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# IBA Policy Guidelines for Training and Education of the Legal Profession

Part I

Adopted by the IBA Council  
3 November 2011

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# IBA Policy Guidelines for Training and Education of the Legal Profession

## **GUIDELINES FOR TRAINING OF FUTURE LAWYERS**

These Guidelines were prepared by the Bar Issues Commissions Training Working Group. They have been developed based on a detailed survey of the various forms, methods and practices used to provide training to potential entrants into the profession in various jurisdictions around the world and reflect the observations and recommendations made to the Training Working Group. The results of the survey were analysed in thorough consultation with various bars and were presented to the bar leaders who expressed an interest in having such guidelines.

The Guidelines propose best practice for Bar Associations and Law Societies with respect to the specialised training requirements for preparing new entrants for the practice of law to become well-prepared members of the legal profession. They are not intended to replace the curriculum requirements for undergraduate or graduate training programmes in the various legal systems of the world, but recognise that differing educational accreditation systems, traditions and mechanisms exist in various jurisdictions.

1. Taking into consideration the role of the legal profession in serving the rule of law in a democratic society and within the justice system the importance of proper legal education and training is of the highest importance and necessitates that no individual should enter into the legal profession without appropriate training.
2. The members of the legal profession, and the Bar Associations and Law Societies as their professional organisations, have prime responsibility to the legal profession to ensure that the specialized training programs available to intending entrants before they become full members of the legal profession provide adequate and appropriate preparation for the practice of law.
3. Although law is practiced around the world in various forms and in various fields, certain common requirements derive from the critical role of the profession and its close connection to the justice system and rule of law: therefore, Bar Associations and Law Societies shall work to ensure:
  - a. that there is continuous improvement to the quality of preparation provided to intending entrants to the profession, at the undergraduate or postgraduate level, as appropriate to the practices and qualification requirements of their respective jurisdictions;
  - b. that such training incorporates both practical and theoretical knowledge and provides the necessary level of legal knowledge and skill-sets necessary to provide useful legal services to the public;

- c. that such training gives special emphasis to ethical-deontological considerations and issues and incorporates ethical workshops developed by or with the assistance of the Bar Associations and Law Societies into training programmes for the purpose of explaining the importance of ethical-deontological issues in real life situations;
  - d. that such training is available and affordable to future lawyers, regardless in all the cases above of whether the training is organised, supervised or accredited by the Bar Association or Law Society (or with its active involvement) in the jurisdiction in question.
4. Bar Associations and Law Societies shall always consider whether and how they can play a more active and positive role in ensuring the quality of legal education programs (including the content of curricula) inter alia by accreditation or other forms of involvement, including using their role in the approval of new applicants for admission to the practice of law, taking into account the varying structures of legal education and training as well as the differing regulatory frameworks governing the profession and the certification of new entrants thereto.