

Criminal Record Checks Factsheet - 2023

Overview

As of 2021, the Bar Standards Board requires that all those applying for Call to the Bar undergo a Standard UK Disclosure and Barring Service (DBS) criminal record check. Additionally, those who have resided in a country/countries outside of the UK for 12 continuous months or more, or 12 months cumulatively, at any point during the 5 years preceding their application for Call, will need to undergo the equivalent international criminal record check/s.

The DBS check will form part of the 'fit and proper person checks' required prior to Call to the Bar; further information regarding these checks can be found on the BSB website [here](#).

All required checks must be issued at least two weeks prior to an applicant's Call to the Bar date. Failure to obtain the check/s by this deadline will result in you being ineligible for Call.

Collectively, the Inns of Court have engaged an experienced external company, Due Diligence Checking Ltd (DDC), to administer the process of obtaining the necessary checks. We are confident that this will ensure the process is as straightforward as possible for you.

Identity Document (ID) Verification

A crucial part of the DBS process is the verification of applicant identity documents (ID) by DDC. DDC must be in physical possession of the original documents to establish the true identity of the applicant. Given this, you will be required to post a range of ID documents to DDC, this will then be followed by a video call to verify your identity.

Only valid, current, and original documentation can be accepted; an overview of the various ID routes available can be viewed [here](#). The verification of original documents is mandated by the Disclosure & Barring Service and must be undertaken before a DBS application can be submitted.

The cost of the ID verification is **£14.40**. This verification can be done via a video link for all those applying for Call in 2023. You will also be required to pay for the postage/courier costs associated with sending identity documents to DDC for this purpose and having them returned to you once the call is completed.

DDC are currently working on a process that will enable some applicants to access Digital Identity verification. Further information about this will be sent out once this service is available. Please note, that you will only be able to use the Digital Identity application at the relevant stage if you have a UK passport and may still need to send some documentation directly to DDC for verification, therefore incurring the cost of postage/courier.

This arrangement will be kept under review and is subject to change. Individuals seeking to apply for Call will be informed of any future changes in due course.

Costs

The Inn will cover the cost of administration fees for both the standard UK DBS check and the international criminal record check (if required).

You will need to pay for the cost of the Standard UK DBS check at £18.00 and the ID verification at £14.40. Additional costs for the following might also be applicable:

- the cost of any required international criminal record check/s
- the cost for translation, if the criminal record report is produced in a language other than English
- the courier/postage costs associated with sending identity documents (ID) to DDC (additional costs to have your documents returned to you will also apply if you are residing outside of the UK)

You can find an overview of all related costs [here](#)

Lifespan of Checks and Reapplying for Call

You must have undergone the required criminal record check/s before you can be called to the Bar. Each check has a lifespan of 12 months from the date of issuance and will be considered valid for any Call ceremonies scheduled to occur within that period.

If you have applied previously to be called to the Bar for any ceremony prior to the 2023 Trinity Call ceremony, you will need to reapply to be called. However, you will not need to obtain another criminal record check/s if your report(s) will still be valid on the date of your intended Call ceremony.

We cannot accept independently obtained DBS checks or criminal record checks issued by other organisations. Therefore, you must complete the relevant criminal record check request form to obtain your checks from DDC, via the Inn, for the purpose of Call to the Bar.

DBS Update Service

The Inns have collectively assessed the risks involved with utilising the DBS Update Service and have decided that this provision will not be used for fit and proper checks at Call. This is because:

- the Inns cannot view a certificate that was issued at an enhanced level.
- the Inns cannot complete the necessary identification verification or original certification verification within the available resources.
- the difficulty this creates with ensuring that an adequate overseas address history check has also been carried out.

Processing Time for Checks

The process of obtaining criminal record checks must be initiated by the applicant and this can be done via the following [online form](#).

After you have submitted the online registration form, the relevant data will be transferred to DDC who will, in turn, contact you, via email, to request further information (please monitor your 'spam/junk' folder in case the email is directed there). DDC will also liaise directly with you to ensure the required fees are paid and the identification (ID) checks are completed. Once all compulsory steps have been completed, DDC will seek to obtain the Standard UK DBS check on your behalf and, if required, the necessary international criminal record check/s. Please note that international criminal record checks will likely require the submission of additional forms and information.

In 2022, the average period of time it took for an applicant to complete the process was 35 working days, so you are advised to start your application as soon as possible. It is also important that once you have received your initial correspondence from DDC, that you follow their instructions as soon as you can. Please bear in mind that all necessary criminal record checks must be obtained at least two weeks prior to your intended Call ceremony; failure to meet the requirement in time will result in you being ineligible for Call.

Once the process is complete and the application has been submitted to the DBS, the check/s will normally be returned to the applicant and Inn as follows:

- Standard UK DBS check – within 5 working days
- International checks – within 15 working days for most checks but processing times will vary country to country. For further guidance on the processing time for a specific country, please contact DDC

DDC will directly inform the Inn of the outcome of all checks obtained, so you do not need to forward the certificate to the Inn unless it is returned with content.

Privacy Notice

To facilitate these checks, and to ensure they are carried out in good time for applicants to be called to the Bar, it is necessary for the Inn to transfer some of your data to Due Diligence Checking Ltd (DDC). The Inn's privacy notice can be accessed [here](#).

Consent¹

Additionally, it may be necessary for DDC to undertake a search with an external organisation for the purposes of verifying your identity. To do so, the organisation (Experian Limited) may check the name, address and date of birth you supply against any particulars on any database (public or otherwise) to which they have access. A record of the search will be retained but will not be visible to other parties or affect your credit rating. You will be required to provide written consent for this search to be undertaken ahead of the process of obtaining criminal record checks commencing.

Criminal Record Checks Waiver

The BSB has introduced a very limited waiver in relation to obtaining criminal records checks for Call. An applicant may only apply for a waiver if one, or both, of the following criteria are met:

- it is unlawful for you to send the original ID documentation from the country where you are residing; and/or
- sending your original ID documents would represent a threat to your personal safety or freedom.

Further information regarding the waiver criteria and guidelines, as well as the application form, can be accessed [here](#).

Further Questions

DDC have been tasked with delivering applicant identification (ID) checks, obtaining Standard UK DBS checks and, if necessary, obtaining the equivalent overseas checks. If, after reading the above, you have queries regarding what the process will entail for you, please contact DDC [here](#) and not the Inn.

¹ This is consent required for DDC's business purposes and is not consent for the processing of data under GDPR