



BAR ASSOCIATION OF QUEENSLAND

**CONTINUING PROFESSIONAL
DEVELOPMENT POLICY**



1. Policy is made under the Administration Rules of the Bar Association of Queensland

This policy is made under Rule 4.5 of the *Administration Rules of the Bar Association of Queensland* (**Administration Rules**) and sets out the methods by which barristers in Queensland are to comply with their obligation to complete Continuing Professional Development (**CPD**).

2. CPD year

The CPD year begins on 1 April and continues until 31 March of the following year.

3. Annual Requirement to obtain CPD Points

The Administration Rules provide that, in each CPD year, you must:

- (a) obtain at least 10 CPD points, earning not more than six CPD points in any one day;
- (b) obtain at least one CPD point (noting that one CPD point is equal to one, one hour CPD session) in each of the following mandatory categories:
 - i. Ethics and Professional Responsibility;
 - ii. Practice Management and Business Skills;
 - iii. Substantive Law, Practice and Procedure, Evidence; and
 - iv. Barristers' Skills.

N.B: The Association's Competency Framework, available on its website, provides guidance on the specific allowable content for each CPD category.

- (c) undertake CPD which is:
 - i. of significant intellectual or practical content and which deal primarily with matters related to the practice of law;
 - ii. conducted by persons who are qualified by practical or academic experience in the subject covered; and
 - iii. relevant to your immediate or long term needs related to your professional development as a barrister and practice of law.
- (d) retain a record of the activities you have undertaken in order to comply with your CPD obligations (in the approved 'Schedule 5' form);
- (e) electronically submit a completed copy of your Schedule 5 to the Association within 14 days of the conclusion of each CPD year.

Appendix 1 to this policy describes the activities (i.e. methods of accruing CPD: including in-person and online attendances, written work and publications, and presentations) for which CPD points may be claimed, the number of points claimable for certain activities and any caps which may apply to certain types of CPD activities. This includes the annual cap of five CPD points earned via live or



recorded online content, whether provided by the Association or by an external provider.

4. CPD record keeping and self-assessment

You must maintain a record of the CPD activities you have engaged in during the CPD year and determine the relevant mandatory category applicable to each CPD activity. Your CPD points are to be recorded in your Schedule 5.

You can access your Schedule 5 by logging into your member profile on the Association's website. The information you are required to enter into your Schedule 5, and your requirement to keep records of the activity, will vary depending on the type of activity and whether the event is provided by the Association or an external provider.

Before you include any CPD activity in your Schedule 5, you should refer to the Association's Competency Framework, which is available on its website. The Competency Framework provides you with guidance on the specific allowable content for each CPD category. The Competency Framework is an important document for the purpose of ensuring all Queensland barristers are completing quality and relevant CPD, particularly with respect to CPD obtained through external providers. You should carefully scrutinize the content of the CPD activity and consider which CPD category the activity most appropriately addressed (with regard to the Competency Framework), noting that a one hour CPD session should only be allocated one CPD category. Referring to the Competency Framework when selecting CPD activities for the relevant CPD year will minimise the likelihood of questions being raised in the event that you are subject to the annual CPD audit. All CPD activities delivered by the Association conform to the Competency Framework and the mandatory CPD categories.

The Association conducts an annual audit to assess a percentage of its members' compliance with their CPD obligations in accordance with Rules 4.23 and 4.24 of the Administration Rules. You are required to maintain a record of your CPD activities and any supporting documentation (i.e. diarised entries of attendance, papers provided as part of the presentation, and such other documentation as may be provided by the event provider) for at least three years to ensure compliance.

The following examples are provided to assist you in your record keeping.

In-person CPD activities or live webinars presented by the Association

The Association provides a number of CPD activities and live webinars throughout the CPD Year. When you register to attend a CPD activity presented by the Association (either in-person or by live webinar), it will appear as pending in your Schedule 5. Following the event, your Schedule 5 will be updated automatically to record your attendance, allocate any CPD points accrued, and categorise the applicable mandatory category for that session.

Recorded webinars provided by the Association

Many of the CPD activities presented by the Association are available in the online CPD Library to view at your convenience. Please note that, provided you watch the recorded CPD activity through until the end, you will be prompted by the Association's website to add the session to your Schedule 5. If you elect for the system to do so, your Schedule 5 will be updated automatically to record your attendance, allocate any CPD points accrued, and categorise the applicable mandatory category.

CPD activities and events not presented by the Association

If you attend a CPD activity or view a live webinar not presented by the Association, you will be required to manually enter the details of your attendance in your Schedule 5. You must record the following details in your Schedule 5: 'CPD Year', 'Event Date', 'Event Title', 'CPD Categories', 'Event Organiser', 'Attendance Type' and assign the 'Attendance CPD Points'.

CPD activities should only be entered once in your Schedule 5 and care should be taken to ensure there are no duplications and all information recorded (including the attendance type) is accurate before the Schedule 5 is submitted to the Association.

You are permitted to roll over a CPD activity completed between January and March to the following CPD year only if it has not been claimed in your Schedule 5 for the previous CPD year. If a CPD activity between January and March has been claimed in the previous CPD year's Schedule 5, it cannot also be recorded in the current CPD year's Schedule 5. Entries for conferences or seminars with multiple sessions should all be claimed within the same CPD year. A portion of the CPD activity cannot be claimed in one CPD year and the remainder rolled into the next CPD year.

5. Additional CPD Requirements for Readers

Pursuant to Rules 3.21 and 3.24 of the Administration Rules, Readers are required to attend specific CPD activities as directed by the Chief Executive from time to time, which include:

- (a) the Readers' Essential Learning program; and
- (b) certain compulsory CPD activities designed for readers, for which personal attendance is required for all Readers, unless exempted.

6. Pro-rata reductions

The Administration Rules provide that if your practising certificate commences or recommences during the CPD year, you may have your CPD requirements proportionally reduced in accordance with the following:

Month PC commences	CPD points required	Month PC commences	CPD points required
January	1	July	7
February	0	August	6
March	0	September	5
April	10	October	4
May	9	November	3
June	8	December	2

To the extent possible, you must obtain CPD points across the four mandatory categories in each CPD year, noting again that a CPD session that is 1 hour in duration will equate to 1 CPD point.



For example:

- If your practising certificate is issued in October, you will be required to obtain four CPD points in the CPD year and must obtain one point in each of the four mandatory categories; or
- If your practising certificate is issued in December, you will be required to obtain two CPD points before the end of the CPD Year and must obtain one point in two of the mandatory categories.

7. Exemptions from CPD requirements

You may apply to the Chief Executive for an exemption in whole or in part from your requirement to obtain 10 CPD points in a CPD year. An application for exemption must be submitted in writing, made as early as practicable or, if made in respect of a previous CPD year, within 21 days of the conclusion of that CPD year.

The Administration Rules provides that an exemption may be granted on the following grounds:

- (a) illness or disability;
- (b) absence from practice for reasons including, but not limited to, parental leave; and
- (c) hardship or other special circumstances.

Further information on the [Association's Parental Leave Policy](#) is available on its website.

8. Exemptions for rural and regional barristers

Rural and regional barristers:

- (a) are exempt from the 5 point cap placed on online attendance at CPD activities¹; and
- (b) who are Readers, are not required to physically attend compulsory Reader CPD sessions.

If you are unsure whether you are classified as a rural or regional barrister, please contact the Association.

9. Activities which do not attract CPD points

You may not claim CPD points for any activities for which you receive payment for your attendance or presentation. For the purpose of this CPD policy, this does not include any gifts of a nominal value provided to presenters. **Appendix 1** to this policy describes the methods by which you may obtain CPD points.

Set out below is a non-exhaustive list of activities which do not attract CPD points:

- Personal development

¹ Refer to **Appendix 1**.



- Personal stress management
- Personal presentation skills
- Listening to radio programs
- Life coaching skills
- Career development courses
- Leadership/general management skills
- Pro-bono work
- Acting as a Reader's Mentor
- Marking assessment work for university courses
- Sitting on a Tribunal
- Annual General Meetings
- Careers Talks
- Attendance at a launch for any form of legal materials
- After-dinner speeches, book tours, receptions and court visits

10. Enquiries

If you are uncertain about self-assessment of an activity, or any other aspect of your CPD compliance, then, prior to undertaking the activity, you should contact the Association's CPD Coordinator on (07) 3238 5100 or email cpd@qldbar.asn.au.



Appendix 1

Policy notes		
<p>Categories: Minimum of 10 CPD points are required each CPD year, with at least 1 CPD point from each of the four mandatory categories listed below.</p> <ul style="list-style-type: none"> • Ethics and Professional Responsibility • Practice Management and Business Skills • Substantive Law, Practice and Procedure, Evidence • Barristers' Skills <p>A 1 hour CPD session equates to 1 CPD point, with 1 CPD category only applied per 1 hour session. Part allocation of CPD categories only applies to conferences or sessions which are longer than 1 hour.</p> <p>Exemptions:</p> <ul style="list-style-type: none"> • Regional Members: are exempt from the 50/50 cap applied to online (live and recorded) viewing. • Parental Leave Exemptions: refer to the Association's Parental Leave Policy which applies when a barrister suspends full-time practice, Parental Leave Policy. • Wellness Exemptions: may apply and are subject to change. See rules 4.18 to 4.21 of the administration Rules. <p>Paid Work: Activities for which you are paid do not accrue CPD points. For example, you do not accrue CPD points for giving a presentation or a lecture if you are paid to give the presentation or lecture.</p>		
CPD Activities	CPD Points	Notes regarding caps
In person attendances		
Attending an <u>in-person</u> seminar, lecture, conference or workshop	<p>1 Per hour excluding breaks</p> <p>Note 1: The smallest fraction that can be claimed is 0.25 of a point for each 15 minutes of professional development completed.</p>	Max 6 CPD points per day
Masters and other higher degrees in law	<p>10 On completion of a subject</p> <p>Note 2: It is unlikely that all subjects will be relevant to all four categories so further CPD may be required.</p>	Max 10 CPD points per year even if you have completed more than one subject



Continuing Professional Development Policy

CPD Activities	CPD Points	Notes regarding caps
Online attendances		
Viewing of <u>online webinars</u> , conferences or workshops, whether viewed live or as a recording, and whether provided by the Association or by an external provider	1 Per hour excluding breaks Note: as per Note 1 above	Max 5 CPD points per year
Written work and publications		
Publishing a legal journal article or substantial update of a text or similar legal publication	3 Per publication	Max 6 CPD points per year
Publishing an approved substantive Hearsay article	1 Per article	Max 3 CPD points per year
Drafting law reform submissions as part of a Bar Association committee, including Parliamentary committees Note: Prior to claiming the points, the Chair of the committee will need to verify the draft submission to the Director of Legal	2 Per submission	Max 4 CPD points per year
Presentations, etc		
<u>Presenting</u> a live seminar, lecture, conference or workshop, including the Bar Practice Course	3 Per hour Note: as per Note 1 above	You cannot claim additional points for attending a session which you presented.
<u>Chairing</u> or <u>facilitating</u> a live seminar, lecture, conference or workshop	2 Per hour Note: as per Note 1 above	You cannot claim additional points for attending a session which you chaired or facilitated.
Judging a Moot at University	2 Per hour Note: as per Note 1 above	Max 6 CPD points per year
Lecturing at undergraduate level or above	2 Per hour Note: as per Note 1 above	Max 6 CPD points per year including all lectures delivered
Marking Bar Practice Exams	2 Per hour Note: as per Note 1 above	Max 4 CPD points per year