach, and must not access, any electronic devices (including any phone, tablet, smart-watch), except for the device used for the Exam with the ExamSoft software installed;
  - g) must not wear ear buds or headphones (whether electronic or not);
  - h) must be clearly visible and identifiable, and within the field of the camera of their device at all times;
  - i) must not move from their table/desk and be outside the field of their device's camera at any time, save only in the event of an unavoidable toilet break or a medical episode or other emergency (in which case, the candidate must provide a full description of the event and the reasons for it in the Candidate's Declaration, upon uploading the Exam);
  - j) must not communicate with any person, by any means, save only in the event of a medical episode or



other emergency or to communicate with ExamSoft via the Help Desk about a technical issue (in which case, the candidate must provide a full description of the event and the reasons for it in the Candidate's Declaration, upon uploading the Exam);

- k) must not receive or give assistance to/from any person in relation to the Exam on the day of the Exam, including during the Permitted Window.
14. At the conclusion of the Exam, the candidate must reconnect to the internet, upload their completed Exam on the ExamSoft platform and complete and return the Candidate's Declaration. This must be done promptly upon completion of the Exam, and no later than one (1) hour after the end of the Permitted Window. The Victorian Bar reserves the right not to accept or mark an Exam which is submitted after that time, in its absolute discretion.
15. The Candidate's Declaration will be in a form that is provided to candidate's upon completion of the Exam, and is in substance as follows:

*"I solemnly and sincerely declare and affirm that in undertaking the Exam, save in respect of the matters specifically disclosed by me below, I complied fully with the Exam Rules and Conditions, which I read, understood and accepted prior to undertaking the Exam.*

*I wish to disclose and bring to the attention of the Victorian Bar the following matters or events which occurred while I was undertaking the Exam, which involved or may be regarded as involving a departure from or failure to comply with the Exam Rules and Conditions:*

[The candidate should set out a full description of each matter or event, and the reasons for it, including (without limitation) in respect of any unavoidable toilet break or a medical episode or other emergency, any communication with any person, including seeking technical support if applicable, or any consultation with any prohibited electronic materials or device during the Exam.]

*In making this declaration I understand and agree that making a declaration which is false, misleading or incomplete in any material respect will attract penalties including disqualification from the Exam or nullification of the Exam result, and may constitute professional misconduct."*

16. The candidate acknowledges and agrees that:
- a) any failure to comply with any of the Exam Rules and Conditions, including (without limitation) by making a false, misleading or incomplete Candidate's Declaration, may attract penalties including disqualification from the Exam or nullification of the Exam result, and may constitute professional misconduct;
  - b) all decisions of the Victorian Bar, including the Chief Examiner, Admissions Officer, Honorary Secretary, Bar Readers' Course Committee and Executive and Bar Council, in relation to the candidate's application for registration, the Exam and any application for alternative exam arrangements or special consideration are final and binding and shall not be open to challenge or review in any way;
  - c) the completed and uploaded Exams including video of the candidate during the Exam using the ExamSoft software are the property of ExamSoft and the Victorian Bar and may be reviewed, used and retained by ExamSoft and/or the Victorian Bar;
  - d) the candidate will comply with all requests for information and/or documents, and will attend and participate in any interview and take any such further step as the Victorian Bar may require in its absolute discretion, in connection with the candidate's Exam and/or application for entry to the Bar Roll, including for the purpose of ascertaining whether the candidate has complied with the Exam Rules and Conditions.