



BACFI QUARTERLY UPDATE: No 4. December 2010

NEWS

BACFI ANNUAL GENERAL MEETING: 5.30pm 8th December at the Atkin Building, Raymond Buildings, Gray's Inn

Lord Hoffmann has kindly agreed to give members a short talk prior to the AGM, on the work of the **Financial Markets Law Committee**, which he chairs. This will secure a precious half an hour CPD point for the event!

Elections will then be held at the AGM for all Officers, Vice Presidents and General Committee members. All Officers, the General Committee and the Vice Presidents are due for election or re-election, and both Christiane Valansot and Helen Fletcher Rogers are retiring from their posts.

We are encouraging candidates for all Officer posts, ideally from existing members of the General Committee. **If you would like stand for Office, or to serve on the General Committee you need to send your nomination form, confirming your willingness to stand and signed by two other BACFI members, to the Secretary at least five days before the 8th December. This can be done by post or e mail.**

BACFI Student Essay prize

The winner of the 2010 BACFI Prize at City Law School was **Nicholas Leslie**, BVC 2009/10. We are delighted that Nicholas also won the Scarman Scholarship at the City Law School and came second in the BVC finals. BACFI Chairman Christiane Valansot presented the prize in October. The General Committee has decided to award Nicholas free BACFI membership for 2011. BACFI wishes Nicholas every success in his future career, which commences with pupillage at Fountain Court.

New EB Advocacy Trainers at Middle Temple: Congratulations to Julian Burling who, with Christiane Valansot, is now a fully trained trainer! We would encourage members of other Inns to consider becoming a trainer. It is a rewarding experience and a way of contributing effectively to the professional development of new practitioners. For further details of what is involved contact Christiane Valansot: christiane@valansot.com.

European Issues Seminar 21st September

This event was very well attended and generously hosted by Brick Court Chambers and the Bar Council, with a reception afterwards on their roof garden. Lord Hoffmann chaired a

fascinating seminar which introduced us to the Bar European Circuit, led by **Fergus Randolph QC** and to the Bar Council's Brussels office, manned (or womanned) by **Evanna Fruithof**. **James Flynn QC**, Counsel in the *Akzo* case for the CCBE (Council of Bars and Law Societies of Europe) also spoke. For a full write up see the [website](#).

We have decided to follow up some of the suggestions emerging from this seminar; in particular Fergus' invitation to join the Bar's working group on **European contract law**. If you have expertise in this area and would like to be involved, please contact hfrogers@bacfi.org.

We have asked Evanna to give us more details of the European Commission and Council, so that we can give them more publicity at our student evenings.

Panel Selection & Management Seminar 20th October

Nick Grant, Head of Legal Services at Sainsbury's Supermarkets Ltd, gave a masterclass in legal panel selection and management for all of us who spend our employers' hard earned cash on external legal advice. **Richard Macklin**, Partner at SNR Denton UK LLP gave the external lawyers' perspective and some tips on how to get the best from your panel firms. We all enjoyed drinks afterwards with a fabulous view of St Paul's and our thanks are due to SNR Denton for their hospitality.

Denning Lecture 1st December: Inner Temple 5.30pm

The Denning lecture this year is being generously **sponsored by Hogan Lovells** and the Lecture will be delivered by **Peter Freeman, CBE, QC, Chairman of the Competition Commission**. His theme: **"Is the sword mightier than the pen? Competition enforcement and the Law"**.

As usual, the Lecture will be followed by the BACFI Christmas drinks party, hosted by our new President Lord Hoffmann.

Tickets for the Denning and the drinks party are going fast! Reserve your place with secretary@bacfi.org.

PROFESSIONAL ISSUES

BSB Consultation on Regulating Entities

Responses to this important consultation are due on **23rd December 2010**. If you or your employer has ideas for taking advantage of the changes in legal practice permitted by the Legal Services Act 2007, please let the Professional Issues sub-committee (PISC) know c/o: hfrogers@bacfi.org.

BSB CPD Review & Consultation

We have submitted a paper to the [CPD Review](#) team. Thanks to everybody who assisted with this. The review is now not due to report until the spring of 2011.

New Practitioners' Programme Advocacy and Ethics Training

Further NPP training courses tailored to the needs of the employed bar will be held, we hope, by all four Inns during the spring of 2011. 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.

Pupillage

Pupillages are down from 460 to 402 this year and there are still very few EB Pupillage Training Organisations (PTOs). The BSB has 3 or 4 applications pending and **we would like to hear from anyone whose firm has applied**, so that we can continue to monitor the difficulties. Contact hfrogers@bacfi.org.

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 do not consider that the current "health warnings" are sufficiently robust when students are incurring such enormous debts during their academic training, and the QLTT fall back has now been closed. BACFI gives annual student talks and is forming a focus group to cover pupillage issues generally. If you would like to help with this group, contact secretary@bacfi.org.

Major Review of Legal Education

The Legal Services Board has just announced that the three regulators of the legal profession are to carry out a major and wide-ranging review of legal education with a view to modernising legal education to reflect the new legal landscape. In announcing the Review the Chairman of the LSB, David Edmonds, said:

"The hypothesis to be tested is that the traditional models for training lawyers in England and Wales have become outdated. There are major changes happening in the legal services market place. Is training as presently organised producing lawyers equipped to work in this new world? What will the public will expect of the lawyer of 2020? What will employers be looking for? How should the very high ethical standards we expect of the legal profession be inculcated and reinforced through the training process? The Legal Services Board has a statutory objective – shared with the Approved Regulators – to encourage an independent, strong, diverse and effective legal profession. We are therefore delighted to be working with the SRA, the BSB and ILEX on this major initiative, which we are confident will produce practical and speedy conclusions on the shape of the legal workforce of the future."

It is expected that the Review will start early next year and BACFI will be actively engaged in lobbying for more flexible training opportunities for in-house practitioners. We are also delighted that the LSB has focused on ethics training as being an important part of the education process. This reflects BACFI's aim to be a centre of excellence for ethics at the employed bar.

For further information on the Review click [here](#).

Bar Council pension fund

Despite the undertakings given at the Bar AGM on June 12th (see Sept. Newsletter) to provide costed options for reducing the pension fund deficit prior to the October meeting, the Bar Council produced instead a very sketchy note from Bluefin on Oct 2nd with a [note](#) from the Treasurer inviting agreement on 10 points. This was duly adopted.

Our tiny minority of BC members inevitably means that any resolution BACFI puts forward always risks being heavily defeated, but we have kept up unremitting pressure on the BC to address not only other options for dealing with the pension fund, but also the important governance issues that the subject has revealed.

At the Bar Council meeting on Nov 13th again no information was provided. However, we are encouraged both by the BC's acceptance of the conflicts of interests inherent in the pension fund dealings thus far and by the appointment of a [BC group](#) led by Richard Salter QC which will review the information and advice available *and report back to the Council* – we presume in the new year.

Peter Lodder QC (next year's Chairman) has also announced that there will be **a full review of the PCF during 2011**, starting in January. BACFI will try to ensure proper representation for the employed bar.

Please let Christiane@valansot.com or hfrogers@bacfi.org know if you would be prepared to help with the 2011 PCF review.

KEY BACFI & RELATED EVENTS – 2011 DATES FOR YOUR DIARY

1st March 2011	City Law School Student evening
30th March 2011	Seminar: European experiences of LPP, followed by Amity Supper, with FBLs, BGJA and Bar European Circuit at Middle Temple.
Mid May	Professional Issues Forum, at 3 Verulam Buildings, Gray's Inn
15th June 2011	BACFI Garden Party with Middle Temple
20th July 2011	Ethics Roundtable, with Cass Business School.
27th Sept 2011	Practical EU law issues for in house counsel, with the Bar European Circuit, at Brick Court Chambers.
29th November 2011	Denning Lecture and Christmas Party, at Inner Temple

For more details, links to maps and full year's events, please see [diary](#) on website.

ROUND UP OF LAST QUARTER'S WORK

- **BSB Consultations:** You can see the BACFI responses on the website.
- **Reconnection with the Inns:** If you are prepared to serve as an Inn representative, please contact Sandra: secretary@bacfi.org Current representatives are:

Middle Temple	Christiane@valansot.com ; stuart.bazley@mobileemail.vodafone.net
Gray's Inn	Tricia.Howse@hotmail.co.uk ; hfrogers@bacfi.org ; Lucinda.orr@hotmail.co.uk
Inner Temple	EsmeChandler@googlemail.com .
Lincoln's Inn	Stephen Collier: MrBollyLondon@aol.com ; william.sprigge@orange.net

- **BSB and BC committees:** We will update you on the 2011 BACFI members sitting on Bar Council or Bar Standards Board committees and sub committees, but here are the 2010 members:

Bar Council	Christiane Valansot, Tricia Howse, Esme Chandler, Lucinda Orr
BC Employed Bar Cttee	Christiane Valansot, Tricia Howse, Lucinda Orr, Tim Reading, Sara George.
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
BSB Wood CPD working party	Sue Edwards
BSB Practising Rules Working Group	Helen Fletcher Rogers
BC Young Barristers' Committee	Lucinda Orr
BC Member Services Board	Stephen Collier
BC Policy Advisory Group	Stephen Collier

EXTRAS

BACFI has a section on its website for appointments - in particular, opportunities in Europe for a stage or similar. Contact the BACFI office for further details.

Two post-graduate students are currently seeking placements or internships in London. You can get their CVs from the [website](#).

AND A VERY HAPPY CHRISTMAS TO YOU ALL!