

The Board Room Brief



Message from the Chair

Welcome to the December edition of our Newsletter. It has been another busy quarter for BACFI and there are a number of events to update you on! You will find details of them in the pages that follow.

Once again our annual Student Evening, held in conjunction with the City Law School, was a popular event and aims to give students an insight into what life can be like at the Employed Bar and the sheer variety of opportunities available beyond the Self Employed Bar. Thank you to Dan Byrne for Chairing and to our fantastic panel for giving up their time to come along and share their insights. I know it is greatly appreciated.

In October the Bar Council's Employed Bar Awards (sponsored by BACFI) were presented on the evening of the annual Gray's Inn Employed Bar Dinner. Many congratulations to all the winners, including BACFI's very own Committee Member Charlotte Pope-Williams of Pinsent Masons, taking the accolade of "Employed Barrister of the Year in a Law Firm"!

On 26 November I attended the Annual Bar and Young Bar Conference 2022 which featured many topics that were of relevance to the Employed Bar. I would encourage everyone to look out for next year's event and attend if possible.

Our annual Denning Lecture and Christmas Reception took place at The Athenaeum after holding the event online for the past 2 years. It was so lovely to see everyone and Sara Lawson KC delivered an engaging lecture which encompassed many topics which are close to BACFI's heart. Sara's transcript will be available on the website shortly. A personal thanks to Sara for delivering the lecture and to Marque Wealth Management for their generous sponsorship of the lecture.

Last, but not least, I would also like to welcome the incoming Chair of the Bar, Nicholas Vineall KC, and to thank Mark Fenhalls KC for his great support over the past year. I very much hope that we continue to strengthen this relationship, as well as our relationship with the Bar Standards Board, in the coming years. BACFI recently held a meeting with the BSB to discuss ethics at the Employed Bar and as a result of this meeting the BSB are drafting some new guidance for those who are employed.

We have meetings planned with the Bar Council's Employed Bar Committee to discuss how we can further collaborate and another meeting with the Bar Council to discuss marketing. We continue to be focussed on our branding and social media footprint so again we would welcome ideas and assistance in those areas.

We are continuing to organise our events for 2023. If you have any ideas of topics that could be covered, again please let Sandra know or if you would like to volunteer your services as a speaker, please do get in touch.

I look forward to seeing you all at our events next year and, in the meantime, wish everyone a healthy and happy Festive Season and a healthy and prosperous 2023.

Warm regards, Gaynor Wood, Chair

Past events

BACFI - Inspiring Governance (DfE) Webinar: 28 September

BACFI was pleased to host a webinar on 28th September entitled "Inspiring School Governance". **Suzy Broadhead** and **Dominic Judge** from Inspiring Governance (an online platform sponsored by the Department for Education which aims to match aspiring governors to a suitable school) spoke to us about how to become a governor and what it entails. Chaired by **Rebecca Dix**, a Vice Chair of BACFI and newly recruited school governor, the session included insights from **Lucinda Orr**, a Vice President of BACFI, and **Shahmeem Purdasy**, a BACFI committee member, who spoke about their own experiences of the role. The event slides may be viewed [HERE](#). The recording can be found here: <https://youtu.be/RuA9weIsVdM>

BACFI / BSB Employed Pupillage Provider Webinar: 5 October

On 5th October we were joined by **Julia Witting**, **Sophie Maddison** and **Victoria Stec** from the BSB who helped us to understand a bit more about the process of becoming an Authorised Education and Training Organisation. This authorisation is required in order to offer pupillages. The BSB are very much encouraging companies to apply for AETO status and are happy to discuss individual cases before the application is made. They have produced guidance for those at the Employed Bar which can be found on their website along with a list of frequently asked questions. BACFI will continue to speak to the BSB regarding this issue as we feel that there is scope to increase the number of Employed Bar Pupillages available. To view the recording click here: <https://youtu.be/xSH4vUW7YMk>

Student Evening: 19 October

On 19th October our annual student evening in conjunction with City Law School took place via Teams. Chaired by **Dan Byrne** (AA Thornton), the panel included **Alex Carr** (Consultant), **Ryan Porter** (Lloyds Bank), **Patrick Rappo** (DLA Piper), **Janet Mernane** (CPS) and **Jack Meek** (GLD). Those attending gained an insight into the various paths available to those at the Employed Bar from the panellists' overview of their career so far along with a rundown of what their day to day job entails. They offered helpful hints and tips on how to succeed in obtaining a pupillage and took questions from the attendees on various topics. The take home message was never give up! To watch the recording click here: <https://youtu.be/me1pfcQ2F7s>

BACFI AGM : 23 November

Gaynor welcomed everyone to the meeting and thanked Mark Fenhalls KC, current Chair of the Bar, for his support throughout the past year. Unfortunately, Mark was unable to join us so Nicholas Vineall KC, incoming Chair of the Bar, gave us a short run down of matters he will be addressing during his tenure which have particular relevance to the Employed Bar. Nicholas thanked all those members of BACFI that are currently involved with Bar Council work and noted that Employed Barristers play a huge part in the work of the Bar Council, both at GMC level and in various committees. He stated that BACFI VP, Michael Blair KC, was involved in work on pupillage with Nicholas many years ago and that those working as employed barristers have always been keen to get involved. He also noted that the new Attorney General worked as an Employed Barrister at the GLD for 17 years.

Nicholas outlined three points:

1. In the case of Dina Rose KC and her work in the Cayman Islands which has been covered recently by the press, Nicholas noted that the Bar Council have issued a statement reflecting that the BSB's handling of the complaint was unacceptable. Nicholas urged anyone who felt that any complaint against them had not been dealt with correctly to get in touch with the Bar Council.
2. The Bar Council are very aware of how much work and money commercial barristers bring into England from abroad and is keen to continue to encourage those overseas to opt into English Law and use England for dispute resolutions. Nicholas will seek support from BACFI on this issue.
3. Nicholas is keen to ensure that discrimination regarding Silk and Judicial appointments for those at the Employed Bar is addressed. He stressed that, in his view, Silk appointment needs to remain as the mark of excellency in advocacy

but recognises that there are other ways of demonstrating advocacy skills beyond the courtroom. He stated that some Judicial posts require the applicant to be a Silk in order to apply but the best judges are not always Silks. He wants to work with BACFI to ensure that the lack of advocacy skills is not a barrier to judicial appointments.

Gaynor thanked Nicholas and was very keen to work with him on the issue of career progression for the Employed Bar as well as issues relating to pupillage and ethics.

Denning Lecture and Christmas Reception : 7 December



We were delighted to be back at The Athenaeum after a three year break! **Sara Lawson KC**, General Counsel at the SFO, spoke on “The Future for a Changing Bar” where she discussed the growing fluidity between the employed and self-employed Bar, the public and private sector and new opportunities. She touched upon issues which continue to be championed by BACFI such as pupillages, KC appointments and judicial appointments. It was lovely to see so many members along with some of the Vice Presidents and also some new faces. Many thanks to Sara for her excellent lecture and thanks too to Marque Wealth Management for their generous sponsorship.

Sara’s lecture can be found on the website.

‘Tis the season to be jolly...thankful for school governor volunteers!

The fairy lights are twinkling, Christmas party plans are in full swing, and many legal professionals across the country are starting to look forward to a very well deserved break. It’s the perfect time to take a moment to celebrate every school governor volunteer from BACFI who signed up through Inspiring Governance this year - and to encourage your colleagues to get involved!

School governors play a vital role in leading schools as they set the strategic vision and direction, approve the budget and hold the senior leadership team to account. At this time of year, the rewarding feeling that comes from volunteering in education and making this difference should rightly sparkle like the star atop the Christmas tree, and we celebrate our colleagues that volunteer to help children and young people get the best education experience in their local school.

Interested in finding out more about the role? You are invited to join our charity partner Inspiring Governance for a free online session in the new year on Wednesday 25th January, 12-1 to find out more about becoming a school governor and the personal and leadership development benefits it can bring. Come and hear from the Inspiring Governance team, as well as current volunteers who will discuss their own positive experiences of being school governors themselves, and what they have gained from their experiences- we look forward to seeing you there! If you are able to hyperlink a CTA button, here is the Zoom link:

<https://us06web.zoom.us/meeting/register/tZwvdOGpqD4rHtT8o7jo4sixGm5WwX03OSrQ>

Until then, we would like to send a huge festive thank you to every brilliant governor who has given their time and expertise to help make a difference. From all of us here at Inspiring Governance, we wish you as many mince pies as you can manage and a very peaceful and restful Christmas break.

Around the Inns: Employed Bar Groups at the Inns

We are very keen to get members back to their Inns and get more involved in the amazing activities of these historic institutions. Several of the BACFI committee members are involved with their respective Inn's group. If you would like to get involved with your Inn please contact the BACFI members named below through Sandra.

Middle Temple:

The Membership Committee has approved the formation of the Middle Temple Employed Bar Society of the Inn which takes over from the interim steering group set up to ensure that Employed Barristers of the Inn are fully involved with the Inn. Your former BACFI chair, Ian Brookes-Howells, has been appointed the first chair of the Society. The Society hopes to organise events for employed members and represent their interests in the Inn. More details will be announced in the New Year.

BACFI Members on the MTEBS: Ian Brookes-Howells and Laurence Fry

Inner Temple:

Inner Temple will be hosting an event on 28th February exploring Judicial appointments for those at the Employed Bar. Further details are in the diary section.

BACFI Members on the ITEBWG: Rebecca Dix and James Kitching.

Gray's Inn:

BACFI members on the Employed Bar Working Group: Patrick Rappo, Gaynor Wood and Sara George.

Lincoln's Inn:

BACFI Inn representatives: Charlotte Pope-Williams and Sharon Blackman

BACFI Committee member profile: Ian Brookes-Howells

Ian is an employed barrister of over thirty years call. He started his career as a legal assistant in legal department of a NHS regional health authority before doing pupillage in East Anglian Chambers and a second six months commercial pupillage with telecommunications manufacturer GPT in Liverpool. Ian developed a career in information technology law working. Following sixteen years at BT as head of legal in Global Services he took voluntary severance and became a self employed legal consultant. Ian worked mainly through Pinsent Masons Vario, working for a range of corporate clients before joining Lloyds Banking Group as a commercial lawyer in the insurance division. For the last eight months Ian has been on secondment as the first full time inclusion and diversity manager for the 300 members of Lloyds Banking legal and secretariat department.



Ian was chair of BACFI for two years during the pandemic and has been a member for thirty years.

Ian is passionate about equality, diversity and inclusion. He is a member of the Middle Temple Diversity and Inclusion standing committee as well as the newly appointed chair of the Middle Temple Employed Bar Society.



Outside of work, Ian lives with his his husband of thirteen years in Royal Leamington Spa. They love travel, particularly on cruises or visiting their second home in the Dyfi Valley of mid Wales where they enjoy visiting heritage railways and National Trust properties.



By Charlotte Pope-Williams – Senior Associate (Barrister) at Pinsent Masons LLP

The Bar Council's Employed Bar Awards are the only awards that expressly and unequivocally recognise the contributions of Employed Barristers to the Bar of England and Wales and the legal profession more generally. It was therefore apt that BACFI, the main independent specialist bar association that represents practising and non-practising barristers, was a key sponsor. These awards are very much the Golden Globes, Emmys or the Oscars of the Employed Bar.

I was and remain absolutely ecstatic to be the winner of the Employed Barrister of the Year in a Law Firm Award 2022; not least because I faced stiff competition from my exceptionally talented fellow nominees. I have wanted to be a barrister since I was 14 years old. I have overcome a number of barriers to get where I am today. To therefore receive this award because I am a barrister is deeply meaningful to me. This award has already had a monumental impact on my career.



So the awards themselves...they were a black tie affair at the Honourable Society of Gray's Inn. However, this wasn't just an opportunity to see over 140 practitioners and supporters put their best fashion foot forward. These awards truly showcased the range of fantastic skills that employed barristers have to offer, as well as the diverse environments in which they work from the high seas and the front line to advising and supporting some of the most powerful institutions in the world.

I implore you to support and attend the next Employed Bar Awards, which will no doubt be even bigger and better next time. It is a rare opportunity to fete not only the achievements of the nominees and winners but indirectly to celebrate each and every employed practitioner. So don't let the next Employed Bar Awards pass you by!

PRO BONO – THE FESTIVE GIFT THAT ALL EMPLOYED BARRISTERS CAN GIVE

By Charlotte Pope-Williams – Barrister and Senior Associate at Pinsent Masons LLP

'Tis the season to be jolly but it is also the season for giving. One gift that employed barristers and other legal professionals can give year round is pro bono work. This short article therefore seeks to set out some of the reasons why you can and should undertake pro bono work.

You may be under the misapprehension that employed barristers cannot undertake pro bono work – that's not right! Similarly to Self-employed Barristers, Employed Barristers can provide legal services on a pro bono basis as long as they do so in accordance with the BSB Code of Conduct. Generally speaking, one of the more straightforward ways in which an Employed Barrister can do pro bono work is through a Legal Advice Centre as defined by the BSB Code of Conduct e.g. [Advocate](#), in light of rS41 which provides that: "You may supply legal services at a Legal Advice Centre on a voluntary or part time basis and, if you do so, you will be treated for the purposes of this Handbook as if you were employed by the Legal Advice Centre". That said, employed barristers, just like everybody else, must have

professional indemnity insurance when they undertake pro bono work. However, fear not, because Legal Advice Centres will often have insurance in place which provides cover for Employed Barristers when undertaking pro bono work (but also check if this the case). Moreover, the Bar Mutual Indemnity Fund (“**BMIF**”) provides cover for Insureds which include “...a Free Legal Advice Centre, [and] the Employed Barristers providing Legal Services through that Free Legal Advice Centre;” So by way of example, BMIF would cover an Employed Barrister undertaking work at Advocate.

So why do it (now you know that you can). First and crucially, you can make a positive change to other people’s lives. Second, it is one of the simplest ways to maintain advocacy skills where you have limited opportunity to undertake advocacy as part of your day-to-day employment or perhaps you just wish to take every opportunity to improve on your advocacy skills. Third, it can be incredibly career enhancing, you may garner experience that can bolster a KC or judicial application (or any other job application for that matter).

In short, pro bono isn’t just for pro bono week, it can change your life and that of others, so you are heartily encouraged to think about taking some up. Finally, you are not alone, Advocate provides mentors to those who them and who are volunteering with them and the [Bar Council’s Ethics Helpline](#) is only a phone call or email away.



"God, grant me the serenity to accept the things I cannot change; courage to change the things I can; and wisdom to know the difference." – R Niebuhr 1943

In the darkest times during World War II, Reinhold Niebuhr was attributed with the above words, which we now commonly refer to as the **Serenity Prayer**.

There is some conjecture that in fact a fellow theologian Winnifred Crane Wygal may in fact have been the originator in her earlier writings in 1933, that aside I think we can agree these words were not only applicable back through the **bleak financial periods of the Great Depression 1929 - 1939 and in WWII...but also for us today!**

Yes, these words are frequently recited amongst those that seek to energise their resolve against succumbing to their addictions, but they also have relevance for us too who may live quite sedentary straightforward lives. It is clear more and more are becoming increasingly anxious, if not for ourselves then certainly for those around us – **many are perplexed, confused and most assuredly disgruntled - dare we say angry?**

The war in Ukraine, a falling stock market, potential recessions, high inflation, rising energy prices, energy shortages...climate change etc etc. We find ourselves in straitened times, **so what are the things we can control and what are the things we cannot change?**

I was struck by the pragmatic approach that **Carl Richards CFP the founder of the Society of Advice**, which he defines as a **"secret society of real financial advisors"** to which I am a fully-fledged member - for purposes of disclosure. He advocates **six steps**, which I thought I would share with you.

Take Expert Financial Advice

It’s important to get clarity on what to focus your attention on. People’s actions are often based on either things that don’t matter or things they have no control over. But if you were to sit down and make a list of all the things that actually matter when it comes to generating your lifetime returns, **there’s a lot that you can control, from diversification and tax planning to your own behaviour.**

The things that **you don’t have any control over are the markets and the economy**. They’re important but instead of spending 90% of our time focused on them, what if you spend 10% and leave more time to focus on things you can control?

One of the jobs of a financial adviser is to remind us of the difference between the things that matter and the things that don't, and the things we can control and the things we can't. My job is certainly to journey with the client and to **march through the 'economic weather' together without losing focus on our destination.**

Stick To a Long-Term Plan

There's an assumption that you have a plan. But most people don't. It's like going on a trip and spending all your time **arguing whether you should take a plane, a train or car.** You debate the merits of each, but you **haven't even decided where you're going yet.**

The base of your planning is your financial values, such as freedom and flexibility, and your financial goals. And if your investment **decisions flow from your values and goals,** it makes no sense to revisit them just because the terrain gets more arduous. If you're looking at the market or your investments every day, you're **making yourself unhappy – needlessly.** When it comes to investing, think **decades, not days.**

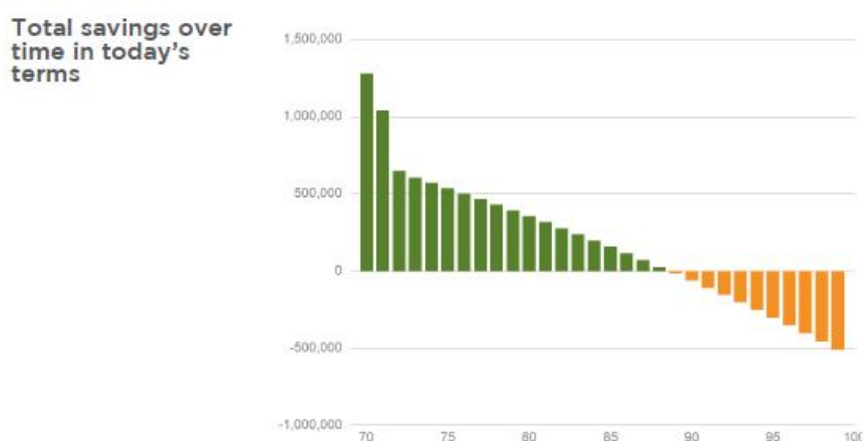


Fig1: Building an inflation-proofed lifetime cashflow

Use The Optimum Tax Wrappers

A little **tax planning can improve your outcome.** We don't have control over the taxes themselves. But we've got a lot of **control over the tax consequences of our decisions.** One of the biggest values a financial adviser delivers is in picking a tax strategy. And whether or not you think the government's tax breaks/incentives are well designed, when they align with what you're trying to do, it would be crazy not to consider them.

Stay Focused on Your Financial Goals

If you have a good plan, and the investments were made based on your goals and values, you can do things like turn the news off and **stop checking your investments on a daily basis!** We can get distracted by the news, or by our friends, and lose our focus on our goals simply because we're human. But **you wouldn't plant a tree and dig it up every day to see if the roots are growing.** Leave it alone and let it grow.

Don't Try to Time the Market or Outsmart It

Stock markets are a reflection of the smartest people on the planet's estimate of the current value of everything. So, you have to believe that **you're smarter than the crowd to time the market.** The evidence shows that nobody can sustain opportunistic 'wins' and at the same time this same evidence proves that investing over time (decades not days) **smooths out volatility and captures real value.**

Diversify Your Investments

Investing properly is not usually exciting. Some people **don't end up with enough diversification,** largely because they stick with what they know. For example, they might think: "I live in the UK, so I only buy UK companies." A magic thing happens when you take two risky assets and blend them together – the portfolio of those two assets will be less risky. This is **the science of diversification.** It takes discipline. It's not particularly exciting, but it works.

Why don't you give **Marque Wealth Management** a call and/or the opportunity of providing you and your clients with a no obligation financial review and assistance with your six steps "We spend a lot of time on how to give advice in the face of irreducible uncertainty..."

• **Contact Mark Quaye (APFS) - Chartered Financial Planner: 020 7516 2225 / 07764 963 701 www.marquewealth.co.uk**

Marque Wealth Management welcomes the opportunity to extend our services to all members of BACFI no matter their current wealth status for a no obligation personal financial review and this extends to access to our Business advisory specialists and Entrepreneur service.

The Partner Practice is an Appointed Representative of and represents only St. James's Place Wealth Management plc (which is authorised and regulated by the Financial Conduct Authority) for the purpose of advising solely on the Group's wealth management products and services, more details of which are set out on the Group's website www.sjp.co.uk/products. The title 'Partner Practice' is the marketing term used to describe St. James's Place representatives.

Dates for your diary

February 2023: Wellbeing event in conjunction with the Employed Barristers' Committee and the Bar Council's Wellbeing at the Bar Group.

28th February: 'Judicial Pathways for the Employed Bar: First Steps to a Judicial Career' - In person and livestreamed at 6pm. Confirmed speakers: Sara Lawson KC (Introductory Remarks), Tom Leech KC, Charlotte Welsh. A Temple Employed Bar Forum event. For bookings please visit: <https://www.innertemple.org.uk/events/?id=EVT01429> . Members of all Inns are welcome to attend.

20th April: Wine tasting at Bedales, Leadenhall Market

13th June: Employed Garden Party at Middle Temple

BACFI members on Bar Council and BSB Committees 2023

Bar Council

Gaynor Wood, Lucinda Orr (elected), Lorinda Long (Treasurer), David Bunting, Charlotte Pope-Williams (elected), James Kitching (elected), Mike Jones KC (elected), Hannah Smith (elected)

General Management Committee

Lorinda Long, Gaynor Wood,
Lucinda Orr, Mike Jones KC

Employed Bar Committee

Mike Jones KC, Lucinda Orr, James Kitching,
Sara George, Patrick Rappo, Charlotte
Pope-Williams, Hannah Smith

Finance Committee

Lorinda Long

Regulatory Review Working Group

David Bunting

European Committee Law Committee and Retained Law Working Group

Alex Carr

Bar Representation Committee

Lucinda Orr, James Kitching,

Race Working Group

Sharon Blackman

Money Laundering Working Group

Shahmeem Purdasy

Education and Training Committee

James Hampson

Ethics Committee

Brian Cahill

BACFI Committee 2023

Chair:	Gaynor Wood
Senior Vice-Chair:	Ian Brookes-Howells
Junior Vice-Chairs:	Sharon Blackman Rebecca Dix
Hon. Treasurer:	James Kitching
General Committee:	Ryan Porter Stephen Potts Lorinda Long Alex Carr Daniel Byrne Charlotte Pope-Williams Sara George Sonia Hayes Shahmeem Purdasy David Bunting Patrick Rappo Laurence Fry

Contact BACFI:

PO Box 4352, Edlesborough, Dunstable, Bedfordshire LU6 9EF

Tel: 07507237218

secretary@bacfi.org

www.bacfi.org

**REPRESENTATION, EDUCATION AND SUPPORT FOR EMPLOYED
BARRISTERS FOR OVER 55 YEARS**