



Message from the Chair

So, in spite of it being March already, I will open this first newsletter of 2019 by wishing everyone a Happy New Year - How time has flown by!

Brexit may not yet be finalised but BACFI at least has been busy preparing for the year ahead, with a plethora of matters for you all to enjoy:

First, we hope that you have seen and read our summaries of Bar Council meetings at which we attend. We hope that these show the breadth and depth of work carried out by the Bar Council, and by us on your behalf. We also hope that you have enjoyed our email updates about the BSB and other matters of interest. Please let us know if there is anything else that you think would be of interest for members, and please remember to take out your free subscription with Lexology to get recent case law updates.

As for events, in January we held a Personal Risk, Liabilities and Penalties seminar, followed in February by The Legal Department of the Future seminar, details of which follow in this newsletter. Many thanks to those who hosted the events (Stephenson Harwood and Pinsent Masons respectively) and all those who attended, your support is invaluable.

As to the future, well on 10 April we will be holding a seminar on The Oil and Gas industry: the role of an employed barrister and its challenges, to be hosted by Fried Frank. On 5 June we will have a Financial services seminar to be hosted by Peters and Peters. Please do sign up and come along, both promise to be excellent events with fantastic networking opportunities to boot.

May I also remind you to keep 2 further dates free, namely 12 June, when we will be holding our annual Garden Party at Middle Temple, and 4 December when our President, Baroness Hale will be giving the Denning Lecture and Christmas Reception at the Athenaeum. Both of these events will really showcase BACFI and be a fantastic celebration of the centenary of the Sex Disqualification (Removal) Act.

Finally, could we pass on our thanks to Jamie Hunt, who will be standing down from the GC, for the sterling work he has carried out over the years. The ACCA has been a firm supporter of BACFI and we look forward to keeping in contact with both them and Jamie.

Officers and General Committee Members

Chair	Patrick Rappo
Senior Vice-Chair	Simon Broomfield
Junior Vice-Chair	Grant Warnsby
Hon Secretary	Simon Broomfield
Hon Treasurer	James Kitching
General Committee	Ian Brookes-Howells
	Hussain Khan
	Christiane Valansot
	Stephen Potts
	Alexandria Carr
	Lorinda Long
	Sarah Cawley-Wilkinson
	Rebecca Dix
	Sonia Hayes
	Laurence Fry

Education, support and representation for the employed Bar

"Personal Risk, Liabilities and Penalties – Mitigation Strategies for In-House Counsel. How to protect yourself when the firm does not protect you. Preserving career, personal resources and reputation in the era of transnational criminal and regulatory investigations".

Sara George and Simon Moore of Stephenson hosted an informal roundtable masterclass in January looking at the position of an in-house lawyer as the target, witness or subject of an investigation. We discussed a number of factual scenarios based upon real events and considered what in-house counsel could have done in each and what protections might have been available to them. We discussed the availability of insurance products to cover legal expenses and the importance of anticipating the likely consequences of involvement in an investigation and how to mitigate the impact. The discussion was informed by the contribution of in-house counsel in a number of sectors and continued over drinks.

The Temple Employed Bar Forum and BACFI Garden Party 12 June, Rose Garden, Middle Temple, 6pm

Tickets are now on sale for our annual garden party. The cost is £30 or £25 for a group of 10 or more. Tickets are available from Middle Temple Treasury tel: 020 74274800. This year the event is supported by Middle Temple, Inner Temple and the Employed Barristers' Committee of the Bar Council. We are encouraging everyone to bring along an internal client (or several) and hope to see you all there!

Forthcoming events

10 April: The Oil and Gas industry: the role of an employed barrister and its challenges. Kindly hosted by Fried Frank

5 June: The Senior Managers and Certification Regime: practical insights into managing an individual's mistakes, misconduct or integrity failings in the regulatory context. Kindly hosted by Peters and Peters

12 June: Garden Party at Middle Temple

27 June: Employed Pupillages event with the BSB and the Employed Bar Committee of the Bar Council

17 October: seminar kindly hosted by ACCA

4 December: Denning Lecture and Christmas Reception at the Athenaeum, Pall Mall. Speaker: Baroness Hale

BACFI Seminar: The Legal Department of the Future – or how intelligent are cockroaches!

On Thursday 21st February David Haliwell, Director of Knowledge and Innovation Delivery at Pinsent Masons, gave a very thought provoking presentation of what the legal department in the future could look like. He commenced his talk looking at the continuing revenue growth of the UK's top 100 UK law firms which has steadily risen from £12,252 million in 2007 to £22,063 million in 2017

We are seeing major new players offering legal services such as the likes of the big four accountancy firms such as PwC "NewLaw", alternative business structures such as major PLCs externalising their in-house legal teams like BT Law Ltd, and non-law firms such as Axiom providing anything from legal tech services to providing interim legal professionals. The traditional law firms such as Pinsent Masons are responding with the creation of their flexible legal solutions business "Vario", as well as providing hybrid legal model of providing legal, process and tech services to their corporate clients as part of their "Smart Delivery". Law firms, in response to the New Law of accountancy firms, are increasingly providing a multidisciplinary approach with not just lawyers but other expertise and resources such as tax advisers, HR consultants and legal engineers.

David looked at legal technology to help in-house lawyers looking at some of the systems, some of which were actually were not quite so new, but are increasingly in use for legal research, contract analytics, e-discovery and expertise automation – all forms of artificial intelligence ("AI") but don't be too alarmed - a cockroach is more intelligent than current AI systems!

David concluded that changes in legal practices and technology are transforming in-house legal services to a hybrid model where the in-house barrister will no longer rely solely on the traditional law firms, but will use a range of technology and legal solutions to deliver effective and value for money in-house legal services.

The in-house barrister is right in the centre of this revolution in the global legal market. Are you ready or will the cockroach beat you?

Thank you to David Haliwell for giving such an interesting presentation, and to Vario from Pinsent Masons for hosting and sponsoring such a successful event. The full account, photos and David's slides can be found on the website:

http://www.bacfi.org/past_events19.htm.

Reconnecting with the Inns

If you would like to become an Inn representative, please contact Sandra: secretary@bacfi.org

Current Inn representatives are:

Middle Temple

Christiane Valansot Christiane@valansot.com

Bart Kavanagh

Amanda-Jane Field

Michel Reznik

Naraindra Maharaj

Gray's Inn

Tricia Howse triciaghowse@gmail.com

Helen Fletcher Rogers hfr Rogers@dial.pipex.com

Lucinda Orr Lucindaorr@hotmail.co.uk

Patrick Rappo prappo@Steptoe.com

Inner Temple

Alexandria Carr

James Kitching

Ayah Elmaazi

Elaine Ngai

Rosalee Dorfman

Rebecca Dix

Lincoln's Inn

Simon Broomfield simon.broomfield@gmail.com

Hussain Khan hussain@khan.cc

Grant Warnsby grant.warnsby@uk.bp.com



Staying visible in this modern legal market

Choosing the right tools and channels to market yourself or your organisation effectively in the current market can be challenging. Knowing where to spend your marketing budget most effectively without dedicating too much precious time is not easy.

Juriosity can help. It is the official online Bar Directory, in partnership with the Bar Council. However, it does a lot more than just replace the old hard copy Bar Directory. Juriosity offers a free legal knowledge network, professional directory, and self-publishing platform that allows legal professionals and organisations to network with others, stand out in their field and gain new clients and business.

There are currently around 7,000 users registered to the site, made up of both solicitors and barristers as it has been designed to offer a networking platform across the whole of the legal profession, including all practice areas and for both the employed and self-employed Bar. It allows legal professionals to post articles and commentary in order to showcase their expertise to a wide audience of lawyers and potential clients.

We've recently done some analysis on how the site is helping those currently signed up. Please [click here](#) to view some key statistics.

The site is free to register your profile, and that of your organisation, as well as to contribute content. So, [click here](#) for a quick, easy and free way to boost your profile and ensure you're being seen.

For further information, contact:

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T: +44 (0) 20 3912 0618

BACFI members on Bar Council and BSB Committees

Bar Council

Patrick Rappo, Lucinda Orr (elected), Lorinda Long (elected), James Kitching (elected), Alexandria Carr, Grant Warnsby (Treasurer), Charlotte Pope-Williams (elected), Brian Cahill (elected), Efe Avan-Nomayo (elected)

General Management Committee

Grant Warnsby, Patrick Rappo, Alex Carr

Employed Bar Committee

Lucinda Orr, James Kitching, Sara George, Alexandria Carr, Patrick Rappo, Grant Warnsby, Charlotte Pope-Williams

Audit Committee

Alexandria Carr

Finance Committee Chair

Grant Warnsby

Finance Committee

Lorinda Long

Member Services Committee

Lucinda Orr, James Kitching

European Law Committee

Alexandria Carr

Bar Representation Committee

Lorinda Long

Susskind Challenge Working Group

Amanda Williams

Bar Standards Board Authorisations Review Panel and Scope of Practice Working Group

Jamie Hunt

Bar Council Wellbeing Group

Rebecca Dix

Bar Council Brexit Working Group

Alex Carr

Five reasons your business needs cyber insurance

1. Cybercrime is one of the fastest-developing risks in the world

Cybercrime [now costs the world almost \\$600 billion, or 0.8% of global GDP](#), with ransomware being the fastest-growing threat. Cyber criminals know how much we now rely on technology for trade and communication, so they go straight for the jugular of a business: its IT system.

"I think one of the reasons cybercrime is growing is that it's so easy to do," says Phil Thorpe, Associate Director for S-Tech. "It's much harder to break into physical premises. And what do you steal these days? What's valuable? Criminals ultimately want cash so there's little value in stealing office equipment. It's much easier and more lucrative to attack electronically."

2. Size doesn't matter

From sole traders to multinational corporations; no business is safe from cybercrime. If you use a computer system to operate – whether for invoicing, banking, communication, ordering, selling or any other application – then you're a potential target.

Many small business owners don't realise just how much data they have. Even without consciously collecting it, it's still being stored and used every day. And for many companies – of all sizes – data is in fact their most important asset.

3. Robust IT security is not enough

A lot of businesses think IT security is the only protection they need, but it really only defends against known threats – it doesn't anticipate the ingenuity of the cyber criminal. Consequently, even the most secure systems in the world have some vulnerability to attack.

Furthermore, it won't protect a business from its own people. "Few companies will be policing employee behaviour sufficiently enough to counter the risk of them being duped by fraudsters or exposing the business to cyber attack," says Phil. "It's a real challenge, especially for companies with more than one site."

4. Outsourcing is no excuse

If you outsource your data to a third-party data processor, it doesn't get you off the hook. The processor will have some responsibility for it, but the buck stops with you as the data controller. Even if the fault lies with the processor in the event of a data breach, you will still be held responsible and lose business due to reputational damage or business interruption, as well as facing liability claims from third parties.

5. No other form of business insurance will save you

Whilst your existing business insurance policies may offer some assistance – for example, with third-party liability claims – they simply won't provide the breadth and depth of cover you'd require in the event of a cyber attack.

After all, cyber attack is a very specific situation. There won't be a physical event, as with fire or theft; you won't necessarily have been negligent in a traditional sense, but you still have a strict liability under GDPR legislation; and it can have ramifications for countless other parties. Therefore, it requires a tailored insurance product with rapid first-response services.

Would you know precisely how to act if you fell victim to a cyber attack? That's why you'd need experts on hand to provide legal advice and handle ransom demands, GDPR procedures, PR and reputational management, forensic investigation and customer support services. If cost is an issue for you as a small business owner, your broker should be able to offer advice on ways to make a cyber insurance policy financially viable.

"At Alan Boswell Group, for example, we're launching start-up cyber insurance policies with low limits and affordable premiums specially designed for small businesses," says Phil. "Of course, they will offer lower levels of cover compared to, say, a £35,000 policy; but they will still provide clients with those all-important response services."

To get started, or to find out how your business could benefit from cyber insurance, get in touch with Martin Taylor, Account Executive at S-Tech on martint@s-tech.co.uk

BACFI Lexology Newsstand

Our collaboration with Lexology has so far been successful with a number of members taking up the offer of receiving free Lexology articles which can be tailored individually depending on particular areas of practice and interests. There is still time to sign up to this if you haven't already done so through this link <https://www.lexology.com/account/register.aspx?s=BACFI>.

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