



## BACFI QUARTERLY UPDATE: No 1 MARCH 2010

### INTRODUCTION

We have been looking at ways to improve our communication to Members; to help keep you informed of BACFI events and Bar Council and BSB issues that affect us. This update will be sent directly to you; it will give you the latest news, highlight key events, and give brief information about Committee activities.

The update also contains links to the website which we hope will result in more frequent visits.

The update is being emailed to all members whose e-mail details are recorded on the BACFI database. Unfortunately there are still some members whose details are lost or out of date, so we shall copy the update to the website and hope that it will encourage those members who have not received it direct to amend their records with Sandra, the BACFI Administrator ([secretary@bacfi.org](mailto:secretary@bacfi.org)). And do please pass on this update to any member who you think may have lost direct contact with us.

Needless to say, we would be most grateful for any feedback on content, format etc.

### News

**March 22nd 2010:** Please make sure that you apply for or renew your practising certificate before this date! The Legal Services Act 2007 makes it a criminal offence for a Barrister – employed or self employed – to undertake a “reserved legal activity” without a valid certificate from the Bar Council. The range of what constitutes a reserved legal activity goes much wider than merely exercising rights of audience. See the Professional page of the website for further details –

[http://www.filewiz.co.uk/bacfi/legal\\_services\\_act\\_bacfi\\_excerpts.pdf](http://www.filewiz.co.uk/bacfi/legal_services_act_bacfi_excerpts.pdf)

If you are in any doubt about your status, you should consult the Records Office as soon as possible.

BACFI may also be able to help in case of difficulty. Contact [secretary@bacfi.org](mailto:secretary@bacfi.org)  
PO Box 4352, Edlesborough, Dunstable, Beds, LU6 9EF Tel: 01525 222244 Email: [secretary@bacfi.org](mailto:secretary@bacfi.org)

VICE PRESIDENTS: Austin Allison, Stephen Bacon, Michael Blair QC, John Boyd QC, Nicholas Dee, Humphrey Dugan, Bernard Kelly QC, Sir Sydney Lipworth QC, Harry Mitchell QC, Michele Parnell, Susan Ward, Rosalind Wright CB, QC, Derek Wheatley QC.

You should note that under the Code of Conduct, if you do not have a practising certificate you may not use the title “barrister” in connection with the supply of legal services to your employer or to the public.

**Practising Certificate Fee (PCF):** You will see from your PC renewal letter that the PCF has increased dramatically. It is now made up of several elements, including levies to pay for the Legal Services Board (LSB), the Office for Legal Complaints (formerly the Ombudsman) and the Bar Council’s own Pension Fund which is currently in deficit. The **Member Services Fee (MSF)** is a separate, voluntary subscription (£100) to the Bar Council, payable by Barristers who do not need to hold practising certificates as well as by those who do.

BACFI has secured a seat on the **PCF Working Group** which will over the next year be looking at the fairest method of fixing the PCF – one suggestion is that employed and self-employed barristers should pay the same level of fee. **All practising members of the BC will have received a CP and Questionnaire on the future basis of the PCF, which we urge you to consider carefully and complete by the deadline 11<sup>th</sup> April .**

The PCF Group will also be looking further at the Pension Fund levy. Christiane Valansot (christiane@valansot.com) will be our representative pro tem on this working group, but we do need a member with pensions experience to serve on this working group. **Please contact Christiane if you are willing to volunteer.**

In brief, we believe that imposing the levy as a multiple of years call is unfair. EB practitioners have only been able to hold a practising certificate since 2000 and some practitioners are therefore being asked to subsidise a scheme based on a service that they didn’t receive for 26 years. In addition we have concerns over the methodology of dealing with the Bar Council’s pension deficit - our concerns are twofold: (a) the levy seeks to raise money more quickly than is strictly necessary; (b) we are not persuaded that this is the most efficient way to deal with the deficit.

Christiane will be reporting on the working group’s deliberations in future issues of the Update.

**BSB CPD Review & Consultation:** following earlier reviews of the BVC and Pupillage (to which BACFI contributed), Derek Wood QC is now chairing a working group on Continuing Professional Development. **Sue Edwards**, a member of our Professional issues Sub-committee, will cover BACFI’s interests on this group (she will also cover GLS issues).

BACFI proposes to submit a paper to the group, highlighting the difficulties faced by the employed Bar in finding suitable CPD courses and securing CPD accreditation. The whole issue of the value and purpose of CPD will be examined by the group, so this is an important opportunity for us to highlight the different needs of the employed Bar and to secure recognition for them in any new regime.

**Tricia Howse** has been appointed to the BSB’s existing **CPD sub committee** and will also be watching developments for BACFI in this area.

**If you have any CPD woes or experiences, please contact** tricia.howse@hotmail.co.uk

**New Practitioners' Programme (NPP) Advocacy Training:** over the last two years BACFI has been developing advocacy training materials tailored to the needs of the employed Bar and has been encouraging the Inns to adopt them in NPP courses. Middle Temple has been running employed bar sessions on its NPP courses since autumn 2008. **Christiane Valansot** ([christiane@valansot.com](mailto:christiane@valansot.com)) qualified as an Advocacy Trainer for these in February 2010.

Special employed bar sessions will be run by Middle Temple, Gray's Inn and Inner Temple in June 2010. If you are a new practitioner who has not completed the NPP we recommend you attend one of these courses, and we would welcome your feedback and comments.

**An NPP sub committee** has been formed to monitor and expand this work and to pressing for more EB friendly Inn training at all levels and more EB events.

**BSB Consultation on Authorisation to Practice:** this concerns us all and particularly sets out the BSB's stance on non practising barristers. The deadline for responses is **1<sup>st</sup> June**. We urgently need **volunteers to consider the questions posed** and draft parts of our response under Helen Fletcher Roger's general editorship.

Please contact [hfrogers@bacfi.org](mailto:hfrogers@bacfi.org) with any comments or suggestions.

## **KEY BACFI & RELATED EVENTS**

**28<sup>th</sup> April at 6.30pm:** Middle Temple is hosting a Reception for the Employed Bar on 28th April from 18.30 - 20.30. Only Middle Templars can book, but BACFI members who are not members of Middle Temple can book as guests of Master Ros Wright, QC. Please book and pay (tickets £17) through Middle Temple ([members@middletemple.org.uk](mailto:members@middletemple.org.uk)) saying you are coming as Master Wright's guest.

Please support this event, as we are trying hard to get the Inns to do more for the employed Bar and if we get a poor turnout, it is discouraging!

**Garden Party 30<sup>th</sup> June and Denning Lecture 1<sup>st</sup> December:** we need **sponsorship for these events** because it enables us to ask more networking guests and reduces the ticket price for members! If you know or can think of any suitable firm (solicitors, suppliers, publishers, recruitment agencies) that might sponsor either the Garden Party or the Denning, please let us know ! We normally try for between £2000 and £5000 respectively, but smaller multiples will do. **Tricia Howse and Christiane Valansot hold the formal Sponsorship letters.** The speaker for the Denning will be Peter Freeman, QC, Chairman of the Competition Commission.

## **BOOKINGS NOW BEING TAKEN (secretary@Bacfi.org) FOR:**

14 <sup>th</sup> April 2010	Professional Issues Seminar: Mandie Lavin, BSB
28 <sup>th</sup> April 2010	Middle Temple Employed Bar Reception 6.30pm
18 <sup>th</sup> May 2010	Legal Practice Skills seminar
30 <sup>th</sup> June 2010	BACFI Garden Party at Middle Temple

For more detail and full year's events, please see <http://www.bacfi.org/diary.htm>

## ROUND UP OF LAST QUARTER'S WORK

- Reconnection with the Inns:** one of BACFI's strategic goals is to make our voice heard more in the Inns and to encourage them to use our member's skills and experience more. Non Practising and retired members in particular are urged to make use of their Inns and contribute to Inn life as much as they can. We are all life members of our Inns and all the signs are that Treasurers and Under Treasurers are beginning to value the EB more – there are increasing numbers of EB Benchers being appointed and EBs are being used more for student talks, mentoring and Inn committees. More are needed ! If you would like to play a greater part in your Inn life, or volunteer as an Inn representative, please contact [hfrogers@bacfi.org](mailto:hfrogers@bacfi.org).

Middle Temple	<a href="mailto:Christiane@valansot.com">Christiane@valansot.com</a> ; <a href="mailto:sbazley@cityquities.com">sbazley@cityquities.com</a>
Gray's Inn	<a href="mailto:Tricia.Howse@hotmail.co.uk">Tricia.Howse@hotmail.co.uk</a> ; <a href="mailto:hfrogers@bacfi.org">hfrogers@bacfi.org</a>
Inner Temple	<a href="mailto:EsmeChandler@googlemail.com">EsmeChandler@googlemail.com</a> .
Lincoln's Inn	Stephen Collier: <a href="mailto:MrBollyLondon@aol.com">MrBollyLondon@aol.com</a> .

- BSB and BC committees:** the following BACFI members sit on Bar Council or Bar Standards Board, committees and sub committees:

Bar Council	Christiane Valansot, Tricia Howse, Esme Chandler; Lucinda Orr
BC Employed Bar Cttee	Christiane Valansot, Tricia Howse, Lucinda Orr, Brian Cahill, Tim Reading
BC Professional Practice Cttee	Tricia Howse
BC General Management Cttee	Christiane Valansot
BSB Qualifications committee and its Pupillage panel	Helen Fletcher Rogers
BSB CPD sub cttee	Tricia Howse
Practising Certificate Fee Working Party	Christiane Valansot