



Message from the Chair

Dear Members

Although it has been a long hot summer, you'll be glad to hear that BACFI has not been sitting back on its laurels and enjoying the sunshine! I am pleased to note that we have continued to make a number of significant strides for the benefit of our members in this period:

As ever, BACFI's programme of events for 2018 has continued apace with an excellent event on Whistle-blowers, hosted by Peter & Peters, and our regular Meet the Regulators event, where we were joined by Ewen MacLeod, the BSB's director of strategy and policy,

For details of these and other events over the course of the year, read on within this newsletter and on BACFI's website.

In the same vein, we look forward to seeing you at the forthcoming Employed Bar dinner at Gray's Inn or at the Annual Denning Lecture, at which Lady Justice Rose will be speaking on "'An Understanding Heart': Being a Judge in the 21st Century".

In furtherance of our objectives, we have also been continuing our liaison with the BSB in relation to rules that affect the Employed Bar. Jamie Hunt, one of our general committee members, is now part of the BSB working group for the recently established Scope of Practice Review, inputting on issues that affect all of us. Read on as to how to contact him to provide additional details

As a final note, thank you to everyone who completed the Survey Monkey questionnaire, providing us with details of your jobs and roles, and areas of interest. We will use this information to streamline our objectives and to help us decide what else we can do for you, for example, with future events.

Thank you for all your assistance and enjoy the rest of the newsletter!

Best wishes

Patrick

Officers and General Committee Members

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|-------------------|------------------------|
| 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 |
| | Jamie Hunt |
| | Rebecca Dix |

Education, support and representation for the employed Bar


Should Whistleblowers be Paid?

On the 10th July, Peters & Peters hosted a BACFI seminar, 'Should UK Whistleblowers be Paid?'. The speakers were Mary Inman (Partner, Constantine Cannon), Martin Woods (Head of Financial Crime at Thomson Reuters and a whistleblower himself), Rebecca Aston (Head of Professional Standards at the Chartered Institute for Securities and Investment) and Andrew Pepper-Parsons (Head of Policy at Public Concern at Work, the whistleblowing charity), and the event was chaired by Jenny Barker, Of Counsel at Peters & Peters. The event was very well-attended, and the topic sparked a lively debate, with interesting and varied contributions from the audience, on the central question of whether the British remain too squeamish for a system that rewards whistleblowers with cash.

Our annual update from the BSB

Ewen MacLeod, the BSB's director of strategy and policy, spoke to us on 4th July about what the BSB is undertaking with particular regard to Employed barristers. He mentioned the next consultation regarding Future Bar Training along with the Scope of Practice Review (which will include looking at the three year rule and waivers, which affect many of our members). Our professional issues sub committee are responding to the consultation (https://www.barstandardsboard.org.uk/media/1943343/rule_change_condoc.pdf) and Jamie Hunt, one of our general committee members, is part of the working group for the Scope of Practice Review. If you have any comments or suggestions on these topics please let Sandra know.

Forthcoming events

Think Ahead 

17 October: Students' Evening at City Law School

23 October: Gray's Inn Dinner for the Employed Bar

8 November: GDPR update at ACCA

28 November: BACFI AGM at Fried Frank Harris Shriver and Jacobson LLP. Speaker: Lucinda Orr

4 December: Denning Lecture at Parliament Chamber, Inner Temple. Speaker: Dame Vivien Rose

For more information about any of our events, opportunities to sponsor them or to purchase tickets please contact Sandra at secretary@bacfi.org

Bar Pro Bono Awards

A new-look Bar Pro Bono awards is set to be launched this autumn with nine categories up for nomination and a star-studded judging panel, which includes the Lord Chief Justice, Chair of the Bar and the elusive Secret Barrister. This year's awards will be expanded beyond the one Bar Pro Bono Award which has been presented to a barrister each year since 1997, in order to recognise the wider contribution barristers and chambers make to providing free legal advice and advocacy to the most vulnerable in society.

For the first time the awards will also showcase the impact of those who support the profession, which is why they have new categories across the different elements of the barristers' profession as well as a chambers' staff pro bono award.

To mark this year's awards, the Unit will be hosting the awards at historic Fleet Street bank Child & Co on 24 October 2018, in addition to presenting the Lifetime Achievement in Pro Bono and Young Pro Bono Barrister of the Year awards at the Bar Council's Annual Bar & Young Bar Conference on 24 November at De Vere Grand Connaught Rooms, London, as has been tradition for many years.

This year's award categories will include the Employed Pro Bono Barrister of the Year.

Nominations are open [now](#), closing on **3rd October 2018**.

BACFI Survey

Thank you to all those of you who took part in the recent survey. The findings will help us to plan our events for the future and hopefully we will see more of you attending the events next year.

The winner of the bottle of champagne is James Blake.

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

Sally Bevan

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 rdix@bivonas.com

Lincoln's Inn

Simon Broomfield simon.broomfield@gmail.com

Hussain Khan hussain@khan.cc

Grant Warnsby grant.warnsby@uk.bp.com

Gray's Inn Dinner for the Employed Bar

The annual Gray's Inn Dinner for the Employed Bar takes place on Tuesday 23rd October. Members of all Inns are welcome to attend. Cost is £68 per person and more details can be found on our website or by contacting Michelle Clark michelle.clark@graysinn.org.uk.

2018 Denning Lecture

The 2018 Denning Lecture takes place on Tuesday 4th December in the Parliament Chamber, Inner Temple at 6pm. Mrs Justice Rose will be speaking on 'An Understanding Heart': Being a Judge in the 21st Century. The lecture will be followed by our Christmas Reception from 7pm until 9pm. Reception tickets are priced at £20 and are available from Sandra. Next year's lecture will be given by Baroness Hale. The lecture and reception are kindly sponsored by Juriosity. If you or your company are interested in sponsoring either this year's lecture or next year's please contact Sandra.



The Bar Council has ended its partnership with Sweet and Maxwell for the official Bar Directory and has now partnered with Juriosity to build the new Bar Directory as an online-only platform.

Juriosity is rapidly becoming the online home of law in the UK, with over 5,000 barristers registered on the service, and an increasing number of solicitors using it too. It contains insight and articles from legal experts in a range of areas and allows users to publish content for free to be seen by experts and provides an opportunity to gain new clients.

You can [follow these steps](#) to claim your profile free of charge.

BACFI members on Bar Council and BSB Committees

Bar Council

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

General Management Committee

Lorinda Long, Patrick Rappo,
Lucinda Orr, 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

Lorinda Long

Bar Pro Bono Panel

Lucinda Orr

Member Services Committee

Lucinda Orr, James Kitching

European Law Committee

Alexandria Carr

Bar Conference 2018 Chair

Lucinda Orr

Susskind Challenge Working Group

Amanda Williams

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

Jamie Hunt

Bar Council Wellbeing Group

Grant Warnsby

Bar Council Brexit Working Group

Alex Carr

Ask the expert: Management Liability: Protect your people

Imagine you're the director of a company. It could be any type of company: a start-up, a non-profit or even a FTSE-100-listed organisation.

Whichever you choose for the sake of this example, you will face a range of pressures from various different sources such as stakeholders, employees, regulatory bodies, competitors and customers. And although you might not realise it, the day-to-day decisions you make may leave you vulnerable to legal action. What that means is that legal action can be taken against you; a director's personal liability is unlimited, so your own assets are at risk if you have to foot the bill for costs and damages. And that's without considering the effect such actions can have on your reputation and that of your business. In fact, this is the case for your employees too, even if they're not at director level. They can all be at risk of personal liability and face the possibility of personal legal action. While that sounds like a horror story, a management liability policy (MLP) can provide peace of mind.

What is management liability insurance?

Essentially it's a comprehensive policy with three core sections that cover various aspects of your business. They can be tailored to match the challenges you, your employees and your business are likely to face. The core covers are directors' and officers' liability, corporate legal liability (entity), and employment practices liability. There are also optional extras that can be added on to ensure your policy meets your needs.

Can start-ups get this cover?

If you're a start-up and are struggling to arrange insurance, although most policies tend to be based on the previous year's turnover, which may not be possible for a new business, cover can be arranged that takes a range of other factors into consideration.

For example, they would explore funding, shareholder status and business plans to find the right level of cover for you. They will also factor in when you're likely to see outside investment so they can make sure you're covered for any potential shareholder claims down the line. Unlike lots of other policies, the Alan Boswell Group, in association with AXA, policy cover doesn't have major shareholder or insolvency exclusions, which means you're covered if you hold a large proportion of company shares.

Management liability case study

A director from Company A went to work for Company B. Company A alleged trade secret theft against Company B and the director. Emails and access to secret information were cited as evidence that the director had given Company B the secrets of Company A to help it develop its own competitive product. Four years after the charges were brought, the case was dismissed. Defence costs for both parties were significant and could have been covered by management liability insurance. *Source: Aviva*

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