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BAR
STANDARDS
BOARD

REGULATING BARRISTERS

Regulatory Update

Monthly update from the Bar Standards Board

June 2017

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Proposed change to our rules to require chambers to allow all self-employed barristers access to parental leave

At our May Board meeting, we agreed to change the equality rules to enable all self-employed barristers in chambers to take parental leave, regardless of whether their spouse or partner takes parental leave.

The proposed rule changes, which were the subject of [a consultation that closed in February](#) and are yet to be approved by the Legal Services Board, would mean that...[read more on our website.](#)

Blog: Monthly message from our Chair Andrew Burns KCMG



The eagle-eyed amongst you may have noticed that we recently made some changes to the home page of our **website** with the addition of some images designed to draw attention to some of key communication messages.

If you visit www.barstandardsboard.org.uk, you will notice that we are also currently conducting a user survey amongst visitors to our website. This is to help us identify whether or not our users would like us to make more substantive changes to the layout, navigation and content on the site. Our website is an essential part of the way in which we communicate our work to you and to the public at large. Getting a good response to this survey is therefore very important for us, so we are offering a modest prize of £50 in Amazon vouchers to encourage participation.

If you have a couple of minutes, we would be most grateful if you could help by completing our [website user survey](#). Thank you. [Find more on our website.](#)

Future Bar Training: Next Steps event – watch us live

We are taking forward our current reform plan for Bar training – set out in the [Policy Statement](#) which we published in March. As part of the programme, on Monday 19 June between 5.30pm-7.30pm we will be hosting a ‘Future Bar Training: Next steps’ event.

I’m afraid that we can only offer a very limited invitation to attend the event in person but we invite you to watch the discussion live through our [Facebook page](#) where you will be able to listen and comment on the principles and priorities we will be using to guide

Wanted: your views on proposed Handbook rule changes

We have launched [a consultation seeking views on a number of proposed rule changes to the BSB Handbook](#). These changes would require barristers to provide us with additional information when completing the Authorisation to Practise process from 2018.

At the BSB, we take a risk and evidence-based, proportionate, approach to regulation. We also work hard to minimise regulatory costs.

We are asking for this information because...[read more on our website.](#)

Insurance Requirements for Self-Employed Barristers

If you hold a self-employed practising certificate, you must be a member of the Bar Mutual Indemnity Fund (BMIF). The only exception is where we have previously granted you a waiver from the requirement. Insurance premiums must be paid promptly to the BMIF together with such information as the BMIF may require.

You should be aware that we check our records against the records of the BMIF to verify individual declarations and we

our reforms.

The event will contain a series of talks and discussions with members of the Bar, legal academics and representatives from training sector to explore the different elements of training we are reforming. We are pleased to welcome the following speakers who will cover:

The teaching of ethics

Professor Richard Moorhead, Professor of Law and Professional Ethics, University College London
William Ralston, Senior Lecturer, Northumbria University

Review of pupillage

Katherine Barnes, Co-Chair, Young Legal Aid Lawyers
Sara Mansoori, Bar Council Pupillage Supervisor Network

Proposed new Authorisation Framework: promoting equality and diversity in Bar training

Professor Lisa Webley, Professor of Empirical Legal Studies, Westminster University
Mehul Kotecha, Senior Researcher, NatCen

The recording will also be available to view on our website after the event.

Innovation happening, but no strong need to change the traditional chambers model – say respondents to our survey

Last month we published [our report into the provision of legal services by barristers](#). The report contains the results of an online survey conducted in September and October 2016 with barristers about the future delivery of legal services.

The survey found that while there are examples of "new and innovative" business models in the market, the prevailing business model for barristers is a traditional chambers.

The attributes of newer business models include:

- they are more likely to offer fixed fees and/or payment plans;

will take appropriate action in cases of non-compliance.

New guidance on money laundering / terrorist funding

The [Money Laundering, Terrorist Financing and Transfer of Funds \(Information on the Payer\) Regulations 2017](#) (the "MLRs"), will come into force on Monday 26 June 2017.

These replace the 2007 MLRs. The scope of the regulations, in so far as they apply to barristers, remain broadly the same. The MLRs will transpose the fourth Money Laundering Directive into UK legislation and also reflect the Government's response to consultations in the areas of supervisory obligations and a number of areas related to the compliance requirements for barristers and other "obliged entities" (ie those subject to the MLRs).

The Bar Council will shortly be issuing updated guidance.

Reminder for newly qualified practitioners about the need to take the forensic accountancy course

- they have a more agile and flexible governance structure and
- they make greater use of technology to support service delivery.

However, these attributes are not unique to new or innovative organisations and could be (and indeed are being) adopted by traditional chambers. [Read more on our website.](#)

BSB Handbook Explained: Conflicts of interest

Barristers should be aware of changes to the rules on conflicts of interest in the third edition of the BSB Handbook, which came in force on Monday 3 April 2017. Rules C21.2 and C21.3 are now follows, with new text in bold:

You must not accept instructions to act in a particular matter if:

.2 there is a conflict of interest, **or a real risk of a conflict of interest**, between your own personal interests and the interests of the prospective client in respect of the particular matter; or

.3 there is a conflict of interest, **or a real risk of a conflict of interest**, between the prospective client and one or more of your former or existing clients in respect of the particular matter unless the clients who have an interest in the particular matter give their informed consent to your acting in such circumstances.

The third edition of the BSB Handbook and more information on the new provisions can be found [on our website](#).

Brief report from the Legal Walk and Changing Faces' 25th birthday

On Monday 22 May, our staff members participated in the 10km London Legal Walk to support the London Legal Trust. Together

The Forensic Accounting Course can be undertaken during pupillage or in the first three years of practice. However, we strongly recommend that the course be completed in the pupillage year, as there may be difficulty in attending a course once you have entered practice.

The course provides delegates with practical guidance in the use of financial information and accounts (both corporate and individual), and is provided by BPP Professional Education. The online training course is available now. Please ensure you leave sufficient time to complete the Forensic Accounting Course; whilst it is an online module, delegate numbers are capped.

To book the course please visit the [BPP Professional Education website](#).

Barristers' Register

Please ensure that you have informed us of your correct primary practice address in accordance with rS69 of our Handbook. If your practice address changes, you must inform our Records Department within 28 days.

Feedback

If you have any thoughts about how we can improve the Regulatory Update or what content you would like to read, please email

with the Bar Council, we raised **£1,566.76**, which will provide much needed funds for charities that provide life changing legal advice and representation to those in need. You can [read more online](#) about #whywewalk. We also supported the #FaceEquality campaign on Friday 26 May...[Read more on our website](#).

contactus@barstandardsboard.org.uk.



Wellness for Law UK Forum 2017 Re-wiring the Law



WELLNESS FOR LAW
UK FORUM 2017
RE-WIRING THE LAW



EDUCATING THE PROFESSION TO
SAFEGUARD ETHICS AND WELLBEING

We want to share information with you about the above Forum (29 and 30 June at Inner Temple, London. For information about the event, please visit <http://www.wellnessforlawuk.org/>



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