



## Meeting of the Bar Standards Board

**Thursday 24 July 2025, 5.00 pm** (Hybrid meeting - in person and online)

**Rooms 1.4 – 1.7, First Floor, BSB Offices / MS Teams**

### Agenda – Part 1 – Public

**This meeting will be recorded for the purposes of minute taking as previously agreed by the Board. Your consent to this is assumed if you decide to attend. The recording will be deleted once the minutes are formally approved at the next meeting**

***Note: this meeting will be preceded from 3.15 pm-4.45 pm by a Board Member seminar about setting risk tolerance***

				Page
1.	<b>Welcome / announcements</b> (5.00 pm)		Chair	
2.	<b>Apologies</b>		Chair	
3.	<b>Members' interests and hospitality</b>		Chair	
4.	<b>Approval of minutes from the last meeting (22 May 2025)</b>	Annex A	Chair	<b>3-6</b>
5.	a) <b>Matters arising &amp; Action List</b>	Annex B	Chair	<b>7</b>
	b) <b>Forward agenda</b>	Annex C	Chair	<b>9</b>
6.	<b>Performance in 2025/26: Quarter 1 Performance Report</b> (5.10 pm)	BSB 034 (25)	Mark Neale	<b>11-28</b>
<b><i>Note: BSB Paper 035 (25) was later moved to the Part 2 agenda list</i></b>				
7.	<b>Designation of Right of Appeal for EFTA applicants</b> (5.25 pm)	BSB 036 (25)	Richard Parnham	<b>35-39</b>
8.	<b>Director General's Report – Public Session</b> (5.30 pm)	BSB 037 (25)	Mark Neale	<b>41-42</b>
9.	<b>Chair's Report on Visits &amp; External Meetings</b>	BSB 038 (25)	Chair	<b>43</b>
10.	<b>Any other business</b>			
11.	<b>Date of next meeting</b>			
	• Thursday 25 September 2025			

12. **Private Session**  
(5.35 pm)

**John Picken**  
**Governance Officer**  
17 July 2025

**BAR  
STANDARDS  
BOARD**

REGULATING BARRISTERS

**Part 1 - Public**  
**Minutes of the Bar Standards Board meeting**  
**Thursday 22 May 2025 (2.00 pm)**

**Hybrid Meeting, Rooms 1.4-1.7, BSB Offices & MS Teams**

- Present:** Kathryn Stone OBE (Chair)  
Gisela Abbam – via Teams  
Jeff Chapman KC  
Emir Feisal JP  
Ruby Hamid (items 7-14)  
Tracey Markham  
Andrew Mitchell KC  
Ruth Pickering  
Stephen Thornton CBE
- By invitation:** Steve Haines (Consultant)  
Andy Russell (Director, Council of the Inns of Court) – via Teams
- BSB Executive:** Graham Black (Head of Communications)  
Laura Cassidy (Stakeholder Engagement Officer) – via Teams – items 7-14  
Naznin Chowdhury (Governance & Risk Manager)  
Mike Farmer (Head of Programmes and Planning)  
Rebecca Forbes (Head of Governance)  
Teresa Haskins (Director of People and Culture)  
Saima Hirji (Director of Regulatory Enforcement) – via Teams  
Alex Kuczynski (Director of Legal & Information Management)  
Ewen Macleod (Director of Strategy, Policy & Insights)  
Rupika Madhura (Director of Standards)  
Mark Neale (Director General)  
John Picken (Governance Officer)  
Debbie Stimpson (Director of Planning, Programmes & Engagement)  
Adelita Thursby-Pelham (Head of Authorisations)
- Resource Group:** Richard Cullen (Director of Finance)

**Item 1 – Welcome / Announcements**

1. Kathryn Stone welcomed those present to the meeting, particularly Nazin Chowdhury (Governance & Risk Manager) who was attending the Board for the first time.
2. **Item 2 – Apologies**
  - Irena Sabic KC
  - Leslie Thomas KC
  - Kirsty Brimelow KC (Vice Chair, Bar Council);
  - Malcolm Cree (Chief Executive, Bar Council);
  - Barbara Mills KC (Chair, Bar Council).
  - Lucinda Orr (Treasurer, Bar Council)

**Item 3 – Members’ interests and hospitality**

3. None.

**Item 4 – Approval of Part 1 (public) minutes (Annex A)**

4. The Board **approved** the Part 1 (public) minutes of the meeting held on 27 March 2025.

**Item 5a – Matters arising & Action List**

5. The Board **noted** progress on the action list. At the Chair’s request, Mark Neale explained why the point around full cost recovery of authorisation applications had been removed (min 16d – 30/11/23). He stated that:
- an increase in authorisation fees to account for inflation was applied as from 1 April 2025, following the decision at the last Board meeting;
  - a further review of these authorisation arrangements is also now in progress so there is no continuing need to retain this item on the action list.

**Item 5b – Forward agenda**

6. The Board **noted** the forward agenda list.

**Item 6 – Ratification of Out of Cycle Board Resolution –  
Recommendations from the Nomination Committee  
BSB 021 (25)**

7. The Board formally ratified the decisions taken out of cycle concerning appointments recommended by the Nomination Committee.

**Item 7 – Performance in 2024/25 & Quarter 4 Performance Report  
BSB 022 (25)**

8. Mark Neale highlighted the following:
- operational performance steadily improved during 2024/25. Based on year-on-year figures, we saw sustained or improved results in 14 of the 17 key performance indicators;
  - the Q4 results also show sustained improvements in timeliness and the quality of decision making remains high;
  - all this has been achieved without detriment to the implementation of our Reform Programme.
9. Emir Feisal JP noted, with satisfaction, the positive impact of the Authorisations Team’s proactive management of external communications. This led to a considerable reduction in the number of calls received in Q4 compared to Q3.
10. In response to other questions raised, the executive stated that:
- we aim to hit all current operational targets by the end of 2025/26. As described in Annex A of the paper, sizeable improvements in some areas will need to be made in order to achieve that target;
  - as explained in paragraph 22, the number of unanswered or abandoned calls is artificially high because they include those received outside standard business hours. We are considering new software (Freshdesk) as a means to disaggregate those calls and so provide a more accurate figure. However, this is not likely to be in place for at least six months;

- we regard “case flow” as those items which are received and managed within the anticipated delivery times set out in the key performance indicators (KPIs). In contrast a “backlog” refers to cases that have already gone beyond KPI parameters.

11. The Chair referred to the BSB’s Tech at the Bar conference (15 May 2025). This prompted her to enquire about the possible utilisation of artificial intelligence in BSB operations. In response, Mark Neale stated that:
- at present we are prioritising software upgrades for the BSB’s enforcement processes;
  - notwithstanding that we have initiated a project to introduce an online self-service model for pupillage. This will complete once capacity allows;
  - we also expect to harness artificial intelligence to manage other routine tasks, eg initial checks for authorisation applications in due course once other priority IT changes are in place.

12. **AGREED**

to note:

- the operational performance across the 2024/25 year and in quarter 4 of the same year as set out in annexes A and B of the paper; and
- the progress made in delivering the 2024/25 business plan (annex C).

**Item 8 – Performance and Strategic Planning Committee (PSP) Year-End Report November 2024 to end April 2025**

BSB 023 (25)

13. Tracey Markham introduced the Year-End report (the second of the bi-annual reports for 2024-25). She also referred to the last meeting of the Committee held on 8 May 2025 (her first as PSP Chair). This included a well-received “deep dive” into the Reform Programme and an update on the management of applications from Transferring Qualified Lawyers (TQLs).
14. Ruby Hamid welcomed the report, commenting positively both on the chairmanship of the last PSP Committee meeting and the useful and candid nature of the discussion held.

15. **AGREED**

to note the report.

**Item 9 – Nomination Committee and Independent Decision-making Body (IDB) Terms of Reference**

BSB 024 (25)

16. The Board considered proposed changes to the Terms of Reference for the Nomination Committee and the Independent Decision-making Body (IDB). The Chair confirmed that the phrase “standard to be expected” in respect of re-appointments (paragraph 21(h) of the Terms of Reference of the Nomination Committee) refers to both the job description of the postholder and the Code of Conduct for Board Members.
17. **AGREED**
- to approve the amendments to the Terms of Reference for the Nomination Committee and the Independent Decision-making Body (IDB).

**Action -  
RF**

**Item 10 – Director General’s Report – Public Session**

BSB 025 (25)

18. The Board **noted** the report. In response to a question from the Chair, Mark Neale confirmed that the outcome of the Harman Review is expected at the end of September 2025.

**Item 11 – Chair’s Report on Visits and External Meetings**

BSB 026 (25)

19. The Board **noted** the report.

**Item 12 – Any Other Business**

20. None.

**Item 13 – Dates of next meetings**

21. • Thursday 26 June 2025 (BSB Away Day), 09.30 am, Inner Temple.  
• Thursday 24 July 2025 (ordinary meeting), 5 pm, BSB Offices.

**Item 14 – Private Session**

22. The Board resolved to consider the following items in private session:
- (1) Approval of Part 2 (private) minutes – 27 March 2025.
  - (2) Matters arising and action points – Part 2.
  - (3) BSB Corporate Risk update for the Board.
  - (4) TQL Performance.
  - (5) BSB Equality Rules.
  - (6) Reform Programme: Modernising Delivery Update & the desired outcomes of the Reform Programme.
  - (7) Change: targets and measures.
  - (8) Director General’s Report – Private Session.
  - (9) Any other private business.
23. The meeting finished at 5.15 pm.

**BSB – List of Part 1 Actions**  
**24 July 2025**  
*(This includes a summary of all actions from the previous meetings)*

Min ref	Action required	Person(s) responsible	Completion Due Date	Progress report	
				Date	Summary of update
17 (22/05/25)	Update the Nomination Committee and Independent Decision-making Body (IDB) Terms of Reference on the BSB website	Rebecca Forbes	23 May 2025	23/05/25	<b>Completed</b> – website amended
26 (27/03/25)	issue consultation on proposals about first-tier complaints	Ahmet Arikan	30 May 2025	29/05/25	<b>Completed</b> – consultation issued on BSB website
				12/05/25	<b>Ongoing</b> – consultation to be launched latest by the end of May 2025.





## Forward Agenda

### Thursday 25 September 2025 – 2 pm start

- Q1 performance report (Full HR, Finance & Service Complaint Reports)
- Director General's Report (public & private session)
- BSB Annual Report 2024/25 including Regulatory Decision-Making Report and IDB Report
- Board Risk Appetite (Corporate Risks)
- Draft Budget and business plan 2026-27
- First tier complaints proposals - final
- Reform and re-organisation
- Corporate Risk Report
- Handbook drafting principles

### Monday 6 October 2025 (10.00 am start – Second Board Away Day)

- Annual Board evaluation

### Thursday 27 November 2025 – 5 pm start

- Director General's Report (public & private session)
- Dates for Board Meetings (Jan 2026 – Mar 2027)
- Annual report – Bar Training
- PSP Committee Mid-Year Report
- GRA Committee Annual Report
- Q2 performance report
- Enforcement Regulations – outcome of consultation
- Reform and re-organisation
- Corporate Risk Report
- Board member appointment

### Thursday 29 January 2026 – 2 pm start

- Director General's Report (public & private session)
- Reform and re-organisation

### Thursday 26 March 2026 – 5 pm start

- Director General's Report (public & private session)
- Q3 performance report
- Reform and re-organisation
- Corporate Risk Report
- Final Business Plan & Budget Plan 2026-27



## Part 1 – Public

<b>Meeting:</b>	Board	<b>Date:</b>	24 July 2025
<b>Title:</b>	Performance in 2025/26: Quarter 1 Performance Report		
<b>Authors:</b>	Director General (paper) Imogen Kirby, Business Insights Manager (Balanced scorecard report)		

<b>Paper for:</b>	<b>Decision:</b>	<b>Discussion:</b> <b>X</b>	<b>Noting</b> <b>X</b>	Other: <input type="checkbox"/> (enter text)
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Paper relates to the Regulatory Objective (s) highlighted in bold below	
(a)	<b>protecting and promoting the public interest</b>
(b)	supporting the constitutional principle of the rule of law
(c)	improving access to justice
(d)	<b>protecting and promoting the interests of consumers</b>
(e)	promoting competition in the provision of services
(f)	encouraging an independent, strong, diverse and effective legal profession
(g)	increasing public understanding of citizens' legal rights and duties
(h)	<b>promoting and maintaining adherence to the professional principles</b>
(i)	promoting the prevention and detection of economic crime.
<input type="checkbox"/>	Paper does not principally relate to Regulatory Objectives

## Summary

1. This paper provides a commentary on our operational performance in the first quarter of 2025/26. The quarter 1 balanced scorecard report is at annex A. It includes for the first time indicators on our people.
2. Overall, 12 of 20 targets were hit and 2 were narrowly missed. Key issues for discussion this quarter are:
  - the tide has turned on authorisation applications, with more applications decided than received and a consequent drop in the caseload – the first such drop for many quarters, although the caseload remains high due to the March spike in TQL applications which are now older than 12 weeks.
  - we have, however, received roughly a third more reports on barristers over the quarter and have taken immediate steps to increase capacity to prevent a build-up of caseload.
  - we continue to hit our quality targets.

## Recommendations

3. The Board is invited to note and discuss performance in quarter 1.

## Operational performance in Q1 (annex A)

4. The balanced scorecard measures the efficiency and effectiveness with which we deploy our principal regulatory interventions of supervision, enforcement and authorisations. It does so in four dimensions: the quality of our decisions, timeliness, productivity and service responsiveness. Of these, the first is the most important. We have consistently hit our targets for maintaining high quality decisions which are audited by our Independent Reviewers.

## Part 1 – Public

5. The overall picture is largely unchanged from the previous quarter. Our performance continues to be strongest on the quality of our decisions, with only one KPI missed. The latter is itself something of a rogue result because it reflects a single decision by the Independent Decision-making Body which had available to it additional information not considered by the Authorisations Team. The two significant developments this quarter concern the timeliness and productivity of our work on authorisation applications and on the assessment of reports on barristers.

*Authorisation applications: the tide turns*

6. Authorisations' performance in processing all thirty application types has significantly improved with approximately a twenty to thirty per cent increase in decisions made as compared with every other quarter over the past year. With the bedding down of new processes introduced in the previous quarter, the rate at which applications are being processed has also increased resulting in an overall reduction in the total number of live applications. The upward trajectory in respect of processing TQL applications continues with twice as many TQL applications being processed as compared with this time last year. The target reduction of the TQL backlog agreed with the Board has been exceeded and the newer "flow" applications are also being progressed.
7. Notwithstanding the improved performance and the reduction in the overall caseload, the number of TQL applications remains high following the March spike and the average number of applications received has reverted to a steady flow of pre-March 2025 levels. The arrival of new joiners to the TQL task force towards the end of Quarter 1 (four Regulatory Officers and two Regulatory Assistants) will increase the number of applications being processed from Quarter 2 onwards.
8. We also plan to recruit a regulatory support lawyer to review the authorisations' processes. The postholder will also assist with training, quality assurance and operational guidance/processes for the team. The review of authorisations' KPIs will also continue with recommendations for revision of these proposed so that revised KPIs can be introduced in 2026.

*Reports on barristers*

9. We have maintained our productivity in assessing reports on barristers – 458 reports closed in Q1 – but we have also seen the flow of new reports increase by around a third, largely driven by social media use in response to international events. These cases are often complex, requiring difficult judgements about the balance to be struck between free speech rights and the impact on public confidence in the profession.

**Part 1 – Public**

10. We have taken immediate steps to provide extra capacity to the Contact and Assessment Team, including from external legal advisors. This does, however, illustrate once again the susceptibility of our workload to unpredictable fluctuations. These fluctuations cannot sensibly or economically be managed through permanent hirings (unless a fluctuation becomes an established trend.) The Senior Leadership Team is, therefore, going to review how we provide for greater short-term resilience in our operations. We shall advise further on this as part of our business planning for 2026/27.



















**Annex**


Annex A – 2025-26 Quarter 4 Performance report - balanced scorecard




## 2025-26 Quarter 1 Performance report – Balanced scorecard

### Performance against KPIs

KPI	Balanced Scorecard chart number	Target %	Target met	Quarterly performance	Change on previous quarter	Previous quarter's performance
<b>Quality</b>						
CAT - Quarterly Audit	1	95%		100.0%	↑	97.5%
CAT - Requests for Review	2	95%		100.0%		100.0%
Investigations - Quarterly Audit	3	95%		100.0%		100.0%
Investigations - Requests for Review	4	95%		100.0%		100.0%
Investigations - Administrative Sanction Appeals	5	0%				
Investigations - DT Decision Appeals	6	0%				
Authorisations - Quarterly Audit	7	95%		100.0%		100.0%
Authorisations - IDB Reviews	8	95%		75.0%	↓	100.0%
Supervision - Quarterly Audit	9	95%		100.0%		100.0%
<b>Timeliness</b>						
CAT - General enquiries-closed	10	85%		98.8%	↑	98.2%
CAT - Reports & Other-closed	11	80%		61.4%	↘	61.6%
Investigations - Investigations decided	12	80%		77.3%	↑	60.0%
Authorisations - Applications-decided	13	80%		65.6%	↑	57.1%
<b>Service</b>						
CAT - Calls answered	14	85%		89.8%	↑	84.8%
Authorisations - Calls answered	15	85%		67.5%	↘	71.8%
All teams - Complaints	16	95%		100.0%	↑	83.3%
<b>Productivity</b>						
CAT - General enquiries-live	17	85%		100.0%		100.0%
CAT - Reports & Other-live	18	80%		76.1%	↘	79.3%
Investigations - Investigations-live	21	80%		68.5%	↘	75.0%
Authorisations - Applications-live	23	80%		31.4%	↘	37.0%

KPI	Index	Target %	Target met	Rolling 12 months average	Change on previous quarter	Rolling 12 months average - previous quarter
People - Turnover (Voluntary)	24	12%		4.0%	1.5%	2.5%

KPI	Index	Target [days]	Target met	Rolling 12 months average [days]	Change on previous quarter [days]	Rolling 12 months average - previous quarter [days]
People - Sickness absence	25	6		4.3	-0.7	5.0

↑ - Performance increased compared to previous period

↘ - Performance decreased by 10 percentage points or less compared to previous period


↓ - Performance decreased by more than 10 percentage points compared to previous period


No arrow - Performance the same as for the previous period; or there is no applicable data for one of the comparable periods

**People - Turnover:** Change on previous quarter: Improvement is when the performance (i.e. 12 months rolling average) reduces from the previous quarter.

**People-Sickness absence:** Change on previous quarter shown in number of days.

 - KPI met or exceeded

 - Performance within 10 percentage points of target

 - Performance more than 10 percentage points lower than target

**Summary headlines**

1. In Quarter 1, twelve of the twenty applicable KPI targets were met, with a further two only narrowly missed.
2. There has been an improvement in performance in seven of the fourteen measures for which comparisons with the previous quarter are available. These improvements cover three areas of the balanced scorecard and one People KPI.
3. Included in this report for the first time are two agreed People measures - voluntary turnover which provides the rate people are resigning from the BSB, measured over an annual period, and sickness absence measured by the average number of days per employee per year. Targets for each measure are shown along with the score for the previous reporting period and quarterly trend. In the first quarter both scores are below target, with a slight increase in the rate of turnover and a slight reduction in the days of absence.

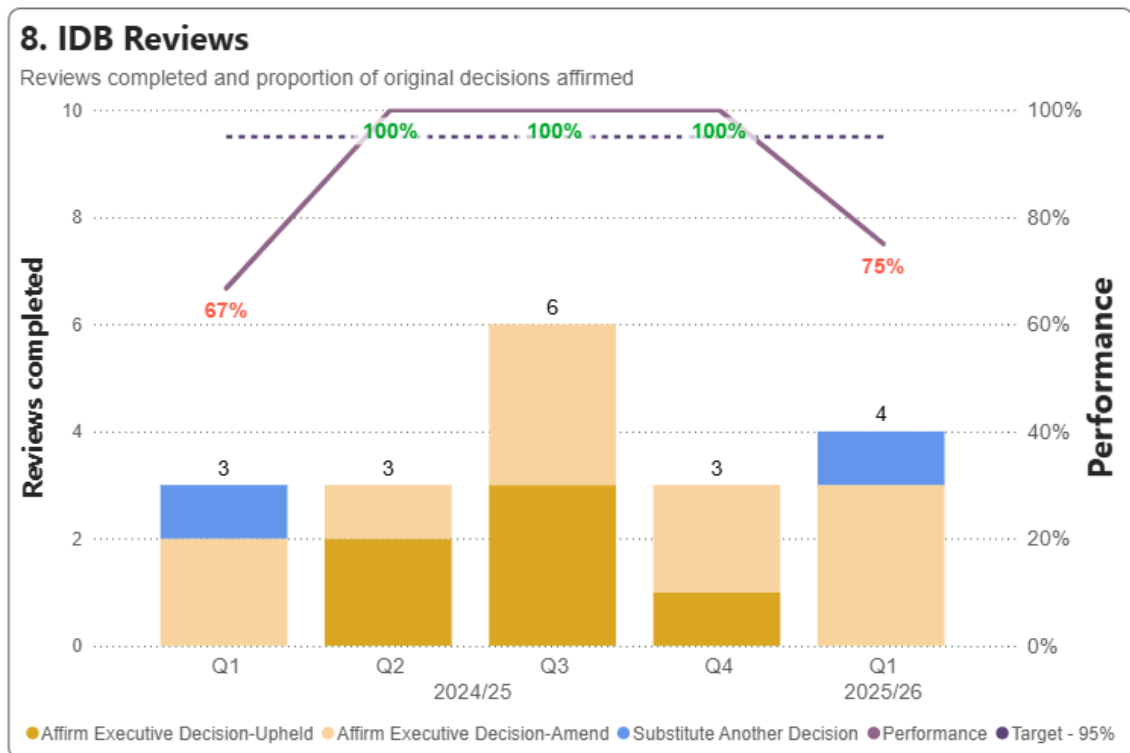
**Key points**

4. All applicable Quality targets for the four Teams have been met except IDB Reviews for Authorisations (this target was narrowly missed on the basis of only one application). There were no appeals of administrative sanctions or appeals to the High Court during Quarter 1.
5. The Productivity and Timeliness targets for General Enquiries have been increased from 80% to 85% for 2025/26. Performance has remained high in Quarter 1 for both of these metrics.
6. Output for General Enquiries has also increased in Quarter 1 to the highest level since Quarter 3 2023/24.
7. CAT received almost 580 reports in Quarter 1 which is the highest in a single quarter for the last four years. As a result the Productivity KPI showed a decrease from the previous quarter and at the end of Quarter 1 the live workload was the highest it has been in the past four years. Despite the rise in new reports, the Timeliness performance for handling Reports remained at the same level as in the previous quarter.
8. Output and Timeliness performance increased in Investigations. The Investigations & Enforcement Team continues to receive a high number of referrals from the Contact and Assessment Team; Quarter 1 shows the highest number of cases referred to the Team for the last year.
9. Timeliness performance for Authorisations applications decided improved and the output has also increased, with the highest number of applications decided for a quarter since 2021. This has resulted in more applications being decided (and closed) than opened, with an overall decrease in the caseload.



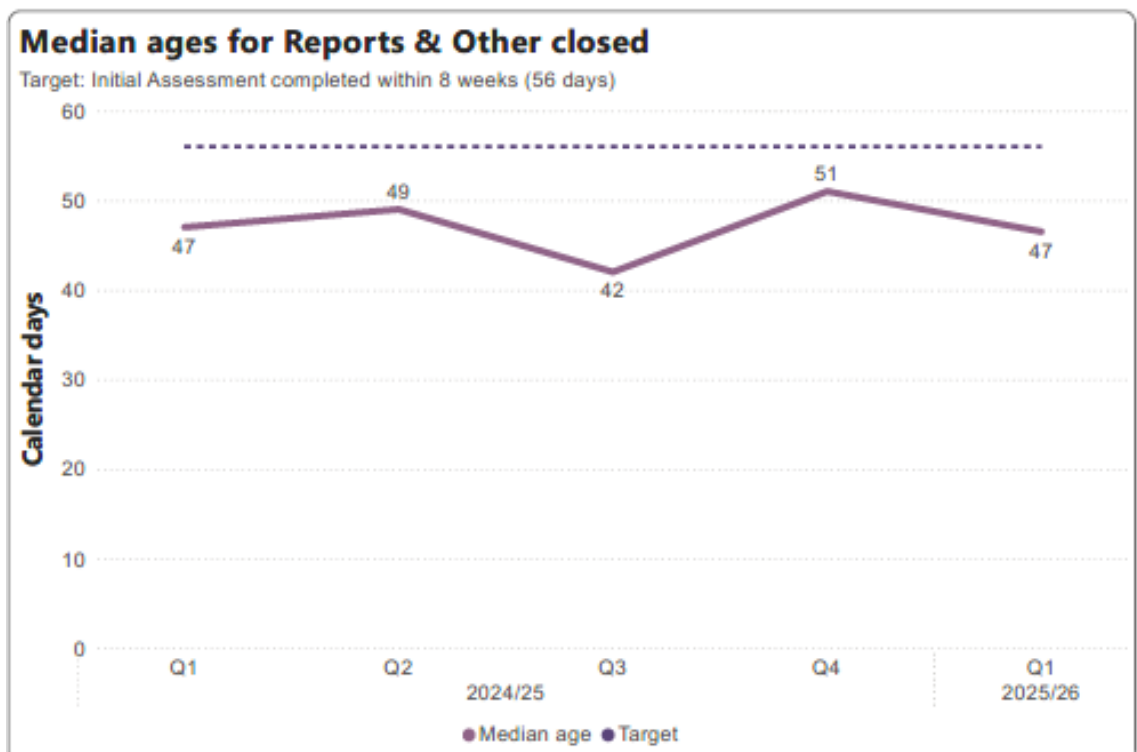
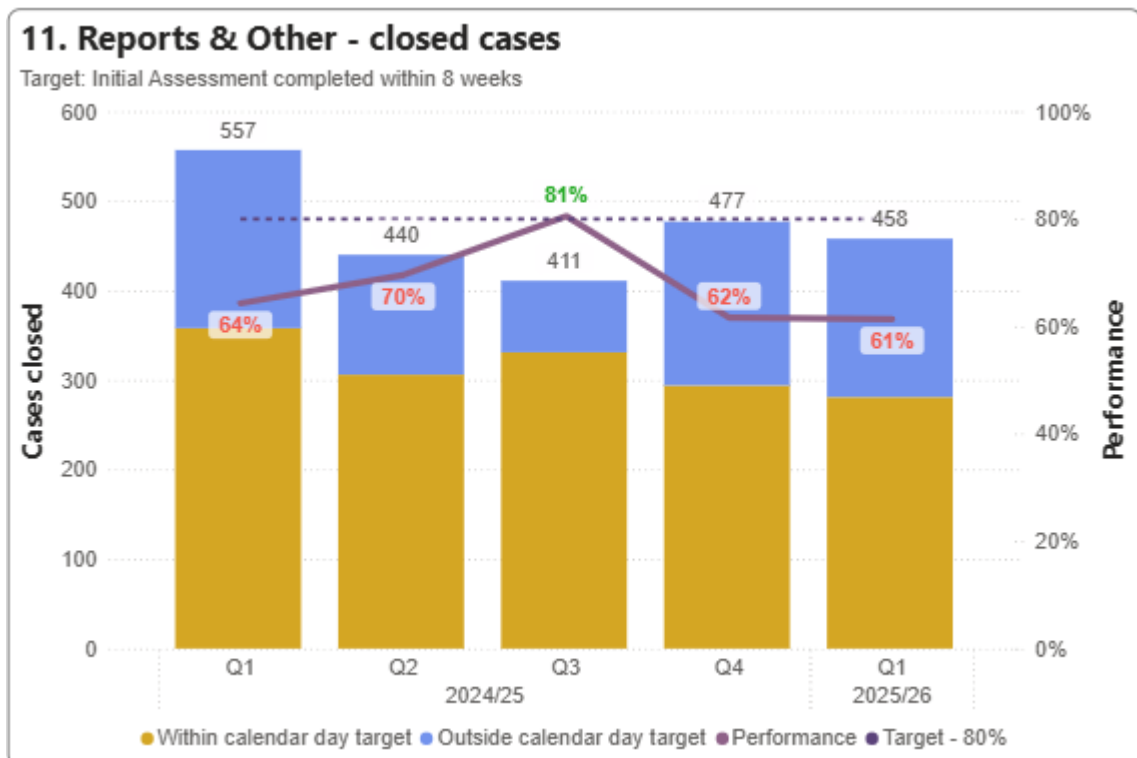
10. CAT telephone calls performance increased and Service complaints for all teams also showed an improvement with all complaints answered within the due date.

## Quality

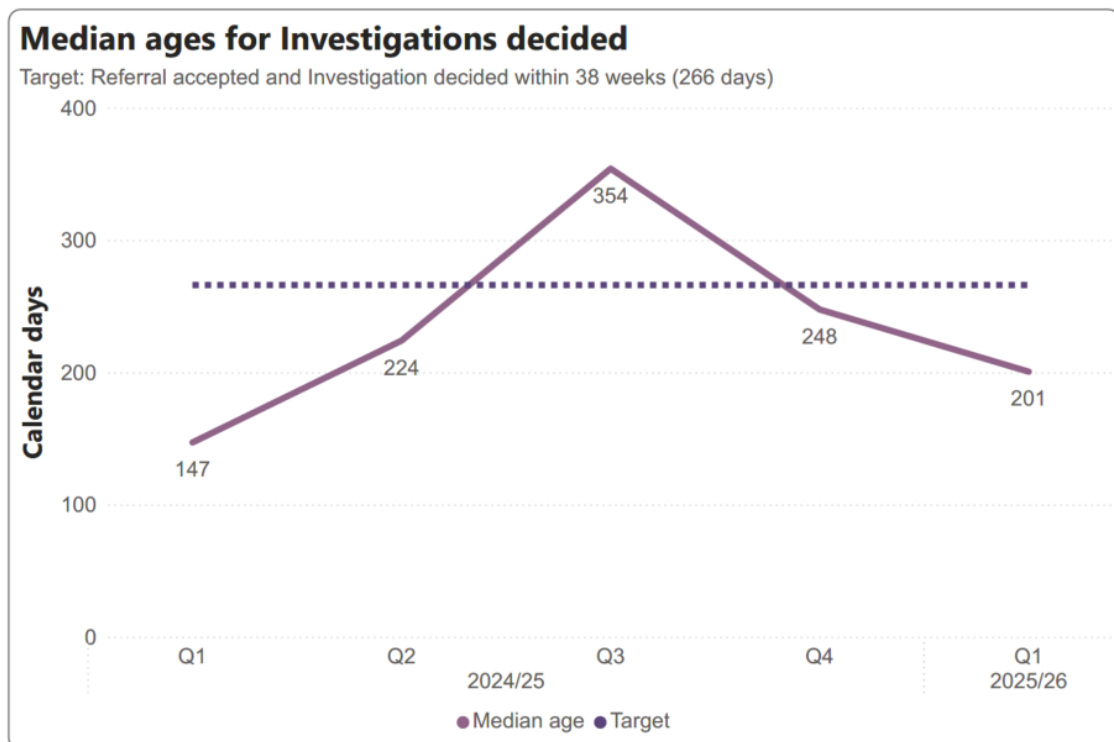
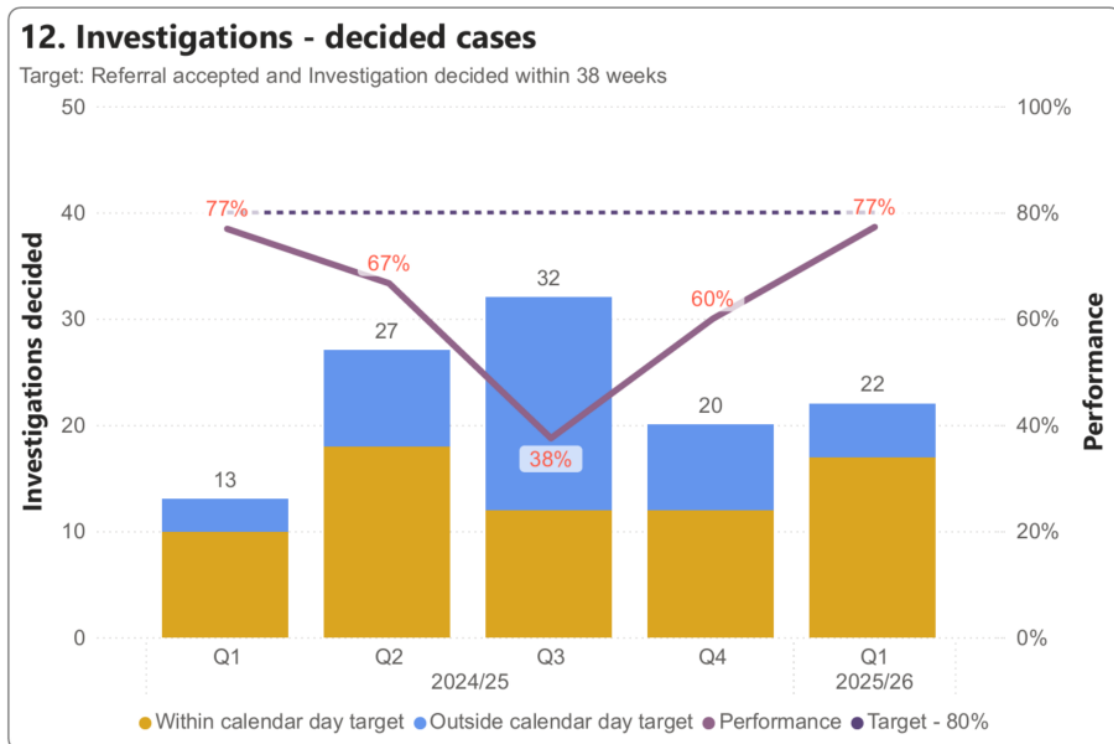


11. Four Authorisations decisions were reviewed by the IDB this quarter. The failure to meet this KPI relates only one application (the 75% score is a reflection of the small number of applications considered by the IDB and if this was considered over a longer period (e.g. the entirety of 2025/2026) with a larger cohort of applications being reviewed, the 95% target may have been met). In respect of the one application in question, the IDB received additional information.

## Timeliness and Median ages



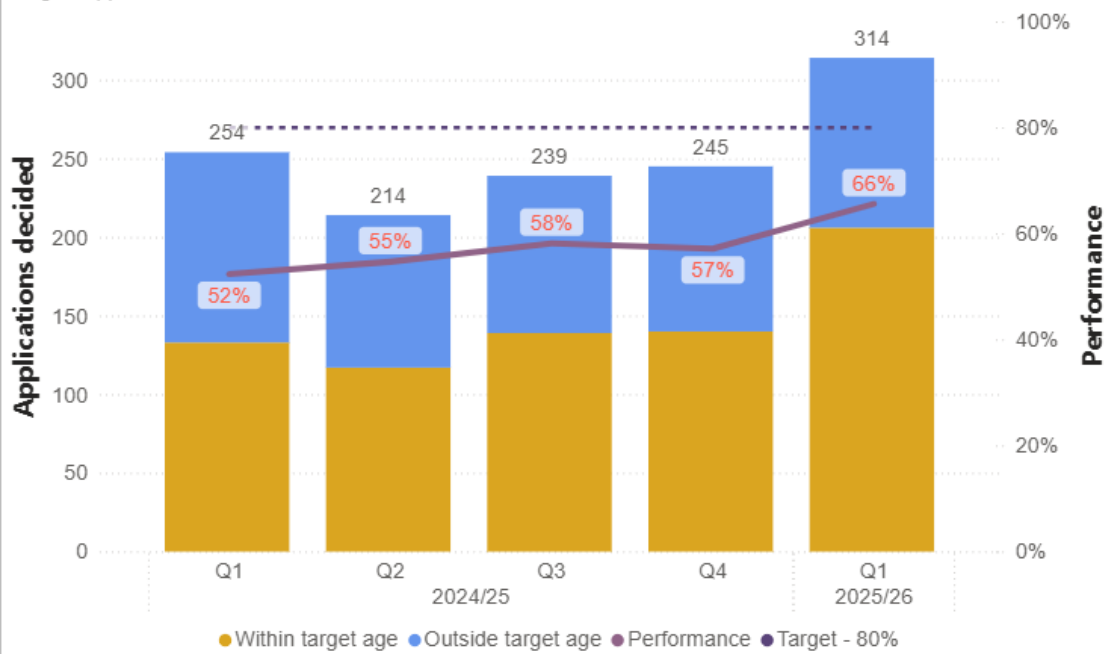
12. The number of Reports closed in Quarter 1 was slightly lower than the previous quarter and timeliness performance was steady.
13. The median age in calendar days reduced by four days, following the maximum observed in Quarter 4 which was caused by the Christmas closure (as reported in the 2024-25 Quarter 4 Performance Report).



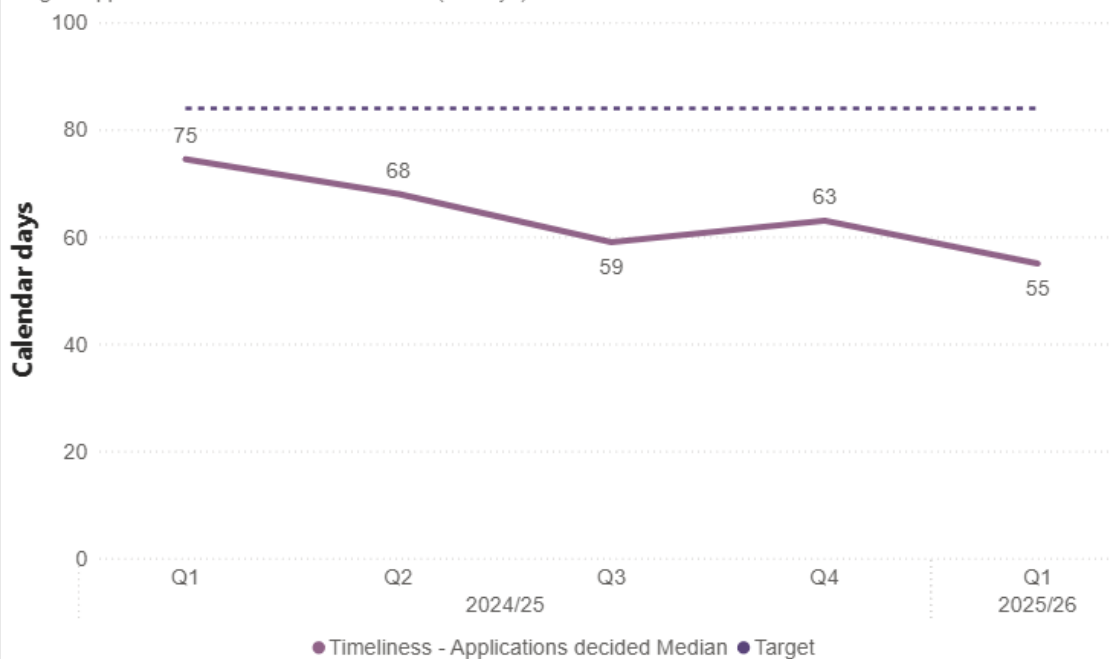
14. The number of investigations decided in Quarter 1 slightly increased from the previous quarter and timeliness performance significantly improved. This is the highest performance since Quarter 1 2024/25.
15. The median age of decided investigation cases decreased further and was within the target of 38 weeks.

**13. Applications - decided**

Target: Application decided within 12 weeks

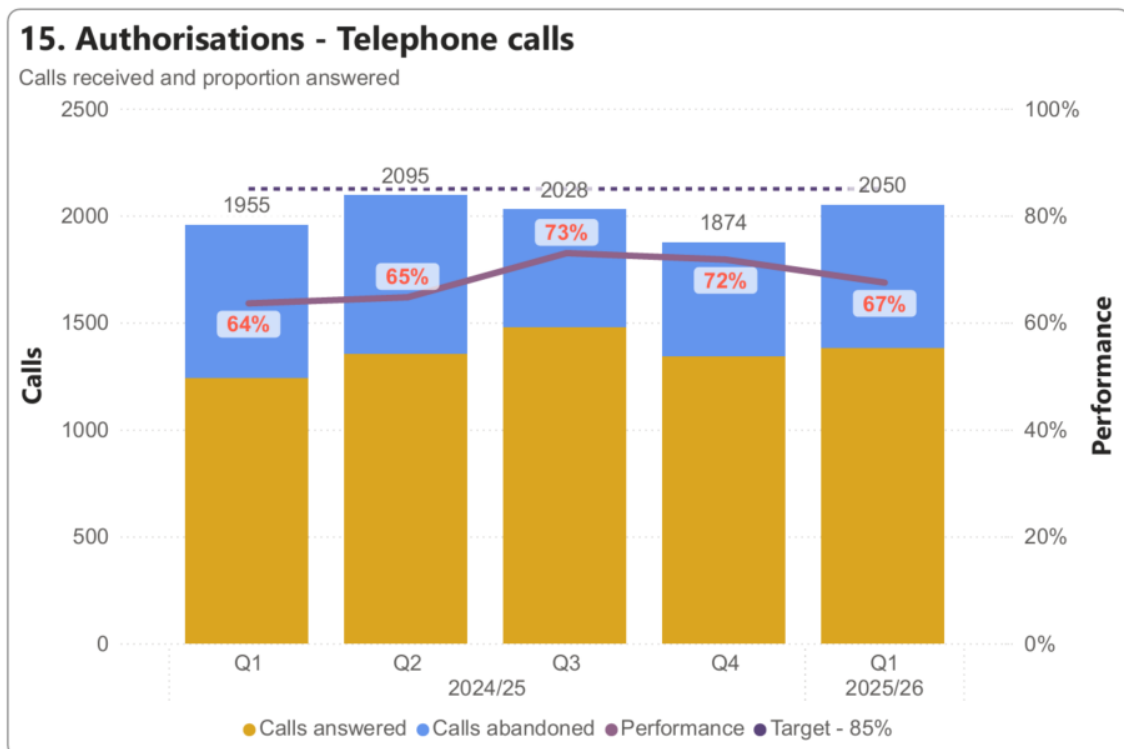
**Median ages for Applications decided**

Target: Application decided within 12 weeks (84 days)



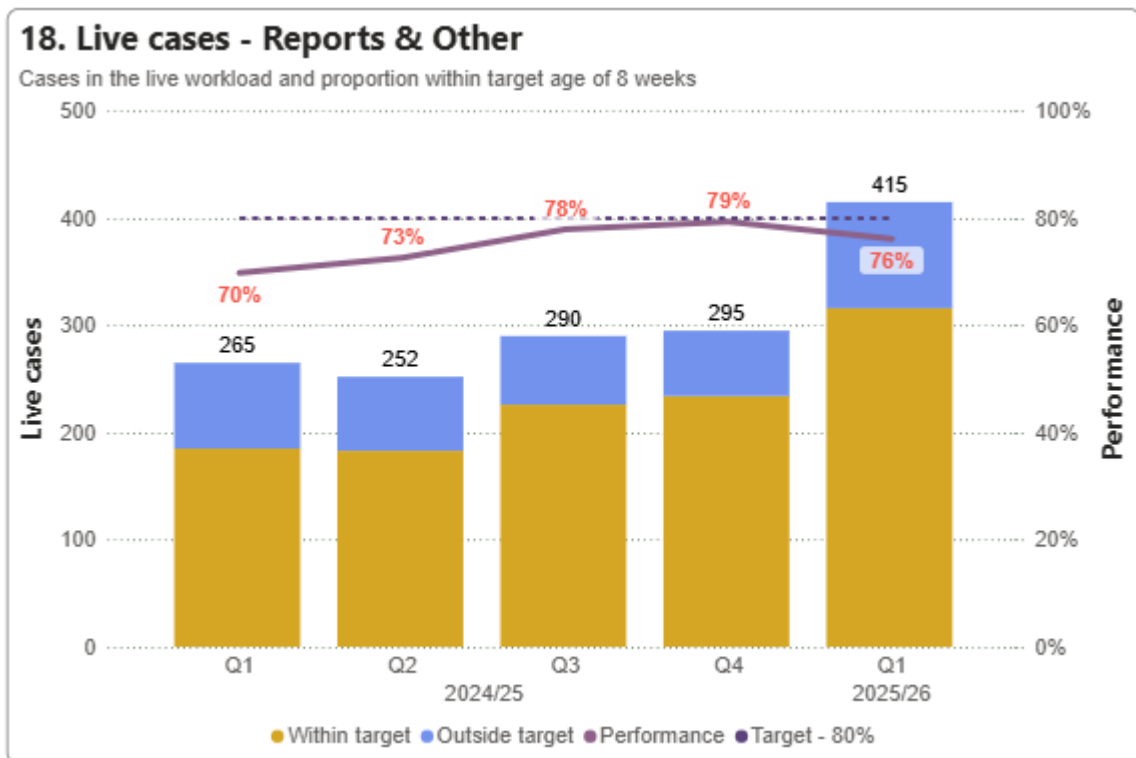
16. Output for Authorisations continues to improve, with more than 300 applications decided. The increase was due to both more non-TQL and TQL applications being decided. See Paragraphs 35 and 36 for more information.
17. Timeliness performance also improved, the highest in more than one year, and the median age of applications reduced by more than a week from the previous quarter.

## Service

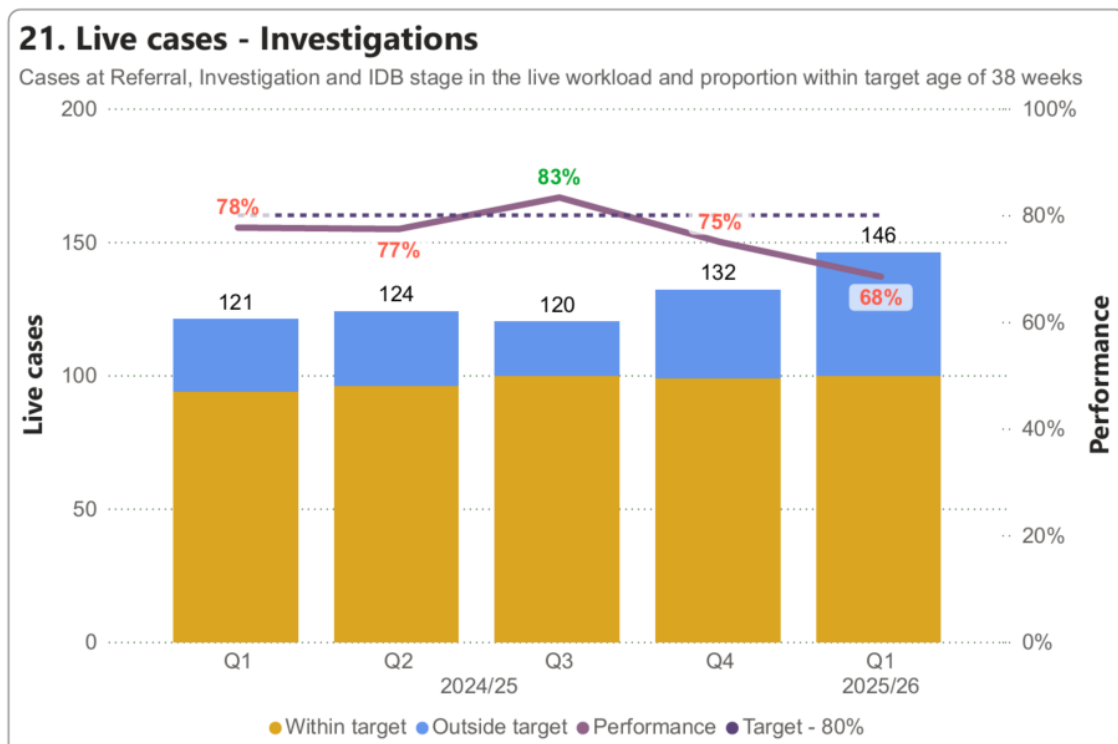


18. The Authorisations Team received more calls in Quarter 1 than in the previous two quarters, though the proportion of telephone calls answered reduced. The automated reporting produced by our telephone management application (RingCentral) monitors calls between 9am and 5pm on weekdays; therefore, the number of calls recorded as unanswered or abandoned may include calls received outside of the telephone rota periods stated on our website. The reduction in the proportion of calls answered is likely to be due to new members of the team beginning to take calls. The duration of calls is often longer initially while individuals are developing their understanding and confidence in dealing with these calls.

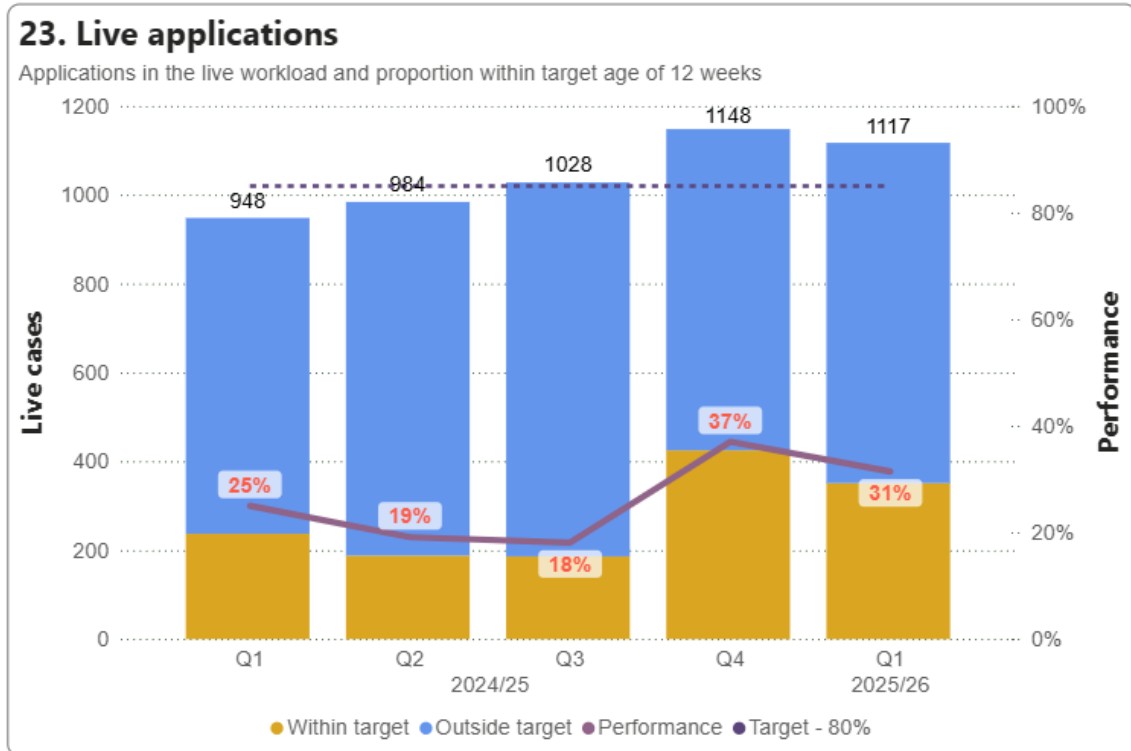
## Productivity



19. At the conclusion of Quarter 1, 76% of open Reports were within the target age. This is a lower proportion than the previous quarter and reflects the significant increase in workload, resulting in the highest number of open Reports in the last four years. Reports continued to be closed at the same rate as in previous quarters.



20. The Investigations workload has continued to increase and was driven by the highest number of referrals from CAT since early 2024/25.
21. The Productivity performance decreased to the lowest levels of the last two years, as the number of open investigations outside target age increased.



22. The proportion of open Authorisations applications older than the target age of 12 weeks<sup>1</sup> has increased slightly from the previous quarter. Notwithstanding an increase in the number of applications that are older than 12 weeks, the rate at which they are being processed by the team has improved significantly (as explained in para 34). This KPI reflects very high number of TQL applications received in March 2025 (approximately seven times higher than the usual monthly average), before the fee increase was introduced in April. In line with our new processes, we are undertaking initial triage of these applications.

<sup>1</sup> On our website we state that applications are likely to at least 16 weeks. This is not reflected in the balance scorecard. We are in the process of reviewing the KPIs for authorisation by 2026/27

## Team workloads



### Key points

23. Caseloads have increased for the Contact and Assessment and Investigations & Enforcement Teams and have slightly reduced for the Authorisations and Supervision Teams.



**CAT**

24. Caseload has significantly increased in Quarter 1, as described in Paragraph 21.
25. CAT referred a total of 37 cases to the Investigations & Enforcement Team and 31 cases to Supervision during Quarter 1, equating to 15% of all the reports closed, on a similar level to what was seen in 2024/25.
26. CAT issued informal advice to barristers on 43 cases during the quarter, an increase from the 37 cases in the previous quarter.
27. The number of reports on hold (48, 12% of cases) is similar to the number at the end of Quarter 4 2024/25 (46, 18% of cases). However this now equates to a smaller proportion of the caseload due to the higher overall workload.

**Investigations & Enforcement**

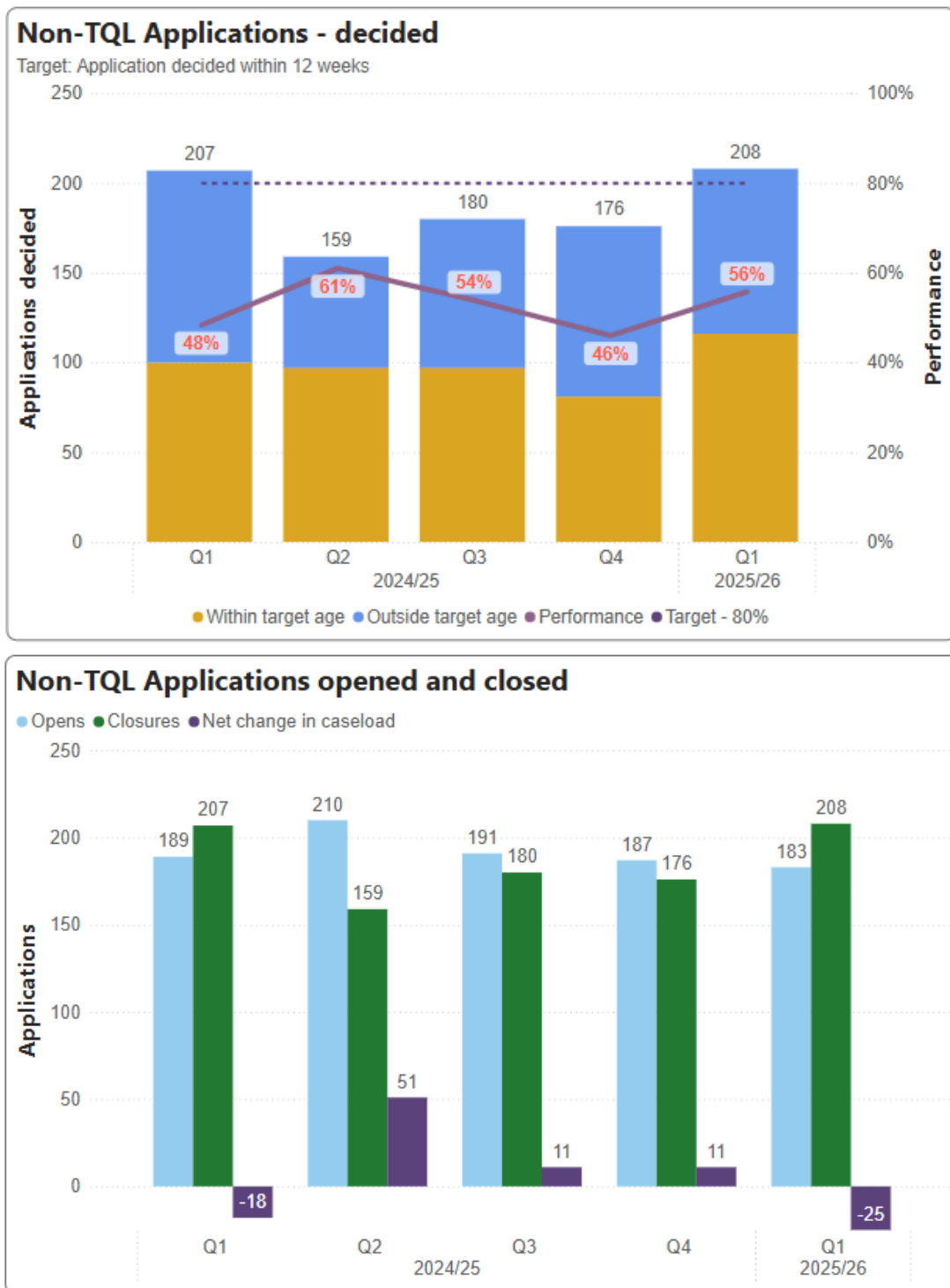
28. The overall workload increased month by month during Quarter 1 because of the high number of referrals from CAT. The caseload at the end of Quarter 1 is the highest in more than two years.
29. The number of cases at Disciplinary Stage slightly decreased during the quarter and eleven cases were closed at Disciplinary Tribunal stage.
30. No Determination by Consent cases were closed.
31. The complexity profile of the live Investigation workload has remained almost stable during Quarter 1. The proportion of cases rated as high complexity (scores of 4 or 5) slightly increased to 20% from 17%. This is still below previous quarters, the reduction being partly attributable to a number of cases against the same barrister being closed following a disbarment in another hearing.

**Authorisations**

32. The total Authorisations' applications workload slightly reduced in Quarter 1 thanks to an increase in the rate at which applications are being processed by the Team (as compared with applications received). Overall, the number of all Authorisations' applications processed for this Quarter 1 are in the region of twenty to thirty per cent higher as compared with any quarter over the past year.
33. The number of non-TQL applications<sup>2</sup> decided increased from the previous quarter, reaching the highest number of the last three years.

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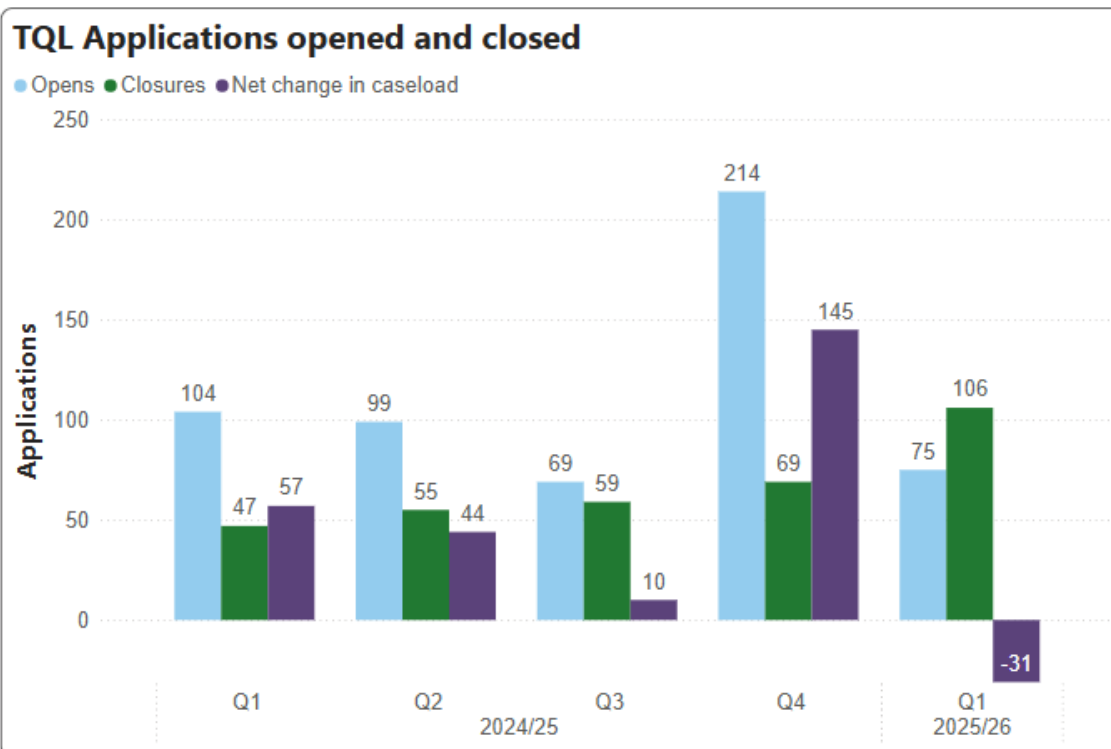
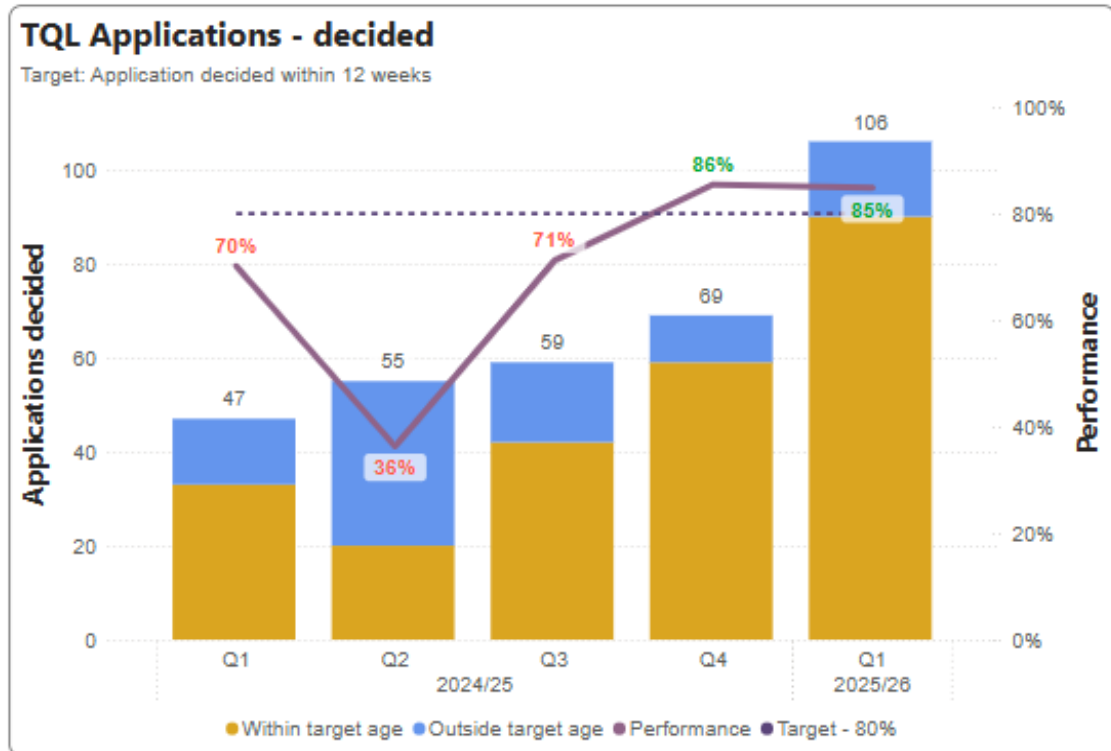
<sup>2</sup> "Non-TQL applications represent approximately thirty other application types that are processed by the Authorisations' Team in addition to the TQL applications.



34. Output strongly increased for TQL applications in Quarter 1, with more than twice the number of decisions compared to Quarter 1 2024/25. This is likely due, in part, to recent changes in the TQL application assessment process implemented by the Authorisations Team during this quarter including the introduction of new guidance and assessment templates (eg for application coversheets and decision letters).

## Part 1 – Public

35. Following the spike of TQL applications in March 2025, the number of TQL applications received has reverted to the monthly averages previously seen prior to March 2025. In any event, as mentioned above, the rate at which TQL applications are being processed by the Team has increased.



**Part 1 – Public**

36. Pupillage tasks reached the seasonal low mid-quarter after the peak in March. The Team continues to prepare for the next pupillage completion peak in August/September, prior to the next registration peak from September to November, alongside continuing BAU work.

**Supervision**

37. The number of Supervision cases opened relating to reports to the BSB in Quarter 1 is lower than in most of the previous quarters of the past year.
38. However, referrals from CAT remain high, with 31 cases received in the quarter, up from 24 in the previous quarter.
39. In Quarter 1, fewer Thematic Reviews were opened compared with previous quarters. Supervision opened nine cases relating to the Money Laundering Regulations. These nine cases concerned barristers that declared at Authorisation to Practise 2025 that they had a 'schedule 3' conviction (ie convictions listed in Schedule 3 of the Money Laundering Regulations) and they were asked to confirm whether this was an error as, under the Money Laundering Regulations, they cannot conduct relevant work if they do. At the time of writing eight out of the nine barristers have declared that they made an incorrect 'schedule 3' declaration.
40. The workload slightly reduced across the quarter, mostly due to the lower number of Thematic Reviews opened. The number of Reports closed increased to 43, up from 34 the previous quarter.
41. One visit took place during the quarter in order to address issues around pupillage and compliance with the Money Laundering Regulations within a BSB entity.

**Appendices (see Reading Material sent under separate cover)**

Appendix 1: Overview of all metrics and KPI targets.

Appendix 2: Definitions (explaining how targets are calculated).

Appendix 3: Types of case.

<b>Meeting:</b>	BSB Board	<b>Date:</b>	Thursday 24 July 2025
<b>Title:</b>	Designation of Right of Appeal for EFTA applicants		
<b>Author:</b>	Richard Parnham, Rishi Tanega		
<b>Post:</b>	Policy manager / Senior policy officer, Strategy, Insights and Policy Directorate		

<b>Paper for:</b>	<b>Decision:</b> <input checked="" type="checkbox"/>	<b>Discussion:</b> <input type="checkbox"/>	<b>Noting:</b> <input type="checkbox"/>	<b>Other:</b> <input type="checkbox"/> (enter text)
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Paper relates to the Regulatory Objective (s) highlighted in bold below	
(a)	<b>protecting and promoting the public interest</b>
(b)	<b>supporting the constitutional principle of the rule of law</b>
(c)	improving access to justice
(d)	<b>protecting and promoting the interests of consumers</b>
(e)	promoting competition in the provision of services
(f)	encouraging an independent, strong, diverse and effective legal profession
(g)	increasing public understanding of citizens' legal rights and duties
(h)	<b>promoting and maintaining adherence to the professional principles</b>
(i)	promoting the prevention and detection of economic crime.
<input type="checkbox"/>	Paper does not principally relate to Regulatory Objectives

## Purpose

1. To seek Board approval for a one-off delegation of authority to any of three Directors specified below to facilitate Handbook changes which relate to new appeal processes, arising out of recent trade agreements entered into by the UK Government.

## Recommendations

2. The Board is invited to approve our request (see paragraph 14) to delegate authority to any of the following BSB directors: the Director of Regulatory Enforcement; the Director of Strategy, Policy and Insights; or the Director of Regulatory Standards, to introduce rights of appeal for eligible lawyers, which are required by legislation.

## Background

3. The BSB is obliged to update its Handbook, following (a) the expiry of the Swiss Citizens' Rights Agreement<sup>1</sup> on 31 December 2024, and (b) related updates to the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023<sup>2</sup> (the Regulations), which mostly came into force on 1 January 2025.
4. The Regulations give effect to two post-Brexit agreements, firstly between the UK and Norway, Iceland and Liechtenstein<sup>3</sup>, and secondly between the UK and Switzerland<sup>4</sup>.

<sup>1</sup> <https://www.gov.uk/government/publications/swiss-citizens-rights-agreement-and-explainer>

<sup>2</sup> <https://www.legislation.gov.uk/ukqi/2023/1286/contents> (consolidated regulation)

<sup>3</sup> Free Trade Agreement between Iceland, the Principality of Liechtenstein and the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland. Available [here](#).

<sup>4</sup> UK – Switzerland recognition of profession qualifications agreement. Available [here](#).

5. A large majority of planned Handbook changes (around 80) are “find and replace”. These changes reflect the expiry, on 31 December 2024, of the “registered European lawyer” path to barrister status for qualified Swiss lawyers. This route is being removed from the Handbook and replaced with a different path which is set out in the Regulations, which uses different terminology (discussed below). Of the remainder, most are deletions due to redundancy, with a small number (around 15) being substantive.
6. Several of the substantive Handbook changes give new rights for lawyers qualified in Switzerland, Norway, Iceland and Liechtenstein to have their professional qualifications recognised. These include the right of Swiss qualified lawyer applicants to choose between an “adaptation period” and “aptitude test” (newly defined). Practice rights previously granted to Qualified Swiss lawyers (nationality-based) via the registered European lawyer regime will, in most instances, be replicated for Swiss Qualified lawyers (professional title-based). They will also be reestablished for eligible lawyers from Norway, Iceland and Liechtenstein.
7. Wherever possible, existing BSB processes have been co-opted to give effect to the Regulations, including using the Bar Transfer Test as the core of the new aptitude test. The adaptation period route will be based on the existing “qualified person” model of oversight<sup>5</sup>, coupled with the Professional Statement as the framework for assessing competency.
8. The proposed Handbook changes have been developed by the Handbook Policy Team with help from Professor Mike Molan and the BSB’s Legal Team. Oversight has been provided by operational BSB teams, the Handbook Programme Board and SLT.
9. The Handbook Policy Team will seek LSB approval for the changes during this summer. As these changes are consequential to legislative change, we believe they can be done under the LSBs ‘exempt alteration route’ and hence can be signed off by any of the three Directors specified under the Item A2 in the Scheme of Delegations.

### Issue for decision

10. The Regulations mandate legal regulators to provide a right of appeal in relation to three specific matters, including against their decision to refuse to recognise an applicant’s professional qualifications. In contrast with other legal regulators, the Regulations do not specify either the nature or destination of the appeal for decisions of the BSB. Therefore, there appears to be some scope for the BSB to determine these matters when implementing the Regulations.

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<sup>5</sup> Under Handbook rule rS20, barristers of less than 3 years’ standing are normally required to have a “qualified person”, who is “readily available to provide guidance to you” when providing legal services to the public, exercising rights of audience, or conducting litigation. For statutory route lawyers, we propose the qualified person must be a suitable and experienced barrister (only – not solicitor etc), who otherwise fulfils the qualified person eligibility criteria set out in Handbook rule rS22.

11. There are two existing sources of statutory power under which the BSB can confer a right of appeal: first, in section 24(2) of the Crime and Courts Act 2013<sup>6</sup> for an appeal to the High Court, and second, in regulation 3 of the Legal Services Act 2007 (General Council of the Bar) (Modification of Functions) Order 2018<sup>7</sup> for an appeal to the First-tier Tribunal. We believe that the BSB could utilise either of these powers to confer the rights of appeal which are required under the Regulations.
12. Bearing in mind that the substantive Handbook changes which set out the process for the recognition of professional qualifications are being inserted into Part 4 of the BSB Handbook (i.e. the Bar Qualification Rules), the current proposal is to – insofar as is possible – draw on the existing right of appeal to the High Court set out in rQ40 for two of the three rights of appeal which must be provided. This would also provide an internal right of review under rQ28 to the Independent Decision-Making Body before the right of appeal to the High Court can be exercised (as per the terms of rQ39).
13. We have not yet identified how best to provide the third right of appeal which is required under the Regulations, which relates to a failure to determine an application for recognition of an applicant's professional qualifications within four months. However, we hope to draw on the existing BSB processes as far as is possible, whether a right of appeal already in the Handbook or otherwise. To the extent that such an approach may not be possible, we may need to exercise the powers referenced in paragraph 11 to confer a new right of appeal in the Handbook.
14. The power to confer a right of appeal rests with the BSB Board by virtue of the BSB Constitution, unless specifically delegated to a Committee or the Executive. We plan to implement the Regulations via the LSB's 'exempt alteration route' as explained in paragraph 9 (such that the Handbook changes do not need to come before the Board for approval). However, because the Handbook changes will necessarily include rights of appeal in relation to a new class of applicants, **we request the BSB Board to delegate the power to confer a right of appeal to the three Directors who have the delegated authority under Item A2 of the Scheme of Delegations to make changes to Handbook rules via the LSB's exempt application process (i.e. Director of Regulatory Enforcement; Director of Strategy, Policy and Insights; and Director of Regulatory Standards). This would be a one-off delegation for the purpose of these Handbook changes only.**

### Impact on regulatory objectives

15. The Handbook Policy Team has assessed that the substantive changes outlined above are compatible with the BSB's regulatory objectives. Further, it is essential for the Handbook to be updated to align with new regulatory requirements to meet our statutory obligations, including of protecting and promoting the public interest.

<sup>6</sup> <https://www.legislation.gov.uk/ukpga/2013/22/section/24>

<sup>7</sup> <https://www.legislation.gov.uk/ukxi/2018/448/article/3/made>

16. We plan to introduce a new quality assurance safeguard as part of our substantive Handbook change proposals. This will help to ensure that lawyers seeking entry into the Bar via this trade agreement route are appropriately identified, supervised and tested for competence. This will ensure the BSB is able to deliver on its regulatory objective of protecting the interests of consumers, while also facilitating applicants' compliance with the professional principles.

**Resource implications / impacts on other teams / departments or projects**

17. The proposed Handbook changes are having a short-term impact on various teams across the BSB, including Policy, Authorisations, Supervision and Legal.

**Equality and diversity**

18. The Handbook Policy Team will undertake an equality impact assessment of the changes, however at this point we expect minimal equality impact. We have received only one application from an individual qualified in Switzerland since exiting the EU, which was prior to the new Regulations coming into force insofar as they concern Swiss qualified lawyers.

**Risk implications**

19. The BSB is obliged to give effect to the new regulatory provisions, including the rights of appeal set out in the Regulations, which came into effect on 1 January 2025. Board approval to delegate the power to confer a right of appeal on a new class of applicants to nominated BSB Directors will help to expedite our LSB application – otherwise, we will likely be required to bring the substantive Handbook amendments before the Board for approval, delaying our compliance even further. In the meantime, however, we believe that we may be able to rely on our existing powers of waiver in the Handbook, should we receive any applications under the Regulations before the Handbook is amended.
20. These Regulations have generated significant, unplanned work. It is possible that similar rights may be granted by future trade deals. We therefore plan to update the Handbook in such a way that any future agreements can be easily incorporated into our regulatory arrangements. We are also engaging proactively with Government to ensure we have advance knowledge of future changes to regulations.
21. Various corporate risks (including CR074 / CR070, CR089, CR075, CR062.1) are engaged by the substantive element of this work. All are being managed and / or mitigated.

**Communications and stakeholder engagement**

22. The Handbook Policy Team have undertaken extensive engagement with relevant BSB operational teams to help develop these proposals. We have also sought insight and advice from the SRA, whose new Swiss qualified lawyer regime is already in place.



23. We will work with our Communications Team to develop messaging and to publicise the Handbook change when ready for implementation, currently scheduled for Autumn 2025.



**Bar Standards Board – Director General’s Update – 24 July 2025****For publication****International Conference of Legal Regulators, Hong Kong**

1. This year’s meeting of the International Conference of Legal Regulators will take place in Hong Kong in October. The BSB is a strong supporter of the annual conference which the Chair and I have attended and at which we have led sessions in each of the last three years. We also have a high regard for our fellow regulators from Hong Kong.
2. It is, however, intrinsic to the role of legal regulators to sustain the rule of law and the independence of the legal professions and of the justice system. The rule of law is at risk in Hong Kong which is not, therefore, in our view a jurisdiction in which an open and independent discussion of regulatory issues can confidently be held. Accordingly, we shall not be attending the Conference this year.

**House of Commons Committee on Standards**

3. I gave evidence alongside Paul Philip of the SRA to the Committee of Standards on 15 July. The Committee’s focus was on the regulation of outside interests. I explained that the great majority of barristers were self-employed and so free to balance their practice at the Bar with external interests. Our concern, as the Regulator, was that, when practising, barristers adhered to the ethical and professional duties set out in our Code of Conduct and fulfilled their continuing professional development obligations. Those duties included the obligation to deal appropriately with any conflict of interest that might arise between their personal interests and the interests of a prospective client. I also set out in what circumstances the Bar Standards Board might have an interest in conduct in non-professional life.

**Bar Standards Board: People Recognition Awards, 18 June**

4. We presented our annual People Recognition Awards at a ceremony on 18 June. Nominations for the awards come from across the Bar Standards Board. The winners of the awards are decided by our People Forum. This year’s awards went to:
  - Mel McKinnon for *Excellence and Efficiency*;
  - Ben Burns for *Independence and Integrity*;
  - Geogia Bozekova for *Fairness and Respect*; and
  - the team award was a dead heat between the Equality Rules Team and the Anti-Racist Implementation Group.

**Upcoming guidance**

5. We are currently finalising some guidance for in-house practitioners, following helpful discussions with the Bar Association for Finance, Commerce and Industry (BACFI) and members of the Bar Council's Employed Bar Committee. The guidance sets out some key handbook provisions for those acting in-house, and provides a number of scenarios to illustrate the ethical issues that in-house practitioners may encounter, for which BACFI in particular have provided helpful input. We will share the finished guidance with the Board prior to publication.
6. We are also working with the Inns and the Inns Conduct Committee (ICC) on a number of issues relating to the ICC rules and the guidelines on how to decide whether a person is fit and proper to be a barrister. We will be engaging more widely with stakeholders on two issues in particular:
  - a. The burden of proof when a student member is being called to the Bar. Currently it is for the Inn to show that the student is not a fit and proper person to become a practising barrister (as opposed to when an applicant is admitted as a student member, where it is for the applicant to demonstrate that they are fit and proper.) This discrepancy has led to some practical problems; and
  - b. The factors that the ICC should take into account in relation to a person's health.

**Mark Neale**

Director General

**Chair's Report on Visits and External Meetings from end of May 2025****Status:**

1. For noting

**Executive Summary:**

2. In the interests of good governance, openness and transparency, this paper sets out the Chair's visits and meetings since the last Board meeting.

**List of Visits and Meetings:****Meetings**

3 June	Attended all BSB meeting Met with COMBAR with Ruth Pickering, Tracey Markham and Stephen Thornton CBE
4 June	Visited Inner Temple
17 June	Attended Chairs' Committee meeting
18 June	Attended ISAG meeting
24 June	Interviewed for Get Briefed podcast
25 June	Met with Minister Sarah Sackman KC MP
26 June	Attended Board away-day
27 June	Met with Catherine Brown, Interim Chair, LSB
8 July	Attended Remuneration Committee
17 July	Further Podcast Recording
22 July	Attended Board Briefing meeting
24 July	Attended meeting to select Recruitment Consultants for non-Executive recruitment Attended Board Seminar and Board meeting

**1-2-1 Meetings**

10 June	Met with Emir Feisal JP – appraisal Met with Clare Kelly
16 June	Met with Ruth Pickering

**Events**

11 June	Attended BSB/LSB Workshop
17 June	Joined BSB Team on London Legal Walk
18 June	Attended BSB Annual Recognition Awards
25 June	Leaving event at Inner Temple
26 June	Attended Chancery Bar Association Summer Reception
17 July	Farewell Dinner