

**BAR
STANDARDS
BOARD**

REGULATING BARRISTERS

Professional Conduct Department	
Title: Departmental aims and objectives	
Document type: Guidance	Date of issue: November 2008 Reviewed: January 2014, August 2014 Reference: G17
Status: Internal and External	Version: 3 Review date: August 2016
Distribution: Professional Conduct Department Professional Conduct Committee BSB Website	Owner: Director of Professional Conduct

1. This document has been revised since its original creation in November 2008, to take into account the terms of the BSB's Handbook which came into effect on 6 January 2014 and the approval of the BSB as an entity regulator in September 2014. The Bar Standards Board (BSB) is committed to taking an outcomes focused, risk-based and proportionate approach to all its regulatory activities, which includes its approach to taking enforcement action.
2. The BSB's approach to enforcement action is governed, in the main, by the Complaints Regulations and the Disciplinary Tribunal Regulations which can be found at Part 5 of the BSB Handbook: sections A and B. Enforcement action is also subject to the BSB's Enforcement Strategy which was introduced in January 2014 and can be found in both the media and complaints sections of the BSB's website:
3. Enforcement action is intended to meet the objectives of:
 - a. promoting adherence to the regulatory objectives as set out in section 1 of the Legal Services Act 2009 (the Act) and to our regulatory arrangements as set out in our Handbook;
 - b. providing a credible deterrence to non-compliance with our regulatory arrangements;

- c. preventing further breaches; and
- d. preventing those who represent a serious risk to the public from practising or working with people or entities regulated by the BSB.

4. The **aims** of the enforcement system are therefore to:

- i.** Act in the public interest;
- ii.** Protect the public and consumers of legal services;
- iii.** Maintain high standards of behaviour and performance of the Bar;
- iv.** Focus on the issues that pose the greatest risk to the regulatory objectives taking into account the BSB's identified strategic risks;
- v.** Take proportionate action in light of identified risks;
- vi.** Provide appropriate, proportionate and fair systems for dealing with concerns, from whatever source, about the way those we regulate conduct themselves;
- vii.** Promote public and professional confidence in the enforcement process; and,
- viii.** Ensure that complaints and reports of breaches of the Handbook are dealt with fairly, expeditiously, and consistently.