



## **BACFI QUARTERLY UPDATE: No 7. August 2011**

### ***BACFI In Memoriam:***

**Judge Susan Ward**, former Chairman of BACFI 1999-2001, sadly died on May 27th 2011. Our sincere condolences were sent to her husband and children and a memorial service was held on 18<sup>th</sup> July in the Temple Church

### **NEWS**

**This year's Garden Party**, held jointly with Middle Temple, was a great success despite the inclement weather which obliged us to stay inside. We filled two rooms and our MT partners were very pleased to see so many of the Employed Bar, so we will be repeating the joint event next year. See [website](#) for photos.

**The Legal Practice Forum** on 30th June covered a wide range of practice issues arising from the new legal landscape. Thanks to Wragges who were excellent hosts despite the building work going on there. Derek Southall's slides can be obtained from the BACFI office.

**The Ethics Roundtable** on 20th July featured a lively and well attended debate between Prof Roger Steare and our President Lord Hoffmann. Our thanks go to Eversheds who generously hosted this event.

**Bar Council Elections** are being brought forward this year. Candidates (who must hold a current practising certificate) need to submit their formal consent forms, signed by a proposer who must also hold a current practising certificate, **between 7th and 21st September**. We hope to have a strong field of BACFI candidates this year as there will be at least 4 vacancies in the over 7 years' call category and 2 in the under 7 years'.

If you would like to stand with BACFI endorsement, please contact the BACFI General Committee before 24th August. ([tricia.howse@hotmail.co.uk](mailto:tricia.howse@hotmail.co.uk)).

We are also anxious to recruit **members for BACFI's own committees**. Please think about contributing to your professional association. Contact the Hon Secretary, Helen Fletcher Rogers for details of how you can help: [hfrogers@bacfi.org](mailto:hfrogers@bacfi.org).

Our website [www.bacfi.org](http://www.bacfi.org) contains details of all our events, Responses to and details of BC and BSB consultation papers and we are also on <http://www.linkedin.com>.

**Gray's Inn Dinner for the Employed Bar on October 19th:** this year's black-tie event is open to all employed barristers from all Inns, so you can book and pay direct with [Michelle.Clark@graysinn.org.uk](mailto:Michelle.Clark@graysinn.org.uk) - the Under Treasurer's Secretary. A snip at £50 !

### **Bar Council Matters**

We were very concerned to hear that a number of non BC members were unable to get into the AGM on Saturday 18th June. We have complained to Peter Lodder QC, the BC Chairman, about this.

BACFI has sent ideas to the **Green Review** on the BC's administrative arrangements, now that the Chief Executive has moved on. We suggested that:

- Power and policy should reside firmly with elected members.
- BC should consider a formal Board to take day to day decisions and formulate policy; containing the officers AND some elected members, who should be nominated AND ELECTED at the AGM.
- Chairman's report to BC should address policy predominantly and reduce time spent on lists of places visited, etc.
- BC should mandate Board at each BC meeting, on policy and political activity (incl matters requiring expenditure)
- The Board should replace the current GMC. Its minutes should be accessible to BC members.
- FAC should be a sub committee of the Board with similar composition, chaired by Treasurer and answerable to BC.
- Voting rights at BC elections as well as AGM should be extended to all those paying the MSF. Alternatively, there should be elected members representing the non practising/unregistered Bar.
- Chairs of BC Committees should be elected (at the AGM) and MSF/BC members should be entitled to propose themselves for membership
- CFI preferred to CEO and should have company secretarial role: par 19 agreed. Re par 20 - salary should attract recently retired ICAEW or similar, NOT thrusting expensive young executives !
- CFI should attend Board meetings but not vote. Support only to BSB; but responsibility for all staff matters.
- AGM should "own" new business plan and objectives. These should be proposed, altered and agreed at AGM.

BACFI is pleased to note the formation of a new **BC Strategy Group** comprising the Chairman, Richard Salter QC, Maura McGowan QC (Vice Chairman-Elect), Michael Bowes QC, the 6 Circuit Leaders, Max Hill (Chairman-Elect of the CBA), and Nicola Higgins (YBC Chair).

## PROFESSIONAL ISSUES

- **Representation**

**BSB Consultation on the new Code of Conduct:** you can see the BACFI response to the consultation here [http://www.filewiz.co.uk/bacfi/response\\_to\\_code\\_of\\_conduct.pdf](http://www.filewiz.co.uk/bacfi/response_to_code_of_conduct.pdf)

Dr Vanessa Davies, the **new Chief Executive of the Bar Standards Board (BSB)** is keen to see more CFI Barristers on the BSB's committees. Vacancies were advertised earlier this year but the response has been disappointing. If you have thought of applying, and been deterred, please contact: [hfrogers@bacfi.org](mailto:hfrogers@bacfi.org)

**Legal Education and Training Review:** In November 2010 the three largest legal regulators in England and Wales announced details of a full scale review of legal education and training for entry into the profession, as well as continuing education for practitioners, including CPD. This is intended to be the most comprehensive review of legal education since the Ormerod Report in 1971.

The research for the review is being conducted by a team of academics and will be overseen by a Consultation Panel chaired by Dame Janet Gaymer and Sir Mark Potter. BACFI has established contact with the review team and will be contributing to the review. The review team will be launching a website shortly, which will show work in progress, consultation papers, draft recommendations and which will offer an opportunity to comment and contribute. The website address will be notified to BACFI members once it becomes available.

**BSB CPD Review & Consultation:** you can see the BACFI paper to the CPD Review team here [http://www.filewiz.co.uk/bacfi/submission\\_to\\_cpd\\_review\\_group.pdf](http://www.filewiz.co.uk/bacfi/submission_to_cpd_review_group.pdf). The [new proposals and draft CPD Handbook](#) have now been published (link) and we shall be commenting on these in October. We are anxious to hear members' views on the proposals. If you have comments please contact [esmechandler@googlemail.com](mailto:esmechandler@googlemail.com). You will find a two page summary of these proposals on the BSB website <http://www.barstandardsboard.org.uk/assets/documents/CPD%20AT%20A%20GLANCE.pdf>

We have received news of a disturbing **ruling in the European Court**, to the effect that in house lawyers have been refused rights of audience before the court in **Case T 226/10**. We are considering contacting the OFT about this anti competitive move and will be discussing the implications at our **European Issues Seminar** on 27th September (see below) – if you are concerned please contact [hfrogers@bacfi.org](mailto:hfrogers@bacfi.org).

- **Education**

**New Practitioners' Programme Advocacy and Ethics Training:** BACFI has supplied all four Inns with material tailored to the needs of the employed bar, based on the very successful courses run by Middle Temple. If you are an NP wishing to attend one of the courses, please make sure that you ask for the EB session. If you have any difficulty

registering for one of these courses or if you attend one, please give feedback to [hfrogers@bacfi.org](mailto:hfrogers@bacfi.org).

**Advocacy Training Council (“ATC”)** The ATC is being strengthened with the appointment of an Interim Director, Peter Hilling, formerly Under-Treasurer of Middle Temple. The ATC can play an important role in fostering co-operation between the Inns in relation to the NPP and by making the employed bar exercises in advocacy and ethics available on its website. The new director recognizes that advocacy does not only take place in the courts!

BACFI’s next **European Issues Seminar** will be on 27th September at Brick Court Chambers. To register please contact [events@bacfi.org](mailto:events@bacfi.org).

**CPD seminars:** BACFI remains an accredited provider of CPD seminars and we will be ensuring that events in our 2012 programme carry points. BACFI has been lobbying for a simpler, self accreditation system for CPD that recognizes the need for soft skills and reflects the requirements of the employed bar. We are pleased to note that the present BSB proposals (see above) address most of our suggestions.

- **Support**

**Pupillages:** are down from 460 to 402 this year and there are still very few EB Pupillage Training Organisations (PTOs). **We would** like to hear from anyone whose firm has applied or is thinking of applying, so that we can continue to monitor the difficulties. Contact [hfrogers@bacfi.org](mailto:hfrogers@bacfi.org).

**Student Health warnings:** BACFI has been lobbying both the BSB and the Inns to ensure that students are kept properly informed of the difficulties of securing pupillage and the consequences of failing to complete their professional training. We note that current BPTC numbers have fallen this year, so maybe students are now becoming aware of the pupillage shortage.

However, it is vital that our profession should not lose out to solicitors in attracting the best candidates and we have formed a focus group to cover pupillage issues generally. If you would like to help with this group, contact [secretary@bacfi.org](mailto:secretary@bacfi.org)

**Mentoring scheme:** BACFI has joined with the Commerce and Industry Group to launch a mentoring scheme for young in-house barristers and solicitors and those working as sole lawyers. A number of members have volunteered as mentors and a report on the scheme will be published in a forthcoming Newsletter. If you are interested in acting as a mentor or wish to be mentored, then please contact [secretary@bacfi.org](mailto:secretary@bacfi.org) to register for the next round of the scheme.

## KEY BACFI & RELATED EVENTS – 2011 DATES FOR YOUR DIARY

27th Sept 2011	<b>BACFI European Issues Seminar: from 6pm at Brick Court Chambers, Temple.</b> The seminar will be chaired by Fergus Randolph QC and the speakers will be Michael Patchett-Joyce, Evanna Fruithof and Lorinda Long.
19th Oct 2011	Gray's Inn Employed Bar Dinner for members of all Inns. If you would like to attend please contact <a href="mailto:Michelle.Clark@graysinn.org.uk">Michelle.Clark@graysinn.org.uk</a> .
23rd Nov 2011	<b>Judicial Seminar: from 6.00pm at 6 Pump Court, Temple.</b> Mrs Justice Linda Dobbs and Sehba Haroon Storey, Principal Judge at the Asylum Support Tribunal will be giving their tips on judicial recruitment and careers.
29th Nov 2011	<b>Denning Lecture</b> (Lord Justice Mumby, Chairman of the Law Commission) and BACFI Christmas Party, at Inner Temple

For more details, links to maps and full year's events, please see [diary](#) on website. Be sure to book your places at events with Sandra: [events@bacfi.org](mailto:events@bacfi.org)

**Membership drive:** if you know someone in your firm who might like to join BACFI, do point them to our website where the membership forms can be downloaded: [www.bacfi.org](http://www.bacfi.org)

**Reconnection with the Inns:** If you are prepared to serve as an Inn representative, please contact Sandra: [secretary@bacfi.org](mailto:secretary@bacfi.org) As you can see below, we need more volunteers for Inner Temple!

Current BACFI Inn representatives are:

Middle Temple	<a href="mailto:Christiane@valansot.com">Christiane@valansot.com</a> ; <a href="mailto:stuart.bazley@mobileemail.vodafone.net">stuart.bazley@mobileemail.vodafone.net</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> ; <a href="mailto:Lucindaorr@hotmail.co.uk">Lucindaorr@hotmail.co.uk</a>
Inner Temple	<a href="mailto:EsmeChandler@googlemail.com">EsmeChandler@googlemail.com</a>
Lincoln's Inn	<a href="mailto:William.sprigge@orange.net">William.sprigge@orange.net</a> Ian Beeby <a href="mailto:ipb@peak-intelligence.com">ipb@peak-intelligence.com</a> <a href="mailto:Simon.broomfield@brooksmacdonald.com">Simon.broomfield@brooksmacdonald.com</a>

**BSB and BC committees: 2011 BACFI members sitting on Bar Council or Bar Standards Board committees and subcommittees:**

Bar Council	Tricia Howse, Esme Chandler, Lucinda Orr, Stephen Collier & Lorinda Long
General Management Committee	Tricia Howse
Employed Bar Committee	Tricia Howse, Lucinda Orr, Tim Reading & Sara George
Professional Practice Committee	Tricia Howse & Sara George
Young Barristers' Committee	Lucinda Orr
Policy Advisory Group	Stephen Collier
Finance & Accounts Committee	Stephen Collier
International Committee	Lucinda Orr & Lorinda Long
European Committee	Lorinda Long
Training for the Bar Committee	Sara George & Tim Reading
Bar Conference Committee	Lucinda Orr
City Working Group	Lorinda Long
Bar Standards Board	Sarah Clarke
BSB Qualifications committee and its Pupillage panel	Helen Fletcher Rogers
BSB CPD sub committee	Tricia Howse
BSB Wood CPD working party	Sue Edwards
BSB Practising Rules Working Group	Helen Fletcher Rogers

**EXTRAS**

BACFI has a section on its website for appointments - in particular, opportunities in Europe for a *stage*. The BACFI office holds further details. Three post-graduate students are currently seeking placements or internships in London. You can get their CVs from Sandra: [secretary@bacfi.org](mailto:secretary@bacfi.org).

BACFI also publicises **events run by other organizations** that might be of interest to members. We have been told that a new organization for in house lawyers employed by non-governmental public bodies has been set up: the NDPB Lawyers' Group. For more details, contact Matty Grant [mahtab.grant@legalservicesboard.org.uk](mailto:mahtab.grant@legalservicesboard.org.uk).