

## Public Access Q&As

### What is happening?

The rules around Public Access barristers have changed. Following the introduction of a new training regime, which is to be introduced in autumn 2013, all existing Public Access barristers will have 24 months to undertake additional top-up training or cease to conduct Public Access work. Anyone doing the training for the first time will have to do the new course.

Recent rule changes have widened the Public Access scheme to include clients who might be entitled to Legal Aid. In a separate move, barristers of fewer than three years' call will, for the first time, be able to undertake Public Access work if they complete the new Public Access training.

### Why is new training being introduced?

Following a review of Public Access training to assess whether the requirements were meeting expectations, it was concluded that a new training regime should be established to protect the interests of consumers.

### What are the benefits?

Research by the BSB showed that many Public Access barristers wanted more advice on supporting vulnerable clients; the new training will meet that need.<sup>1</sup> Clients will be able to access a broader range of Public Access barristers and can be more confident of the standard of service they will receive.

### Is it compulsory?

Any barrister who undertakes public access work without meeting the proper training requirements will be in breach of the Code of Conduct and could be subject to disciplinary action.

A barrister with fewer than three years' practising experience who has completed the necessary training and assessments must:

- maintain a log of Public Access cases they have dealt with, including any issues or problems which have arisen;
- seek feedback from their Public Access clients on the service provided;
- make this log available, on request, to the BSB for review.

A small number will be eligible for a waiver from the top-up training, but they must apply for this. Those most likely to be eligible for a waiver will be able to demonstrate extensive experience of undertaking Public Access work and Legal Aid cases involving vulnerable clients, and the associated knowledge and understanding required.

### Where can I find out more information?

There is more information available at [www.barstandardsboard.org.uk/publicaccess](http://www.barstandardsboard.org.uk/publicaccess). Barristers can get in touch via the Bar Council's Public Access helpline on 0207 611 1472 or email us via [bsbcontactus@barstandardsboard.org.uk](mailto:bsbcontactus@barstandardsboard.org.uk).

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<sup>1</sup> Bar Standards Board Public Access Survey, [http://www.legalservicesboard.org.uk/Projects/pdf/annex\\_4a\\_bsb\\_public\\_access\\_survey\\_report.pdf](http://www.legalservicesboard.org.uk/Projects/pdf/annex_4a_bsb_public_access_survey_report.pdf), February 2011