

The Board Room Brief



Over 60 years of Representation, Education and Support for Employed Barristers.

Message from the Chair

Dear Colleagues

As many of you know, BACFI has long sought to reform the King's Counsel Appointment system because the criteria for appointment is specifically designed to discriminate against almost all Employed Barristers (and solicitors) because only oral advocacy in the higher courts is recognised and applicants are required to nominate judicial assessors. The appointment system thus establishes a hierarchy of legal "excellence" whereby those who practice advocacy in the higher courts can be recognised as excellent and those who do not, no matter how critical their advice is to the country or to the development of law or to the economy, cannot.

The single route of recognition and progression within the profession is effectively closed to Employed barristers who do not have a court-based practice. It excludes from consideration all those barristers who actually are, in their professional lives employed as Counsel to the Government, the real King's Counsel.

We believe this system is an anachronism and reform is long overdue. As a result of our representations, the Bar Council formed a Working Group to consider how the King's Counsel Appointment process could be improved.

We participated in the Bar Council Working Group despite having misgivings regarding the extremely limited remit (largely due to the influence of other Specialist Bar Associations who are the primary beneficiaries of the current system) and the recommendations have been published and you can read them below.

However, we remain convinced that this is not enough and that there needs to be an alternate route to silk which recognises those who do not have courtroom practices whether employed or self-employed.

We will continue to lobby for an equitable system that is capable of acknowledging excellence in those who devote their professional lives to the avoidance of disputes and who provide truly world-class legal services to their employers. Almost every other common law system which retains either the rank of King's Counsel or, more commonly, Senior Counsel, has modernised. As the practice of law evolves, so must its systems of recognition.

With best wishes,

Sara George

Bar Council KCA Working Group Report

The Bar Council published our new report setting out how the King's Counsel Appointments (KCA) process could be improved to better recognise excellence in advocacy across different practice areas.

[King's Counsel Working Group final report action plan](#)

Remit and key findings

Our KCA working group, chaired by Vice Chair of the Bar Heidi Stonecliffe KC, was established in October 2025 to consider:

- How applicants across the Bar can be better supported in their KC applications
- How the Bar Council can help employed barristers gain the necessary skills required
- Whether there is scope to increase the breadth of referees available for candidates to include in their application

The working group consulted with barristers from a wide range of practice areas and of varying years of Call, the KCA Chief Executive, the Chief Executive of pro bono charity Advocate, and the chairs of Bar Council committees and the specialist Bar associations (SBAs).

Alongside the need for greater clarity and transparency in the process, the report concludes that more practice-specific guidance is needed to encourage more barristers from across the Bar to apply for silk.

Recommendations and next steps

The report makes 4 recommendations:

- The Bar Council should regularly brief the KCA on practice-specific developments relevant to demonstrating excellence in advocacy, in consultation with the specialist Bar associations (SBAs) and representatives of the employed Bar
- The Bar Council should ensure there is accurate and relevant guidance and support on progression for barristers
- KCA should better highlight the range of forums and wider experience which can be brought into a KC application
- A non-exhaustive list of eligible judicial assessor roles should be created

A significant amount of the feedback received by the group fell outside the working group's terms of reference. It has been compiled and published as a supplementary document alongside the

report, for further consideration and future conversations about the KCA process.

We'll continue our work with the KCA and begin improving our support and guidance.

Heidi Stonecliffe KC said: "Our concern is that some exceptional advocates may be self-selecting out of the process because they are uncertain whether their particular career path, area of practice, or experience fits the perceived profile of a silk or the criteria for appointment.

"By providing greater clarity and more nuanced guidance, we believe that we can encourage the strongest candidates from across the whole Bar to apply, helping to ensure that the KC cohort fully reflects the breadth and excellence of advocacy across the Bar of England and Wales."

Kirsty Brimelow KC, Chair of the Bar Council, added: "The recommendations in this report will help to safeguard the status of King's Counsel as a mark of excellence, while continuing work to ensure that every deserving candidate has a fair and accessible route to appointment on merit.

"I look forward to continuing the positive dialogue with the Chief Executive of the KCA, that I commenced earlier this year, to implement the report's recommendations."

"Frail Professionalism" by Professor Richard Moorhead OBE

Richard's short book on lawyers' ethics [Frail Professionalism](#) has been published. This will take you straight to the PDF [click here](#).. The book has been published thanks to open access funding from the UK Economic and Social Research Council who also fund the [Post Office Project](#). It will be available in hard copy in September.

The book sets out a short(ish) history of how lawyers appear to have contributed to the Post Office Scandal (and a good many other examples) before looking more broadly at ethics challenges facing lawyers, the philosophical, psychological and systemic drivers of such difficulties, and begins a debate about what needs to be done to effect real change (by lawyers, by their firms and regulators, by the courts, and in corporate governance terms).

Richard will be speaking at our seminar on Thursday 13th May at Proskauer Rose LLP along with Flora Page KC and Dr Alan Brener where the Post Office Scandal report will be discussed.

Walking Tour 2: 17th September

Dr Matthew Green led us on another fascinating tour of the City of London, telling the story from Medieval times to the present day through wine, hot chocolate, tea and gin! Starting at Bow Church we learned about how wine was so important in Medieval times, with the “middle classes” of the time drinking around 5 pints per day due to the water being too dangerous to drink and ale being for those of a lower social standing. The story of the Anchorites who lived in tiny cells within church walls was told whilst at the site of one at the rear of Bow Church. We visited the site of one of the 100 or so vineyards which were in the City, which later became a plague pit.



The chocolate houses sprang up around the rebuilt St Paul's Cathedral and soon the aristocracy of the day turned them into gambling dens with some of the chocolate houses becoming private members clubs which still exist. Next, we visited Gough Square and by the memorial to Hodge the cat, we found out about Dr Johnson's tea drinking habit of 20 cups per night. The story of gin followed with landowners initially being told to turn surplus crops into gin, Londoners consuming too far much due to how cheap it was and thereby causing huge social problems and then high taxes and limitations on production to end the problems. Everyone greatly enjoyed our walk with samples of beverages along the way.

Our next event with Dr Green is a Medieval supper at The Prince Arthur, London Fields on 27th September 2027. We will enjoy Medieval cuisine along with unlimited wine, entertainment from a jester and lute player along with Dr Green's usual entertaining anecdotes. If you wish to book a space, please let Sandra know.



BACFI / City St George's Student event: 6th October



It was fantastic to see so many students at the BACFI / City St George's student event. The panel, ably chaired by **Dan Byrne** (Partner, Venner Shipley, Deputy District Judge and BACFI committee member), spoke about their career paths and the variety of career options available at the Employed Bar. We were delighted that our President, **Lady Hale**, was able to join us to give her views on how to succeed. Thanks to other panel members, **Sara George** (Partner, Sidley and Chair of BACFI), **Gaynor Wood** (General Counsel, CLS and senior vice chair of BACFI) and **Alexandria Carr** (UK Head of Financial Regulation and Managing Director, Societe Generale and a BACFI committee member).

Employed Bar Awards and Dinner

Taking place on 5th November at Gray's Inn, the Employed Bar Awards celebrate the outstanding achievements, talent and dedication of barristers working across the employed Bar. Organised by the Bar Council, the Awards recognise excellence in advocacy, innovation, leadership and commitment to the profession across a wide range of practice areas.

Cost is £85 which includes a drinks reception and dinner. Further details can be found here:

<https://www.graysinn.org.uk/events/employed-bar-dinner-and-awards-2/>

Bar Conference 2026

Learn, network, engage. Taking place on Saturday 14 November in London, Bar Conference is a unique event in the Bar's calendar that you will not want to miss.

- Hear from our high-profile speakers, including the **Lady Chief Justice** and the **Chair of the Bar**
- Take part in insightful sessions from learning top tips **to get ahead with AI** to **exploring the role of expert witnesses** to hearing from our **panel of judges ready to take your questions**
- Build a programme that works for you: choose from sessions in our streams covering **justice matters**, **building your practice**, and **culture at the Bar**
- Meet a **range of organisations** that support the Bar in our exhibition
- **Network with colleagues** and make connections in refreshment breaks and during our post-event drinks reception

Full price tickets are £185 (+VAT). To ensure this is an event for the whole Bar, the Bar Council is offering discounts for [Bar Representation Fee subscribers](#), barristers with a primary practising address outside the South Eastern circuit, and barristers in income band 1.

For more information, and to book your ticket visit: <https://www.barcouncil.org.uk/training-events/conferences-and-seminars/bar-conference/browse-our-ticket-options.html>

BACFI Young Bar Discount: Save 50% on the White Book Volumes 1&2 Print and eBook Service

All Young Bar BACFI members who are within five years of call can receive 50% off when you order The White Book 2026 Volumes 1&2 print and eBook Service. Additionally, all other White Book 2026 purchasing options are available at a discount of 40%. Offer valid until 30th March 2027. To make your order email julie.johnson@thomsonreuters.com to request a form or download the form and find more information [here](#).

We are pleased to be sponsoring the BACFI / City Law School student evening on 6th October.



Pegasus Scholarships 2027

Pegasus Scholarship Trust International Placements 2027

Applications are now open for the Pegasus Scholarship Trust 2027 placements!

If you are a junior barrister with up to 7 years' practice experience (from the point of tenancy or employment not including pupillage) who would like a chance to better understand the increasingly interconnected and globalised world we live and work in, you may find this scholarship opportunity to be one of interest to you. The Trust is particularly interested in making sure this opportunity is brought to the awareness of junior barristers from a variety of backgrounds and practice areas.

Outgoing Placement 2027

The Pegasus Scholarship Trust aims to annually give a group of talented junior barristers the ability to travel abroad, live and work internationally in a variety of different legal frameworks in the form of short-term placements in a multitude of international jurisdictions including Bermuda, the USA, Dubai, India, New Zealand, Australia, Malaysia, Singapore among others.

This year the Trust is also excited to announce two new placements in Canada hosted by the Ontario Bar Association and in Anguilla hosted by the Attorney General's Chambers.

Funding is also available for applicants looking to organise their own self-arranged placement for a period of up to 12 weeks.

Paris Bar Exchange

Applications are also open for the Paris Bar Exchange, this is an exchange programme for French speaking barristers to be able to spend the month of September doing a stage in Paris. While candidates will be responsible for their own travel and accommodation, a grant will be payable by the Pegasus Scholarship Trust.

Though it is not necessary for candidates to have studied French law, they will need to have a sufficient command of French to understand and contribute to discussions of legal subjects, read complex legal texts, and follow court hearings in French: comparable to level B2/C1 on the Common European Framework of Languages.

How to Apply

Applicants will be assessed through a written application form and an online interview, on a range of criteria which can be found on our website, applications are now on the portal via the website Monday 28 September 2026 and the deadline to apply is Sunday 29 November 2026. Interviews will take place remotely (via Zoom) In February.

For more information and a full list of available placements and further information on all of our programmes, please see our website here: <https://www.innertemple.org.uk/pegasus-scholarship-trust/>

BACFI Lexology Newsstand

Receive regular updates from over 900 of the world's leading law firms keep you informed of legal and regulatory developments globally via the [BACFI Lexology Newsstand](#).

You can specify your interests across over 50 work areas and over 170 jurisdictions and receive a customised daily intelligence briefing on the topics that matter to you. Contributing firms provide articles, guides, podcasts, and video content, exploring the implications of relevant developments for in-house counsel and private practice lawyers.

Lexology's global research hub allows you to search the extensive archive by work area, jurisdiction, content type or topic. Credible sources and sophisticated search tools ensure you can find accurate answers at speed.

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How pension changes could affect your inheritance tax plans

At a glance

- An additional 10,500 estates are expected to become liable for IHT as a result of the **rule change in the 2027/28 tax year**. A further 38,500 estates are expected to face a higher IHT bill.¹
- People who may be affected include those with **larger pensions**, valuable property and families expecting to inherit significant wealth.
- **Do not make rushed decisions**. Start by understanding the value of your estate and reviewing whether your plans are still suitable.

For many people, a pension is one of their biggest assets. **From April 2027**, it could also become an important inheritance tax (IHT) consideration. From this date, most unused pension funds will be included when the value of someone's estate is calculated for IHT purposes.

For some families, this will make little difference. For others, especially those with larger pension pots or estates, it could mean that more tax is due and **less wealth passes to loved ones**.

In this article, we explain what's changing, who may be affected and some practical steps to consider.

What's changing?

From April next year, most unused pension funds and **pension death benefits** will count towards the value of an estate for IHT purposes.

Traditionally, pension have been designed to provide **income in retirement**. However, because for decades they have been outside an estate for IHT purposes, some people have used them **to pass wealth on to future generations**. The forthcoming change is intended by the government to reduce the use of pensions as a vehicle to pass on wealth free from IHT.

IHT is not normally charged on the first **£325,000** of an estate, which is known as the nil rate band. Some people can also use an additional allowance of up to **£175,000** – the residence nil rate band – when leaving a qualifying home to direct descendants, such as children or grandchildren.

This means that a single person may be able to pass on up to £500,000 without an IHT charge if they qualify for the full allowance.

Assets passed **between spouses and civil partners are generally exempt from IHT**. Unused allowances may also be transferable, meaning a qualifying couple could potentially pass on up to **£1 million without IHT**. The amount available will depend on their circumstances. **Death in service benefits** paid from a registered pension scheme will **remain outside the scope of the new rules**.

However, more estates are likely to exceed the various tax thresholds when pension wealth is included in the value of an estate.

The government estimates that **10,500 more estates** will face an IHT bill in the 2027/28 tax year due to the **new rules**. A further **38,500 estates** are expected to pay more IHT than they would under current rules.

Estate planning is about more than reducing tax. It's about making sure your wealth is passed on in line with your wishes, while **balancing your own needs during retirement**. The pension changes may mean some people need to revisit those plans.

Example

Joanne is a single mother and plans to leave her family home to her children. She also has savings, investments and a defined contribution pension.

Asset	Value of assets	Counts for IHT before April 2027?	Counts for IHT after April 2027?	Available allowances	
 Family home	550,000	✓	✓	Nil rate band	Residence nil rate band
 ISAs and investments	100,000	✓	✓	-325,000	-175,000
 Defined contribution pension	600,000	✗	✓	Amount taxable	IHT payable (40% rate)
 Personal possessions	25,000	✓	✓	IHT before April 2027	
 Cash savings	50,000	✓	✓	225,000	£90,000
TOTAL:				IHT after April 2027	
				825,000	£330,000

Joanne's estate is valued at £1.325 million. Assuming she qualifies for the full £325,000 nil rate band and the full residence nil rate band, her total available allowance is £500,000.

Before April 2027, her pension would generally sit outside her estate for IHT purposes. Therefore, only £725,000 would be included in the IHT calculation. In this case, the **tax liability on her estate would be £90,000**.

From April 2027, Joanne's unused pension fund is included when the value of her estate is calculated. This increases the value of the estate to £1.325 million for IHT calculations. Assuming the standard 40% IHT rate applies and there are no other exemptions or reliefs, the **estimated IHT liability** on Joanne's estate rises to **£330,000**.

Including Joanne's pension in her estate therefore **increases the tax liability by £240,000**.

Who these changes may affect

- People with **sizeable unused pension funds**
- Homeowners whose property already uses much of their available allowances
- People who have deliberately preserved their pension to pass it on
- Families whose existing retirement or estate plans rely on pensions remaining outside the estate

- Those with **larger pension funds and valuable property** are most likely to be affected because these are often a person's largest assets. People who have deliberately preserved pension wealth to pass on to future generations may also wish to **review their plans**.

Claire Trott, head of advice at St. James's Place, says: "Taking the time to understand the impact of these changes is **crucial to making the right decisions**."

Those who may end up with a higher IHT bill after the rule changes could be tempted to reduce this liability by gifting assets, Claire notes.

"One thing is clear: you need to ensure that **you have enough for your lifetime before you start giving** it all away to avoid tax," she adds.

What to do if your estate becomes liable for IHT

If you think your pension could push the value of your estate above the IHT allowances, or increase an existing liability, it's worth taking some time to **understand the potential impact** as well as the options available.

Avoid making rushed decisions

The changes to IHT are due to take place in April 2027, so there is time to plan. **Making decisions in haste** can sometimes lead to unintended consequences.

Understand your position

Having a **clear understanding of your estate** is essential before making any decisions. Build a clear picture of what you own and what it is worth – this includes your home, pension(s), savings, investments and other possessions.

Review existing plans

Once you have a clear understanding of your position, check your plans still **reflect what you want to achieve**.

Seek advice if needed

Financial advice can be valuable, whether you're looking to understand your position, explore your options or deal with more complex estate planning needs.

Pause before acting

The forthcoming changes to the IHT landscape are likely to affect people in different ways. Many may see little practical impact, while others may need to reconsider how they fund retirement and pass on wealth.

Understanding your position now can give you **time to consider your options** and make informed decisions with confidence.

Get in touch with Marque Wealth Management and we can help you establish a resilient financial plan for the future.

- **Contact Mark Quaye (APFS) - Chartered Financial Planner: 0203 917 5304 / 07764 963 701 www.marquewealth.co.uk**

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Source ¹UK government policy paper: Inheritance tax on unused pension funds and death benefits, July 2025 – accessed August 2026

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Senior Partner Practice

**St
James's
Place**

Dates for your diary

12th November: AGM: Speaker: Ewen McLeod of the Bar Standards Board. Via MS Team, 6pm.

24th November: Denning Lecture and Reception at Inner Temple: Speaker: **Dame Susanna McGibbon DCB, KC(Hon)**, former Treasury Solicitor and Permanent Secretary of the Government Legal Department. Kindly sponsored by Marque Wealth Management. Lecture 6pm – 7pm. Reception 7pm – 8.30pm. Cost £14.30 in person. Free online attendance.

Please book with Inner Temple: <https://www.innertemple.org.uk/events/02163-the-denning-lecture-2026/>

28th January 2027: “The car finance conundrum: an update” – webinar with Kate Urell (Gough Square Chambers) speaking. Free for BACFI members, £20 others.

25th February: AI and evidence – seminar in conjunction with the Young Fraud Lawyers’ Association. **Kindly hosted by Sidley Austin LLP**, 70 St Mary Axe, London, 6pm – 8pm. Chaired by Sara Lawson KC, former head of the SFO and a BACFI committee member.

8th March: International Women’s Day event with Lady Rose speaking at 6pm. Kindly hosted by Gough Square Chambers. Free for BACFI and SEAL members, £20 others.

29th April: Wine Tasting at Bedales, Leadenhall Market, 6pm – 8pm. £70 members and guests, £80 others. Kindly sponsored by Marque Wealth Management.

13th May 2027: Post Office Scandal update seminar at 6pm. Speakers: Professor Richard Moorhead OBE, Flora Page KC and Dr Alan Brener. Chaired by **James Kitching and kindly hosted by Proskauer Rose LLP**, 8 Bishopsgate, London. Free for BACFI members, £20 others.

15th June: Employed Bar Garden Party at Middle Temple – further details to follow.

27th September: Medieval supper at The Prince Arthur, London Fields – further details to follow.

BACFI members on Bar Council Committees 2026

Bar Council

Sara George, Lucinda Orr (elected Treasurer), Lorinda Long (elected), Gaynor Wood (BACFI representative), Mike Jones KC (elected).

General Management Committee

Sara George, Lucinda Orr

Employed Bar Committee

Mike Jones KC, Lucinda Orr, James Kitching, Hannah Smith, Julija Stukalina

Finance Committee

Lucinda Orr, Kate Dixon

Regulatory Review Working Group

David Bunting

European Committee Law Committee and Retained Law Working Group

Alex Carr

Bar Representation Committee

James Kitching,

Race Working Group

Sharon Blackman, Rebecca Dix

Money Laundering Working Group

Shahmeem Purdasy

Bar Council Ethics Committee

Sara George, Hannah Smith, Brian Cahill

Bar International Co-ordination Group

Ryan Porter

Legal Services Committee

Lorinda Long

Wellbeing at the Bar Group

Shahmeem Purdasy

Audit Committee

Lucinda Orr

Policy and Regulation Panel

Lucinda Orr

KC Working Group

Lucinda Orr, Gaynor Wood, Sara George

BACFI Committee 2026

Chair:	Sara George
Senior Vice-Chair:	Gaynor Wood
Junior Vice-Chairs:	James Kitching
Hon. Treasurer:	James Kitching
General Committee:	Ryan Porter
	Stephen Potts
	Lorinda Long
	Alex Carr
	Daniel Byrne
	Shahmeem Purdasy
	Patrick Rappo
	Laurence Fry
	Rebecca Dix
	Sara Lawson KC
	Hannah Smith
	David Bunting

BACFI, 27 Brook Street, Edlesborough, Dunstable, Bedfordshire LU6 2JG Tel: 07507237218
- please note that the PO Box address is no longer operational

secretary@bacfi.org

www.bacfi.org

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