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BAR
STANDARDS
BOARD

REGULATING BARRISTERS

Regulatory Update

Monthly update from the Bar Standards Board

July 2017

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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

Blog: Monthly message from our Chair Sir Andrew Burns KCMG



information
because:...[read more
on our website.](#)

**Help us with our
research into entities'
professional indemnity
insurance**

Last month, along with the other legal regulators, we published our action plan in response to the report into legal services by the Competition and Markets Authority (CMA).

Our plan focuses on improving standards of consumer transparency as to the services provided by barristers, your fees and the availability of redress. These are topics to which we are likely to return in future editions of Regulatory Update, because our plan emphasises the need for us to engage closely with you as we develop our proposals over the next few months. We will be issuing a full consultation in the autumn and, in due course, we will be seeking volunteers from the public access and family law Bars to participate in pilot schemes.

In this edition of Regulatory Update, we also cover the following: [read more on our website.](#)

We are conducting research into entities' professional indemnity insurance (PII) arrangements, including entities' experiences of choosing PII cover and the possible impacts of changing provider. If you would like to take part in this research, please [contact us.](#)

Our plan to act on CMA recommendations

We have published [our plan to address the recommendations contained in the Competition and Markets Authority \(CMA\) report](#) into legal services.

The plan focuses on improving standards of consumer transparency regarding the services provided by barristers, their fees and the availability of redress. With similar plans being put in place by the other legal regulators, the aim is to enable consumers to compare legal service providers more easily. [Read more on our website.](#)

**Launch of consultation
on rule changes for
Licensed and Public
Access schemes**

We have published [a new consultation](#) on potential changes to the rules governing the Public and Licensed Access schemes for barristers.

These schemes allow

How are you getting on with your CPD?



Since 1 January this year, barristers who have been practising for more than three years (Established Practitioners' Programme – EPP) are required to comply with a new CPD scheme. As it is now halfway through the year, we wanted to remind you about the need to do the following things, to make sure you comply:

1. **REVIEW:** Prepare a written CPD Plan setting out your learning objectives and the activities you propose to undertake during the year.
2. **RECORD:** Keep a written record of the CPD activities you have undertaken over the past three years including your reflection on the CPD you have undertaken during that time, any variation in your plans and an assessment of your future learning objectives.
3. **REFLECT:** You should reflect on your planned and completed CPD activities to assess whether you have met your objectives.
4. **REPORT:** You must declare to the Bar Standards Board annually that you have completed your CPD. This should be completed as part of the authorisation to practise process, when you renew your practising certificate. [Read more on our website.](#)

members of the public and other lay clients to instruct barristers directly without first instructing a solicitor or other intermediary.

Our new consultation follows our [recent review](#) of the Public and Licensed Access schemes. The review found that although both schemes are working well and provide a valuable service, improvements to the rules governing the schemes could result in a better service for clients and deliver greater access to justice for the wider public.

Our latest consultation proposes a number of recommendations including: [read more on our website.](#)

BSB opens recruitment for lay Chair and lay Board members

We have begun the process of recruiting a new Chair to succeed Sir Andrew Burns KCMG whose term of office ends on 31 December 2017. We are also seeking three new lay Board members to take up position at the same time.

New guidance for the public and for professionals on immigration and asylum related legal issues

Last month, we published two new guidance documents on immigration and asylum issues.

The guidance was developed in collaboration with the Solicitors Regulation Authority (SRA) and the Office of the Immigration Services Commissioner (OISC), and follows extensive consultation with consumer organisations and consumers themselves. Its publication follows our [immigration roundtable](#).

The first [guidance document is aimed directly at people seeking legal help](#). The second is for professionals working with people with immigration and asylum issues, to help them better assist their clients to navigate the legal system.

The guidance for the public explains:

- The different types of people and organisations that can assist with immigration and asylum issues;
- How to choose a provider;
- What to expect from providers once they are hired; and
- What to do if something goes wrong.

The [Guidance for Professionals](#) is aimed at those working in organisations such as victim support agencies and other charities. [Read more on our website](#).

BSB Handbook Explained: Are you considering doing *pro bono* work?

You should be aware of the rules around *pro bono* work and what you are permitted to do.

Self-employed barristers may provide *pro bono* legal services through a Legal Advice Centre, as provided for in rules rS41-42. Self-employed barristers who are Public Access registered can provide *pro bono* legal services directly to members of the public,

There are 15 members of the Board – 8 lay members (including the Chair) and 7 barrister members, of whom one is the Vice Chair.

The closing date for applications for the position of Chair is 10 August, and for the lay member positions, it is 15 September.

More information about the vacancies and [the application process](#) can be found online.

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.

Feedback

If you have any thoughts about how we can improve the Regulatory Update or what content you would like to read, [please email us](#).

if they comply with the Public Access requirements at rC119-rC131 of the BSB Handbook.

All employed barristers are able to provide legal services directly to members of the public where the legal services are provided free of charge. [Read more on our website.](#)



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