

Regulatory Update

Monthly update from the Bar Standards Board

June 2016

Top stories:

- [Blog: Monthly message from our Chair Sir Andrew Burns KCMG](#)
- [BSB seeks to improve advocacy standards within the Youth Court](#)
- [Future Bar Training debate](#)
- [Spotlight on diversity, culture and practices](#)
- [Prosecutor Panel Recruitment](#)

Plus, more updates...

Future Bar Training the Debate

On 7 July at Holborn Bars in London, we are holding a debate about Future Bar Training (FBT). Join the discussion about how barristers should qualify in the future. Our FBT programme aims to increase the flexibility of training, attract a more diverse array of students, and better equip barristers to the future needs of the legal market. We have developed three possible routes to qualification to meet these aims.

The event, which runs from 5pm – 8pm, is hosted by BSB Director General Dr Vanessa Davies, guest speakers championing the proposed routes include representatives from BPP, Northumbria University, The Chancery Bar Association and other

Blog: Monthly message from our Chair Sir Andrew Burns KCMG

Last month we welcomed publication of the Legal Services Board (LSB) [Regulatory Standards Report](#) for 2015-16 on our performance since 2012-13. It is most encouraging that the LSB agrees with our assessment of the key areas in which we have made significant progress. The report shows we are fulfilling our ambition of becoming a truly efficient and effective modern regulator. Our recently published [Strategic Plan](#) for 2016-19 sets out our priorities for the future as we continue to improve the way in which we regulate the Bar.

The Regulatory Standards Report is the means by which the LSB assesses all of the legal services regulators. It uses five regulatory standards: outcomes-focused regulation, risk assessment,

supervision, enforcement and capability and capacity.

The LSB report commends us in a number of areas in which key progress has been made. These include...[Read more on our website.](#)

BSB seeks to improve advocacy standards within the Youth Court

At our Board meeting last month we announced proposals to [improve advocacy standards](#) in youth court proceedings following [the research we commissioned](#) with CILEx Regulation last year.

The research found that the quality of advocacy in the Youth Court can be poor with very serious consequences for young people. So our aim is to help establish advocacy involving youths and within Youth Court as an area of specialism so that young people always receive representation of an appropriate standard by [competent advocates](#)...[Read more on our website.](#)

BSB conducts thematic review on immigration services, adopts recommendations

Last month we published the [Immigration Thematic Review Report](#) which summarises the risks in the immigration advice and service market.

As a result, we announced three new activities to improve clients' experiences of immigration legal services and they include...[read more on our website.](#)

Spotlight on diversity, culture and practices

organisations to be confirmed.

For additional information please email contactus@barstandardsboard.org.uk or call us on 020 7611 4691 with any additional questions.

Creating inclusive cultures for you, your workforce and clients

Creating inclusive cultures involves making proportionate adjustments for you, your colleagues and clients so everyone's needs are served; Flexible Working, Equality and Diversity Policies and the Fair Access to Work rules (rC110-rC113 BSB Handbook) support these aims.

As well as considering everyone's diverse needs on a regular basis, we are inviting you to reflect on the occurrence of Ramadan commencing on the 6 June to 5 July 2016...[Read more on our website.](#)

Prosecutor Panel Recruitment

Our Risk Outlook was published in April 2016. This set out our three priority areas of risk in the legal services market and provides some useful context to accompany them. In the last of a series of three features, we summarise the priority area of diversity, culture and practices. More detailed analysis and evidence is provided in the main publication, which can be found [our website](#).

We all communicate in slightly different ways: languages, dialects, non-verbal communication, (such as the way we make eye contact and the meaning behind it), how we greet people may also differ according to the background we come from.

Even in these examples, there are lots of variants. For example, some cultural groups may maintain very strong eye contact with someone in a position of authority to show attention or avoid eye contact to show respect.

One of the key areas in our diversity, culture and practices theme found in our Risk Outlook, is cross-cultural communication. This was the subject of a [symposium we hosted](#) in January.

The examples above show how differences in our backgrounds can influence how we communicate. Cross-cultural communication is important in engaging with those you work alongside but also when you deliver legal services to...[read more on our website](#).

BSB welcomes LSB's recommendation to the Lord Chancellor to enable us to regulate ABSs

The Legal Services Board (LSB) has recommended to the Lord Chancellor that the Bar Standards Board (BSB) be permitted to regulate Alternative Business Structures (ABSs), by designating the Bar Council as a licensing authority.

BSB Director of Regulatory Policy Ewen MacLeod said: "We welcome the announcement. We want to permit innovation in the legal services market, which we hope will increase choice and provide other lasting benefits for consumers."

ABSs to be regulated by the BSB are businesses that provide reserved legal activities, focused on advocacy, litigation and specialist legal advice, which can be jointly owned and managed by lawyers and non-lawyers.

In April 2015, we began regulating entities. Entities are businesses

Our Professional Conduct Committee maintains a [panel of prosecuting barristers](#) to represent us at Disciplinary Tribunals and other related hearings, including appeals before the High Court and it is currently looking to replenish its panel...[Read more on our website](#).

BSB seeks examination question writers, markers and standard setters and Assistant Chief Examiner, Civil Litigation

We are currently recruiting for vacancies relating to the centralised assessment components of the Bar Professional Training Course (BPTC). We are recruiting [examination question writers, markers and standard setters](#) and an [Assistant Chief Examiner, Civil Litigation](#). Applications for all roles are due by 27 June. If you would like to discuss any of the above roles in more detail, please [contact Natasha Ribeiro](#), Assessments Manager on 020 7611 1482

Find out more about the online Forensic Accounting course for Pupils and New Practitioners

that are owned by lawyers (not necessarily barristers), but specialise in advocacy, litigation and specialist legal advice. Read a case study from the 49 entities that we now regulate: [Evolve Family Law Ltd](#) and [Habeas Corpus Project](#).

Establishment of the Office of Financial Sanctions Implementation

Respond to our CPD scheme rules change consultation

On 31 May we published a consultation on the proposed rules changes that underpin the new CPD scheme. In addition, a copy of the updated draft of the new CPD scheme's operational guidance appended to the consultation.

The rules change consultation follows publication of the Consultation report concerning the operational principles and policies.

We are contacting new CPD scheme pilot participants to obtain feedback about the updated guidance and updated CPD planning and record card.

The CPD rules change Consultation can be found [on our website](#)

Responses to the CPD rules change consultation should be sent cpdrecords@BarStandardsBoard.org.uk by 1 September.

As highlighted in the Chancellor's 2015 budget, barristers should note that on 31 March the Treasury established within it [the Office of Financial Sanctions Implementation \(OFSI\)](#). OFSI focuses on increasing support as well as providing appropriate instruments to deal with a wide range of non-compliance...[Read more on our website.](#)

Information for Accredited CPD Providers



In April 2016, we published confirmation that the CPD requirements for barristers would be changing in 2017 with a more flexible, outcomes-focused CPD system being implemented in January 2017.

From 1 January 2017, Established Practitioners will not be subject to a minimum number of hours and will instead be free to plan their own CPD activities, allowing for greater flexibility in the types of CPD activities they undertake. There will no longer be a requirement for a proportion of their CPD to be met through BSB CPD accredited activities. The significant changes to barristers' CPD requirements planned for next year mean that there will inevitably no longer be a demand for CPD accreditation. Our Board has therefore given its consent to formally close the [CPD Interim Provider Accreditation Scheme](#) on 31 December 2016...[read more on our website.](#)

Research on LGBT+ Barristers

The University of Westminster is conducting an independent online survey into the experiences of LGBT+ members of the Bar and their career experiences. If you are a barrister, pupil or BPTC student who would like please [participate before 20 June](#).

Phase two of the research project involves short interviews. If you would like to be interviewed for the project, please contact Marc Mason or Dr Steven Vaughan directly: m.mason@westminster.ac.uk and/or s.vaughan@bham.ac.uk – interviews can be in addition to, or instead of, completion of the online survey.

Later in the year, the researchers hope to do a second piece of work on LGBT+ people working for the Bar (including clerks and other members of chambers).



Have we got correct details of your primary practice address?

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.

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.



Bar Standards Board
289-293 High Holborn, London WC1V 7HZ
Phone: 020 7611 1444

Copyright © 2016 The Bar Standards Board, All rights reserved.
You work for The General Council of the Bar.

Our mailing address is:

The Bar Standards Board
289-293
High Holborn

London, Lnd wc1v 7hz

United Kingdom

[Add us to your address book](#)