

The Board Room Brief



Message from the Chair

Welcome to the September edition of our Newsletter.

Before going any further I would like to reiterate the statement that we posted on the BACFI website regarding the sad passing of HM Queen Elizabeth II and extend our heartfelt condolences to the Royal Family. Our late Queen was an example to us all and will be greatly missed.

A lot has happened since the June edition of our Newsletter; not only do we have a new monarch but also a new Government. We look forward to getting to know our new Lord Chancellor and Secretary of State for Justice, Attorney General and Solicitor General and await with interest any developments that may directly impact the Employed Bar.

The summer was traditionally quiet from an events perspective, although since the last Newsletter we enjoyed the hospitality of Middle Temple for our Garden Party in June and I very much enjoyed catching up in the sunshine over some nibbles and a few drinks – pictures below. We came back after the summer with a bang by celebrating (albeit 2 years later than planned!) 55 years of BACFI. It was lovely to be able to get together with old and new friends in the historic and breath-taking location of the House of Lords – more on that later in the Newsletter. As always, our thanks go to Sandra for all her fantastic work behind the scenes ensuring that BACFI events are a huge success.

As we look forward to the remainder of this rapidly-passing year, we have a Teams event on 5th October with the BSB (“Becoming an Authorised Education and Training Provider”) and our now traditional annual Student Evening on 19th October featuring a fantastic and diverse panel. We look forward to seeing as many of you there as possible.

In October we also look forward to the Bar Council’s Employed Bar Awards, which BACFI are sponsoring, with awards to be presented on the evening of the Gray’s Inn Employed Bar Dinner. The nominations are in and we look forward to the disclosure of the winners – good luck to everyone nominated!

In December the big ticket is our Denning Lecture and Christmas Reception at which we will have the pleasure of spending some time with Sara Lawson KC. Contact Sandra to get your tickets now!

BACFI continues to engage with the Bar Council and the BSB on issues that matter to us all so my usual reminder is to please regularly check-in with the BACFI website and do not hesitate to contact me or Sandra with any questions, comments, or ideas – or simply to get more involved! We continue to be focussed on our branding and social media footprint so again we would welcome ideas and assistance in those areas.

I look forward to seeing you all in the coming months.

Warm regards, Gaynor Wood

Past events

Anniversary Dinner at the House of Lords: 23 September



Our Anniversary Dinner finally took place after 2 years! We were excited to gather in the Cholmondley Room and on the Terrace at the House of Lords for this wonderful event. Unfortunately tours were not able to be arranged and the Gift Shop was not open, both due to circumstances beyond our control, but everyone took advantage of the weather to enjoy the views of the Thames from the Terrace as the sun set and then sat down to some wonderful food. It was lovely to see Lady Hale along with some of the Vice Presidents enjoying the evening.

With thanks to Daniel Parkinson (in the photo below with some friends), Ryan Porter and Stephen Potts for the photos.



The Employed Bar Garden Party: 15 June

The Employed Bar Garden Party took place in the Rose Garden at Middle Temple on 15th June. The event, supported by Middle Temple, the Bar Council and BACFI was very well attended and a huge success with everyone, including our President Lady Hale, enjoying the sunshine and the canapes and drinks on offer. Thanks to Christiane Valansot, a Vice President of BACFI and Middle Temple Bencher for the photos and to Middle Temple for hosting. Next year's event is scheduled for Tuesday 13th June.



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:

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

Inner Temple:

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 Lexology Newsstand

Over the past few years we have offered this service to our members as part of the BACFI membership. If you have yet to sign up we [invite you to trial](#) this initiative that delivers a tailored newsfeed to BACFI members. BACFI Newsstand is powered by innovative newsfeed service Lexology, who deliver comprehensive international legal updates, analysis and insights.

Lexology publishes in excess of 450 articles every day, from over 800 leading law firms and service providers worldwide across 50 work areas. The combination of timely, quality, granular information and relevant insight supported by an intuitive, innovative technology provides an unparalleled user experience.

You can receive BACFI Newsstand as a benefit for being a valued BACFI member and the subscription is included in your BACFI membership. Please [set up your account](#) to start receiving these updates.

You are free at any time to reselect the content you wish to receive, change your settings (which include receiving the newsfeed weekly instead of daily) or cancel your subscription. Your personal details will always remain confidential.

If you experience any technical issues, please contact Darran Clarke at dclarke@lexology.com. If you would like to contribute articles to this service, please contact ateague@lexology.com.

BACFI Newsstand is brought to you by Globe Business Publishing Ltd.

[Register now ▶](#)

To ensure you receive emails from Lexology, please add the domain '@ges.gbp.co.uk' to your safe senders list.

BACFI Committee member profile: Gaynor Wood

Gaynor Wood is the General Counsel at CLS (www.cls-group.com).

CLS is a systemically important financial market infrastructure, critical to the orderly functioning of the global FX market. Created by the market for the market, CLS's unrivalled global settlement service reduces systemic risk and provides standardization for participants in many of the world's most actively traded currencies. With trillions of dollars' worth of currency flowing through its systems each day, CLS makes FX safer, smoother and more cost effective.

CLS is regulated and supervised by the Board of Governors of the Federal Reserve System and the Federal Reserve Bank of New York, which organizes and administers the CLS Oversight Committee, comprised of the central banks whose currencies are settled through its settlement service, CLSsettlement.

Gaynor joined CLS in 2013. As General Counsel, Gaynor is responsible for overseeing and leading the Legal division globally, identifying and managing all legal issues and providing advice on all aspects of the legal framework and the laws and regulations affecting the CLS group of companies.

Following completion of Pupillage in a commercial regulatory practice, Gaynor started her Employed Bar career at J.P.Morgan and then went on to hold positions within the legal departments of a number of major investment banks in London, including Deutsche Bank and BNP Paribas. Immediately prior to joining CLS, Gaynor was a Director and Associate General Counsel at Bank of America Merrill Lynch in London, with primary responsibility for legal support of the rates and FX business lines.

Gaynor was called to the Bar of England and Wales in 1994. As well as current Chair of the Bar Association for Commerce, Finance & Industry (BACFI), Gaynor is a Master of the Bench at Gray's Inn and a member of and the Bank of England JSC Legal Sub-Committee. Gaynor was also closely involved in the development of the FX Global Code which is a set of global principles of good practice for the FX market.



The Bar Council Employed Bar Awards – 20th October

The EBAs showcase the wealth of talent amongst employed barristers. Launched in 2017, they celebrate the vital contributions that employed barristers make across numerous practice areas.

The Awards are presented for high quality legal advice and an outstanding contribution by employed barristers to the work of their organisations and the law more generally.

The judging panel will include senior members of the profession and judiciary, alongside the Chair of the Bar, Mark Fenhalls KC.

Included in the shortlist for Employed Barrister of the Year in a Law Firm is BACFI committee member Charlotte Pope-Williams.

Winners will be announced on Thursday 20 October during the Gray's Inn Employed Bar Dinner. The event is open to members of all four Inns at the Employed Bar. Cost: £70. Booking will close on 10 October 2022.

Book and pay online via the [Gray's Inn Online System \(GIOS\)](#).

[Non-members can register for a GIOS account](#) to book events available to non-members.

BACFI is pleased to be associated with this event by being brochure sponsor.

The Annual Bar and Young Bar Conference 2022, 'Future-proofing the Bar'

23 – 26 November 2022 - a series of online and in-person events.

This year's conference will explore the deep-rooted issues that underpin our justice system and their impact on providers of legal services, and will consider how members of the Bar can work individually and collectively to shape the future of the profession.

Across the four days the event will examine how we can strengthen the Bar and ensure that our members' unique excellence in advocacy and specialist advisory services continues to be recognised nationally and internationally, and that the profession is perceived as being sustainable, resilient and diverse.

Programme highlights include:

- Join Carol Storer OBE and panel speakers including Sam Townend QC and Amean Elgadhly in examining the issues facing our crumbling justice system, including legal aid, law reform and the courts.
- Estelle Dehon QC, Co-Chair of the Bar Council's Climate Crisis Working Group leads the discussion on what it mean to be a 'climate-friendly lawyer' and what needs to happen to achieve net zero for the profession by 2030.

- Jacqueline Reid, Chair of the Bar Council's IT Panel will lead a session with fellow Cyber Security experts on the threats facing our profession and the practical steps for mitigation and protection.
- The Lord Chief Justice of England and Wales, Lord Burnett of Maldon will set out his vision for the judiciary and courts in 2023.

[View the full programme](#)

The main conference day, **Saturday 26 November**, will be taking place in-person at the **Grand Connaught Rooms in London**, featuring a varied conference programme, exhibition of leading legal providers and plenty of networking opportunities throughout the day, including a networking reception for all attendees. Those unable to join in person can watch all Saturday sessions livestreamed online. Anyone booking a ticket for the main conference day will also receive complimentary access to all online sessions taking place from Wednesday 23 November – Friday 25 November.

To promote representation from all areas and levels of the profession, ticket prices are based on the income band declared in this year's Authorisation to Practise process. Attendees will also receive a discount if they are a current subscriber to the [Bar Representation Fee](#).

A bulk booking discount of a further 10% is available to Chambers and organisations booking 10 or more full conference tickets. [Email the Bar Council's training and events team](#) to book with a bulk discount.

For further information and to book visit [The Bar Council website](#)

“Acting as a Solicitor’s agent”

There has been some ‘non guidance’ issued by the Bar Ethics Committee. It is titled ‘Acting as a Solicitor’s Agent’. This means presenting points in judge’s chambers in civil and family cases. The memo says there are unregistered barristers who do this, so this could perhaps be relevant to some BACFI members. The memo is published on the BC’s Ethics Hub: <https://www.barcouncilethics.co.uk/documents/393/> .

Counsel article on Employed Pupillage

We were happy to provide some input into the article on Employed Pupillages for the September edition of Counsel Magazine. The article can be found here: <https://www.counselmagazine.co.uk/articles/pupillage-at-the-employed-bar-a-growing-phenomenon> .

The article has also been included in the Student Guide 2022. The full guide can be found here:

<https://Inprodstorage.z35.web.core.windows.net/Counsel/2022/Bar%20Student%20Guide%202022/bZyW9Lol3/html/index.html> .

"The fear of death follows from the fear of life. A man who lives fully is prepared to die at any time." – Mark Twain

Our recently departed ***Queen Elizabeth II set a good example*** in this regard, her succession plan to King Charles III and beyond had been set in train many years previously and consequently hers ***'was a life well lived'!***

Approaching the subject of death and ***preparing financially for this eventuality*** can be one of the most difficult conversations to have with relatives and friends. Sadly, I had occasion recently to assist an elderly friend with the wind-up of her estate after her sudden death; ***she died without a Will and consequently the rules of intestacy took hold***. Upon speaking with one of her surviving close friends as to why she hadn't established a Will...her friend acknowledged ***she just didn't want to talk about it!***

The elderly lady had estranged family in the UK and abroad and these individuals had to be traced and it was these 'stranger beneficiaries' who received unexpected windfalls - windfalls that she most definitely did not intend. ***Mark Twain had it right*** - preparation for death is the key, once we address this fear with all its tributary effects, we can really start to enjoy our lives without morbidly thinking about the event itself. This quarter's newsletter will seek to highlight ***some practical pointers that we can build into our to-do-list*** for ourselves and/or friends and family.

Obtaining a Grant of Probate following a bereavement, ***the Executor (if there is a Will) or Administrator (if there is no Will)*** is responsible for applying for probate. By obtaining the Grant of Probate from the Probate Registry, the Executor or Administrator has the authority to act in the administration of the estate. ***There is a set government fee of £273 for all applications if the value of the estate is £5,000 or over.***

Probate is required by law when the deceased leaves a valid Will and owns a property in their sole name. However, it will not be needed if the assets were held jointly, as they will pass to the surviving spouse or civil partner. It is also needed if a financial institution requires it to release funds. The thresholds for requiring probate vary between institutions and are subject to change. ***If there is no Will***, a close relative of the deceased can apply for ***Letters of Administration***, which gives the ***same authority as a Grant of Probate***.

Obtaining probate consists of making sure you have the ***Will, death certificate, and correct Inheritance Tax form***; submitting the ***probate application***; and ***completing a statement of truth***. In the best-case scenario, applications take ***around 8 weeks to be granted*** once submitted. However, errors can delay the process. Applying online is generally quicker than a paper application.

Seeking professional advice is wise, but this doesn't need to be from a Solicitor. You can instruct a probate and estate administration specialist to deal with the application process or the full administration on your behalf. ***It's best practice to look for a clear, fixed fee based on the work involved, rather than a percentage of the estate's value***. You can also choose to handle everything yourself, but this is a time-consuming role that involves complicated legal work and puts you at ***personal liability for any mistakes***.

Locating key documents when someone dies when trying to locate a Will - there are other documents that you should look out for. At the stage of locating a Will, you may already have possession of the birth, marriage, and death certificates, as these would have been required/distributed at the point of registering the death.

Other important paperwork that you should gather are pension details, insurance policies, and bank and/or building society accounts. Whilst you may not need these documents at the time, you will likely need them later if applying for a Grant of Probate in England and Wales (or Confirmation in Scotland).

There are a few steps to take when looking for someone's Will:

1. **Search the deceased's property** - it could be filed away with other important documents that may be useful down the line.
2. **Ask Solicitors and Will Writers local to the deceased** - it may be stored professionally. In this case, only the Executor will be able to obtain it.
3. **Contact the deceased's bank** - Banks also store Wills and other key documents. Again, the Executor may have to do this themselves.
4. **Will database** - The National Will Register currently stores nearly 10 million Wills. Prices start at £45.60 for a Will Register Search (as of June 2022).

If a Will cannot be found, the estate will need to be administered under the rules of intestacy, meaning it must be distributed following the rules dictated by law in the country where the deceased was domiciled. An Administrator will need to be appointed to apply for Letters of Administration rather than probate.

The task of dealing with a loved one's **digital assets** when they pass away is becoming increasingly common. If an owner dies without passing on the **private key**, the wallet may be discovered, but it will not be possible to gain access to the wealth inside. Therefore, it's **advisable to ensure all usernames, passwords, and private keys are stored with a password manager and accounted for in a Will.**

What should I do when someone dies? When someone dies, there are a number of tasks that need to be completed before administration of the estate can begin.

1. **Getting a medical certificate.** This process varies slightly depending on where the death occurred and whether a Coroner is involved. When someone dies in a hospital, a Doctor will issue a medical certificate of cause of death. A GP will generally issue the certificate if the death occurred at home due to natural causes. **If a Coroner is involved, a post-mortem will be conducted,** and you may need an interim death certificate before you can obtain the medical certificate.
2. **Registering the death.** Once the medical certificate is issued, the death must be registered. Unless there are delays in obtaining the medical certificate, the **death should be registered within 5 days** in England and Wales, or 8 days in Scotland. The death is generally registered by the next of kin or another relative at the register office local to where the deceased passed away. They will need to provide the **medical certificate, birth and marriage certificates, and an NHS medical card** if possible. They will then receive the death certificate.
3. **Locating the Will.** The next step involves establishing whether the deceased left a valid Will and searching for any other important documents which may be helpful later.
4. **Arranging the funeral.** The deceased may have expressed their funeral wishes in their Will, have a pre-paid funeral plan, or have made a family member aware of their wishes. If no specific requests were made, those organising the funeral will have to make the important decisions for themselves.

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 in estate and Will planning? You/friends/family can live **a 'life well lived' too!**

• **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.

World Mental Health Day – 10th October

The Chair of the Bar Council's Wellbeing at the Bar committee, Rebecca Dix who is also a Vice Chair of BACFI, shares what she is doing in her office to mark the day, "At my office I have organised a break out morning. Team members across the office will have tea and cake. I will be encouraging people to bake again and enjoy sharing their cooking skills, taking time away from the screens and having an opportunity to reconnect as friends and colleagues".

The Wellbeing at the Bar Committee details and resources, in particular the 2022 Action Plan can be found here: [Wellbeing at the Bar Chair's Blog 2022: The Action Plan - Wellbeing at the Bar](#). In a recent initiative, the committee led a pilot workshop on "Kindness at the Bar". Look out for more to follow on this interesting piece of research and development for better working practices in the legal profession.

In January 2023 we are organising an in person wellbeing event in conjunction with the Employed Barristers' Committee and the Bar Council Wellbeing at the Bar Committee. Please look out for further details to follow and continue to engage with your Employee Assistance Programmes offered in your industry that is dedicated to your sector.

In the meantime some food for thought, **Lawcare** wanted to share with you their resources for World Mental Health Day on 10th October. They are launching a Tell Ten campaign, where they are asking people to tell ten colleagues or friends in the legal industry about them.

10 reasons to contact LawCare

As World Mental Health Day falls on the 10th day of the 10th month here are 10 reasons why you might consider reaching out to legal mental health charity LawCare for support.

1. Everyone you'll speak to on the phone, email or online chat either works in, or has worked in the law. We understand life in the law and all its challenges.
2. Our service is completely confidential, you don't even have to give your name.
3. You can contact us about anything at all – from a bad day at work to something more serious.
4. We offer one-to-one peer support for those who need a bit of extra support over a period of weeks or months.
5. We support anyone working in the law in the UK, Channel Islands and Isle of Man.
6. Our service is also available to law students and support staff. You can call us if you are worried about someone else.
7. We have 25 years experience in supporting the legal community and have helped over 10,000 legal professionals to date.
8. In some circumstances we are able to provide funding for single session therapy or a course of counselling with a counsellor or therapist.
9. 98.5% of people who have used our support service would recommend us to others.
10. It's completely free of charge to access LawCare's support service.

You can contact LawCare on 0800 279 6888, email support@lawcare.org.uk or access online chat and other resources at www.lawcare.org.uk

Join our Tell Ten campaign for World Mental Health Day and tag 10 colleagues or friends on social or send an email or text & let them know about the free, confidential service LawCare offers everyone working in the law. You never know when someone might need us.

They also have a [video](#) , along with some general LawCare resources available [here](#).

Further resources for World Mental Health Day can be found here: <https://www.mentalhealth.org.uk/our-work/public-engagement/world-mental-health-day>

Dates for your diary

- 5th October: **Becoming an Authorised Education and Training Provider.** The BSB will be talking through the process of how to apply to become an AETO in order that you can offer Employed Pupillages in your company. They will offer guidance as to how to meet their requirements in the hope that more companies consider applying and therefore more Employed Pupillages will be available in the future. Please join us on MS Teams for this event.
- 19th October: **Student Evening online.** The panel will include Jack Meek (Government Legal Department), Janet Mernane (Crown Prosecutor), Ryan Porter (Lloyds Bank), Patrick Rappo (DLA Piper) and Alex Carr (consultant, formerly of HSBC) and will be chaired by Daniel Byrne of AA Thornton and Co.
- 20th October: **The Employed Bar Awards and Gray's Inn Dinner for the Employed Bar.** £70 per ticket for this black tie event. For further details and how to book your tickets: <https://www.graysinn.org.uk/events/employed-bar-dinner-and-bar-council-employed-bar-awards/>
- 23rd November: **AGM: To be followed by a talk by Mark Fenhalls KC, Chair of the Bar.** 6.45pm MS Teams.
- 7th December: **Denning Lecture and Christmas Reception at the Athenaeum. Speaker: Sara Lawson KC. Lecture kindly sponsored by Marque Wealth Management.**
- January 2023: **Wellbeing event in conjunction with the Employed Barristers' Committee and the Bar Council's Wellbeing at the Bar Committee.**

BACFI members on Bar Council and BSB Committees 2022

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 (Chair),
Lucinda Orr, James Kitching, Sara George,
Patrick Rappo, Charlotte Pope-Williams

Young Bar Committee

Charlotte Pope-Williams

Wellbeing at the Bar Group

Rebecca Dix (chair)

Finance Committee

Lorinda Long

Bar Representation Committee

Lucinda Orr, James Kitching,

Race Working Group

Sharon Blackman

European Committee Law Committee and Retained Law Working Group

Alex Carr

Money Laundering Working Group

Shahmeem Purdasy

Ethics Committee

Brian Cahill

Regulatory Review Working Group

David Bunting

Education and Training Committee

James Hampson

BACFI Committee 2022

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**