

**BAR
STANDARDS
BOARD**

REGULATING BARRISTERS

Regulatory Decisions

Statistical Report 2019/20

Regulatory Operations Department
Legal and Enforcement Department

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Introduction

- 1.1 The Bar Standards Board's Authorisation Team is responsible for dealing with applications for waivers and exemptions from our practising requirements. The team also deals with the authorisation of Approved Education and Training Organisations, Alternative Business Structures and Entities.
- 1.2 The Bar Standards Board publishes a Handbook with which barristers comply. Where there is evidence that the Handbook has been breached, the BSB will consider what action may be necessary by way of enforcement or otherwise. The work of enforcing the Handbook is carried out by the Contact and Assessment Team, Investigation and Enforcement Team, and the Independent Decision-making Body of the BSB. We assess reports, investigate allegations and, where appropriate, take action against barristers who have breached their professional obligations as set out in the Handbook.
- 1.3 This Statistical Report accompanies the Regulatory Decision Making Annual Report for 2019/20 and presents the statistical data collected between 1 April 2019 and 31 March 2020 concerning the new applications and reports that we received, the caseload that we worked on throughout the year and the outcomes of this work. This data was extracted from our Case Management System in June/July 2020. Where possible, figures for 2018/19 are also provided for comparison.

Applications

The following tables provide statistical data for the applications received in 2019/20.

Table 1 Applications received	
Application type	2019/20
Admission to the Bar as a Qualified Foreign Lawyer	174
Certificate of Academic Standing (qualifying degree)	151
Litigation Authorisation	110
Admission to the Bar for Solicitors	102
Pupillage Reduction	90
OISC Licensed Access (Renewal)	71
Waiver of the Qualified Person Requirement	64
BTT Extension	56
CPD Extension (NPP)	52
Admission to the Bar as a Qualified European Lawyer	47
Pupillage Dispensation	43
Licensed Access Amendment/Renewal	37
Pupillage Reduction (barristers also qualified as solicitors)	36
Pupillage Funding and/or Advertising Waiver	36
Reactivation of Stale Qualifications	34
OISC Licensed Access (Registration)	22
Under Review	22
Public Access Exemption	20
Licensed Access Authorisation	19
Fee Waiver Request	16
CPD Waiver (NPP)	13

Table 1 Applications received

Application type	2019/20
Retrospective Registration of Pupillage	11
General Exemption	10
Exercise of Discretion	9
Non-QLD Provider Exemption	9
Certificate of Academic Standing (without qualifying degree)	8
QLD Provider Exemption	7
Admission to the Bar for Registered European Lawyer	7
Registration as a European Lawyer	6
Permission to undertake External Training	4
Rights of Audience By Another Approved Regulator	3
Bar Exam Transcript/Letter	3
Application Review	3
Rule Q28.1 Waiver	2
Admission for Legal Academics	2
Authorisation as a Pupillage Training Organisation	1
Professional Qualifications Exemption	1
Temporary Admission	1
Review of a Decision of the Inns' Conduct Committee	1
Legal Advice Centre Application	1
Exemption from the vocational stage of training for those who passed the bar examination for nonintending practitioners	1
Licensed Access Authorisation - Professional Associations or Ombudsman Services	1

Contact and Assessment Team

The following tables provide statistical data for the reports received in 2019/20.

Table 2	Reports received	
	Year	No.
	2016/17	1,098
	2017/18	1,242
	2018/19	1,340
	2019/20	1,489

Table 3	All incoming information
Purpose	2019/20
Ask a question	701
Report Something	1,320
Report - Reporting Obligations	105
Other	64

Investigation and Enforcement Team

The following tables provide statistical data for the reports investigated and their outcomes in 2019/20.

Table 4 Cases referred to Investigation

Year	No.
2016/17	175
2017/18	199
2018/19	146
2019/20	176

Table 5 Throughput of investigation cases

Decision	2016/17	2017/18	2018/19	2019/20
Closed after investigation	111	155	133	92
Referred to Disciplinary action	66	37	50	31
Total	177	192	183	123

Table 6 Decision sources for closed reports

Decision Source	2018/19	2019/20
LED staff	90	61
Independent Decision-making Panel	-	13
Professional Conduct Committee	38	9
Other	5	9
Total	133	92

Table 7**Final outcomes of reports**

Outcome	2018/19	2019/20
Closed after investigation	133	92
Administrative Warning/Fine	57	38
Dismissed	70	44
Closed/Withdrawn	6	10
Determination by Consent	9	5
Disciplinary Tribunal	27	42
Withdrawn/Struck Out/No Evidence Offered	2	2
Dismissed	4	5
Proved/Upheld	21	35
Total	169	139

Notes

The outcomes listed are the final outcomes of complaints. Where complaints were reopened, only the final outcome is listed, not any interim decisions.

Table 8**Sentences imposed in reports upheld at disciplinary action**

Sentence	2018/19	2019/20
Advised as to Future Conduct	1	0
Attend on nominated person for advice	0	2
Disbarred	4	10
Fined	18	6
No Further Action	0	0
No separate penalty	1	4
Other	1	0
Prohibited from Accepting Public Access Instructions	2	1
Reprimanded	16	9
Suspended	4	15

Notes

The figures listed is the number of barristers who were subject to these sanctions.