

BAR STANDARDS BOARD

REGULATING BARRISTERS

Regulatory Update

Opportunities to get involved and have your say on the way we do things

At the Bar Standards Board, we place real value:

<https://www.barstandardsboard.org.uk/about-bar-standards-board/what-we-do/> on expertise, learning, and knowledge sharing. As a regulator committed to ensuring our proposals, policies, and processes are based on evidence, we always want to know the views of anyone interested in what we do.

There are at present several opportunities for you to get involved and contribute to some of the things we are working on.

Focus Groups: Would you like to shape the future of the BPTC and pupillage?

We want to find out what you think about the vocational (Bar Professional Training Course – BPTC) and pupillage elements of training – and so we are inviting you to take part in our informal, interactive focus groups in April. It is all part of our Future Bar Training programme [https://www.barstandardsboard.org.uk/media/1650565/future_bar_training_programme_update_february_2015.pdf_va499362 .pdf](https://www.barstandardsboard.org.uk/media/1650565/future_bar_training_programme_update_february_2015.pdf_va499362.pdf), focusing on the future of education and training for the Bar.

Please visit our website for event and registration

details: <https://www.barstandardsboard.org.uk/qualifying-as-a-barrister/future-bar-training/get-involved/>.

Consultations: Standard Contractual Terms and “No Further Action”

We are currently consulting on a number of options for amending the cab rank rule. In particular, we are considering whether it is necessary to retain references to a set of standard contractual terms and to the list of defaulting solicitors within the list of exemptions to the rule. **The consultation closes on Friday 19 June 2015. To respond, visit our website:**

https://www.barstandardsboard.org.uk/media/1657974/cab_rank_rule_consultation_final_-_march_2015.pdf

We want to tidy up the regulations in relation to complaint handling by removing the power of our Professional Conduct Committee to take "No Further Action" decisions. It is our job to protect the public and ensure standards are maintained, but we cannot do this in a vacuum. We need your ideas and insights to make sure what we do reflects the reality on the frontlines of practice. **The consultation closes on Friday 10 April 2015. To respond, visit**

our website: https://www.barstandardsboard.org.uk/media/1647662/150211_nfa_consultation_paper_final_pdf.pdf

Public Access training: reminder six months to go

Were you registered to undertake Public Access work prior to October 2013? If so, you must complete top-up training by **4 October 2015** or cease to undertake Public Access work. Many Public Access barristers have completed the top-up training already.

The BSB has appointed the Bar Council, Barristers Direct and HJT Training to provide the top-up training. More information on the training providers (including their contact details) is available on our website: <https://www.barstandardsboard.org.uk/regulatory-requirements-for-barristers/public-access/>.

If you were registered to undertake Public Access work prior to October 2013, but do not complete top-up training by 4 October 2015 and continue to undertake Public Access work, you could be subject to disciplinary action.

A small number will be eligible for a waiver from the top-up training, but they must apply for this. Those most likely to be eligible for a waiver will be able to demonstrate extensive experience of undertaking Public Access work and legal aid cases involving vulnerable clients, and the associated knowledge and understanding required. If you think you might be eligible for a waiver, you should not leave it too late before applying. Applications may take up to eight weeks to be processed.

Message from our Chair Sir Andrew Burns KCMG

“The most fatal illusion is the settled point of view”, said Brooks Atkinson, theatre critic and Pulitzer Prize winner.

As a Governor of the Guildhall School of Music and Drama I have a long love for the Performing Arts. Until recently, I was more familiar with the great literary advocates such as Clarence Darrow and Atticus Finch than the likes of Rose Heilbron QC or Dr Ivy Williams. Before January, I did not have a close connection to the law; my learning curve since becoming Chair of the Bar Standards Board has been steep indeed.

So what I’ve been doing these past few months is meeting and greeting, listening and learning – checking my ideas with those of others so as to expand and enrich my own perspective on the regulation of barristers’ services.

And it is in this respect that I’d like to extend to you an invitation. **The BSB is looking for two new barrister members for the Board** – to consider, contribute to and challenge new policies and proposals that will have a real and meaningful impact on the Bar. And to help us steer the organisation through a tide of change that is sweeping the legal services profession.

If this opportunity captures your imagination then please see the announcement below or refer to <http://www.heidrick.com/bsb> for more details. We would very much like to hear from you.

Update on entity applications

There have been 90 expressions of interest since entity regulation was launched at the beginning of January 2015, more than 85 per cent of which are from single-person entities. We have so far received 22 full applications, 15 of which have now been approved.

We remind prospective entities that applications are being considered on a "*first come, first served*" basis so we would advise you to get in touch with us quickly, and fully submit your applications as soon as possible.

Update: New legal services businesses now being authorised by regulator:

<https://www.barstandardsboard.org.uk/media-centre/press-releases-and-news/new-legal-services-businesses-now-being-authorised-by-regulator/>

Take a look at our 2015/16 Business Plan

We have recently published our 2015/16 Business Plan

https://www.barstandardsboard.org.uk/media/1658569/bsb_business_plan_2015-16.pdf

which sets out the key areas of work we will undertake in the new financial year.

Wanted: Barrister Board Members, BSB

We seek to appoint two Barrister Members to our Board. Do you have the ability to analyse and reach decisions on complex and sensitive issues that will have a long-term effect on the Bar? Can you work as part of a congenial but intellectually rigorous team? Can you carry credibility with both the public and the profession? If you have answered yes to these questions, then we would like to hear from you.

The Bar of England and Wales is admired throughout the world for its excellence, strong traditions of public service and representation for all. As the regulator of barristers, we have a duty to protect the public and safeguard clients and the standards of the profession. Facing significant change brought about by the introduction of Alternative Business Structures, as well as challenges emerging as a result of legal aid reform and the re-shaping of the market for barristers' services (especially at the criminal Bar), Board Members will contribute to our leadership at a critical time in the Bar's history.

We remain open minded as to the background experience of candidates. However, of particular interest are high level skills gained in regulatory and compliance work, professional education, the publicly funded Bar and the employed Bar. Barristers employed as general counsel are also encouraged to apply.

For information on the qualification criteria and instructions on how to apply, please visit www.heidrick.com/bsb. Applications should be emailed to bsb@heidrick.com. If you have a disability, or for any other good reason are seeking a reasonable adjustment to the recruitment process, please contact Alex Acland on 020 7075 4350 or acland@heidrick.com.

Meetings of the Board take place in London and some UK travel may be necessary. Barrister Members are unremunerated but are able to claim travel costs. Appointments are for an initial three-year term which may be renewed for a further three years. We are committed to becoming less London-centric and barristers outside London and the South East are encouraged to apply. Closing date for applications: 5 May 2015. Applications are welcome from black, minority ethnic and disabled people who are currently underrepresented on our Board.

Reminder about the need to complete Authorisation to Practise

We would like to remind barristers who have not yet completed the ATP process that applications received after 31 March will have a 20 per cent surcharge added to the total fee.

Barristers who fail to complete the renewal process by 30 April will no longer appear on our Barristers' Register and will not be authorised to practise. In addition, from 1 May, we will take such action as is considered appropriate against any barrister believed to be practising without a certificate. Please visit our website to read useful information to help you with ATP: <https://www.barstandardsboard.org.uk/regulatory-requirements/for-barristers/practising-certificate/201516-authorisation-to-practise-regime/>.

Please be aware that the method for calculating the Practising Certificate fee has changed for 2015/16; the fee is now determined via earnings rather than year of Call. Visit our website to renew your Practising Certificate online: <https://www.barstandardsboard.org.uk/regulatory-requirements/for-barristers/practising-certificate/201516-authorisation-to-practise-regime/>.

We would also like to remind second six pupils that your provisional Practising Certificate will expire 30 days after you complete your second six. In order to practise as a barrister, you must then obtain a full Practising Certificate by completing the ATP process. We have useful information on our website to help you with ATP including guidance on Practising Certificates for pupils and newly qualified barristers: https://www.barstandardsboard.org.uk/media/1607385/guidance_on_practising_certificates_for_pupils_and_newly_qualified_barristers_july_2014_final.doc.

Useful links: CPD guidance

You can find useful guidance about continuing professional development on our website: <https://www.barstandardsboard.org.uk/regulatory-requirements/for-barristers/continuing-professional-development/>.



Give us your feedback

If you have any thoughts about how we can improve the Regulatory Update or what content you would like to read, please email contactus@barstandardsboard.org.uk.

Please email records@barcouncil.org.uk about any changes to your contact and practising details so that we can work together to maintain accurate records as per the requirements set out within our Handbook (rC64.1).