

BSB Research Strategy 2017-19

The BSB regulates barristers
and specialised legal services
businesses in England and
Wales, in the public interest





If you would like this report in an alternative format, please contact the BSB Research Team on 020 7611 1467.

Head of Research and Information:
Corrine Charles

Research and Evaluation Officers:
Oliver Jackling and Anatole Baboukhian

Data Analyst:
Ben Margerison



Contents

Foreword from the Chair and Director General of the Bar Standards Board	4
Section 1: Introduction	6
Section 2: Research at the BSB	8
Section 3: Our research vision	9
Section 4: Research objectives	10
Section 5: Action plan	11
Section 6: Where we will be in 2019	15

Foreword from the Chair and Director General of the Bar Standards Board

We are pleased to announce our 'Research Strategy 2017-19' which sets out how the Bar Standards Board will continue to provide high-quality and reliable research and analysis to inform the future direction and planning of BSB work, making a wide impact on policy and practice.

To regulate in the public interest effectively, it is essential that we understand how the legal services market is operating. Research plays a central role in this understanding to ensure the needs of the public are being met and that the Bar is an independent, strong and diverse legal profession.

Last year, we continued to build our knowledge of the sector with significant research projects including:

- Our '[Women at the Bar](#)' report conducted with women at the practising Bar about their experience of the BSB's Equality Rules;
- Our '[Provision of legal services by barristers research](#)' report conducted with barristers, practice managers and clerks to explore new business models in the market; and
- Our '[Family Law Clients research](#)' report conducted with people who have used barristers' services during family legal proceedings about the service they received.



We also undertook research to increase our understanding of what legal services consumers need and how they use legal services, which directly informed both our [immigration thematic review](#) and our [public and licensed access review](#).

This strategy will ensure that the BSB has a strong evidence base to inform future policy development. This includes supporting the priorities outlined in our [Strategic Plan 2016/19](#) including:

- Regulating in the public interest;
- Supporting those we regulate to face the future; and
- Ensuring that the Bar has a strong and sustainable regulator.

In particular, this strategy outlines our ambitions to develop our capacity and internal processes to conduct research. These measures will support all areas of our research including the annual publication of our 'Diversity at the Bar' statistics and the 'Bar Professional Training Course (BPTC) Key Statistics' report which will continue to provide important indicators of trends and help us to develop policies to promote a profession that reflects the diverse society it serves.

We will also conduct research into the transparency of legal services provision, following [the Competition and Markets Authority market study into the supply of legal services](#), and begin to evaluate the impacts made by our education and training reform programme, [Future Bar Training](#). This strategy details a range of other research projects that we will conduct with consumers of legal services and the Bar over the next two years.

Providing greater availability and access to our research to external and internal audiences is a high priority of the strategy. We will seek to improve how those interested in, and affected, by our work can engage with our research.

Equally, we would encourage interested parties to review our plans and identify topics with which they might want to engage. We would welcome their contributions to our work.



Sir Andrew Burns KCMG
Chair, BSB



Dr Vanessa Davies

Section 1: Introduction

1. This Strategy sets out the approach to research, analysis and evaluation at the Bar Standards Board (BSB). It describes the overall context in which research is delivered and presents the vision for BSB research going into 2019. It describes the actions that will be taken during the two-year strategy period to enable this vision to be achieved and to ensure that research undertaken or commissioned by the BSB continues to be credible, robust and reliable and informs the future direction and planning of BSB work, making a wide impact on policy and practice.
2. This Strategy will be of interest to our internal and external stakeholders in the legal services sector including the Legal Services Board (LSB), other legal regulators, professional bodies, Specialist Bar Associations, government departments, providers of legal education and training, consumer organisations and representatives, and users of legal services.

Context

3. The BSB regulates barristers and specialised legal services businesses in England and Wales, in the public interest. We are responsible for:
 - Setting the education and training requirements for becoming a barrister;
 - Setting continuing training requirements to ensure that barristers' skills are maintained throughout their careers;
 - Setting standards of conduct for barristers;
 - Monitoring the service provided by barristers to assure quality; and
 - Handling complaints against barristers and taking disciplinary or other action where appropriate.

4. The work that we do is governed in particular by the Legal Services Act 2007 (the Act) as well as a number of other statutes. Along with the other legal service regulators identified in the Act, our objectives are the same as the Regulatory Objectives laid down in the Act. These are:
 - Protecting and promoting the public interest;
 - Supporting the constitutional principle of the rule of law;
 - Improving access to justice;
 - Protecting and promoting the interests of consumers;
 - Promoting competition in the provision of services;
 - Encouraging an independent, strong, diverse and effective legal profession;
 - Increasing public understanding of a citizen's legal rights and duties; and
 - Promoting and maintaining adherence to the professional principles.
5. Our [Strategic Plan 2016-19](#) sets out the way in which we will regulate barristers and entities. All of our work in this period will align with our three strategic aims:
 - Regulating in the public interest;;
 - Supporting those we regulate to face the future; and
 - Ensuring that the Bar has a strong and sustainable regulator.
6. The BSB is a risk and evidence-based regulator. Risk-based regulation means that we are constantly monitoring the market for barristers' services. We identify the potential risks that could prevent our regulatory objectives from being met. When we have done this, we focus our attention on the risks that we think post the greatest threats to our regulatory objectives. We then take proportionate action to prevent those risks from occurring, or to reduce their impact.
7. Our Strategic Plan sets out that there are three areas in particular in which risks threaten our statutory regulatory objectives. These are:
 - Improving how those the BSB regulates meet consumer needs;
 - Improving diversity, and enhancing equality in practice and culture at the Bar; and
 - Responding to commercial pressures on legal service providers.
8. You can read more about our approach to [risk-based regulation](#) and learn more about the risk areas upon which we are focusing most of our attention in our [Risk Outlook](#).

Section 2: Research at the BSB

9. A small team of research and analytical specialists helps the BSB to meet its regulatory objectives and strategic priorities by providing high quality, reliable research, evaluation and analysis, enabling policy development and regulatory risk management to be evidence-based.
10. The Research Team is responsible for the following range of activities:
 - **Conducting and commissioning in-depth research, monitoring and analysis** to build the evidence base and inform debate and policy.
 - **Evaluating** the impact or effectiveness of specific BSB projects, policies, programmes or regulatory actions.
 - **Co-ordinating the analysis and publication of data** on the life-cycle of the Bar – from entry to Queen’s Counsel - and the diversity of students undertaking the vocational phase of training for the Bar (the Bar Professional Training Course) and of the wider profession.
 - **Identifying and sharing evidence and information** from the wider research community, to inform decision-making and practice.
 - **Providing specialist research advice and guidance** within the BSB; responding to queries and requests for information or data.
 - **Communicating research** evidence in a user-friendly way.
 - **Collaborating with researchers in other legal regulators** in planning and delivering research, ensuring value for money by pooling resources and sharing knowledge.
11. The Research Team seeks to improve the BSB’s understanding of those we regulate, the market, what legal services consumers need and how they use legal services, and the impact of our work.
12. Research supports the BSB in developing, reviewing and evaluating policy and provides evidence to support decisions on the setting or revision of professional standards and the introduction of rules and guidance for barristers and entities.
13. Research also supports delivery of the objectives in the [Equality and Diversity Strategy 2017-19](#), informing the BSB’s work on equality and improving access to justice.
14. By monitoring and gathering evidence about what is happening in the market, the Research Team supports ongoing regulatory risk management. This work, combined with the BSB Assurance Framework, supports the development of a good understanding of the impact being made by the BSB as regulator.

Section 3: Our research vision

15. We want to expand the evidence base and increase further our knowledge and understanding of those we regulate, the market, legal services consumers and the impact of our work. This will help to ensure that our decisions take account of a sufficiently wide evidence base. To increase the uptake and impact made by our research, we need to improve its availability and accessibility.
16. We want the BSB Research Team to be recognised as a credible and reliable voice in relation to research, evaluation and analysis, both internally and within the legal services sector. To do this, we need to ensure that we apply and maintain consistently high standards of quality and rigour in all aspects of research and increase clarity about the processes we follow in the delivery of research.
17. We want the BSB Research Team to be positioned as the centre of expertise within the BSB, with all team members equipped to use that expertise effectively. We also want to support colleagues within the BSB to embed good research practice in their day-to-day work and to increase their awareness of the use and application of research, data and evaluation methods.
18. Finally, we want be able to more clearly demonstrate how our research evidence and outputs have influenced and informed the future direction, strategic aims and regulatory policies of the BSB.

Section 4: Research objectives

19. To enable us to achieve our vision, we have identified six Research Objectives for the period 2017-19. These are to:
 - i. Increase knowledge and understanding of those we regulate, legal services users (“consumers”), the market and the impact that we are making as the regulator.
 - ii. Raise the internal profile of the BSB Research Team, to increase awareness of its role and to promote closer engagement.
 - iii. Increase the reach and impact of BSB research activity and outputs, both within and outside of the organisation.
 - iv. Increase awareness of research methods, standards of research evidence and their application within the BSB.
 - v. Standardise the processes applied to in-house and commissioned research and analysis to ensure consistency of approach.
 - vi. Equip the Research Team with the skills and tools to respond to an increased demand for in-house work.
20. These objectives have been developed following a review and stocktake of existing research processes, procedures and outputs; two internal staff surveys regarding awareness of the Research Team’s work; review of the BSB Strategy, Business Plan, Risk Outlook, Equality and Diversity Strategy and the Regulatory Standards performance reports (LSB); and consultation within the Research Team and with BSB departmental heads and the Senior Management Team. The Strategy has been approved by the BSB Board.
21. The actions we will undertake to deliver the Research Strategy Objectives are organised into four work streams - building the evidence base; increasing the visibility and impact of BSB research; improving research awareness and use of evidence in the BSB; and driving up research standards and team capabilities – and are presented in the action plan which follows.

Section 5: Action plan

Building the evidence base		
1. Increase knowledge and understanding of those we regulate (1), legal services users (2), the market (3), and the impact of our work (4).		
Focus	Actions	Completion
Delivering new evidence	Publish findings from research into the provision of legal services by barristers. (1,3)	Q1 '17-18
	Scope research to inform the BSB response to the CMA Report following its market study into the supply of legal services in England and Wales. (1,2,3)	
	Publish the FBT evidence review . (1,3)	Q2 '17-18
	Confirm scope of the evaluation of the FBT reforms . (1,3,4)	
	Publish findings from commissioned research into the experiences of Family Law clients . (1,2)	
	Scope research on SME consumers . (1,2,3)	
	Publish updated annual BPTC Key Statistics report. (1,3,4)	Q2 '17-18 and Q2 '18-19
	Publish findings from research with Bar students exploring barriers to legal education , to inform BSB Equality Objectives. (1,3,4)	Q2 '17-8
	Scope the evaluation of the Immigration Thematic . (1,2,4)	
	Publish findings from jointly commissioned (with the SRA) research on judicial perceptions of the quality of criminal advocacy . (1)	Q3 '17-18
	Complete research with women barristers to inform BSB Equality Objectives. (1,4)	
	Complete research with the profession on protected characteristics to inform BSB Equality Objectives. (1,3,4)	Q3 '18-19
	Publish updated annual Diversity at the Bar report. (1,3,4)	Q4 '17-18 and Q4 '18-19
	Complete research to assess the impact made by training providers' equality policies on the experiences of Bar students, to inform BSB Equality Objectives. (1,3)	Q4 '18-19

Research focus	Implement research prioritisation framework with criteria to assess proposed new research and ensure that only work of the most strategic importance and relevance proceeds.	Q2 '17-18
Increasing visibility and impact of BSB research		
<p>2. Raise the internal profile of the BSB Research Team, to increase awareness of its role and to promote closer engagement.</p> <p>3. Increase the reach and impact of BSB research activity and outputs, both within and outside of the organisation.</p>		
Focus	Actions	Completion
Internal communication and staff engagement	Produce monthly Research Team bulletin to publicise current and future projects and share evidence from wider research community (to be included in internal departmental newsletter).	Q1 '17-18
	Re-organise research content on BSB internal website ("verity"), including refreshed and revised content.	Q2 '17-18
	Establish research single points of contact ("SPOCs") in each BSB department. Establish a quarterly internal Research Panel - chaired by the Research Team and attended by SPOCs - to facilitate engagement, exchange ideas and identify potential work-streams on which Research Team would lead or lend expertise.	
	Host all-staff knowledge-sharing sessions for every completed research project, to share learning from the findings.	Q4 '18-19

External reach and impact	Produce publication schedule , setting out source data, time range covered, data limitations and links to other BSB publications alongside the 'Lifecycle of the Bar' data on BSB website.	Q2 '17-18
	Design accessible and high impact research report template to apply to all future BSB research publications. Design 2-3 page ' Research Briefing ' template to accompany future new research publications, to succinctly summarise key points and policy and practice implications.	
	Re-organise Research Team content on BSB website , including refreshed and restructured content.	Q3 '17-18
	Produce overarching Research Dissemination Strategy , which sets out principles to be applied and steps to take to ensure timely publication and communication of research findings.	Q4 '17-18
	Design and implement research project impact templates to help identify and demonstrate use, uptake and impact made.	
	Publish anonymised primary research data underlying published research reports, to increase transparency and facilitate secondary analysis.	Q4 '18-19

Improving research awareness and use of evidence in the BSB

4. Increase staff awareness of research methods, standards of research evidence and their application within the BSB.

Focus	Actions	Completion
Methods and use of evidence	Host three staff training sessions each year on research and evaluation methods and application of research evidence.	Q4 2018-19
	Produce a practical user guide on the application of evaluation methods to further embed understanding and use of evaluation and support the policy development framework.	
Application of evidence	Create and publicise case studies which illustrate how research evidence has been used to influence and drive forward BSB work.	Q4 2018-19

Driving up research standards and team capabilities

5. Standardise the processes applied to in-house and commissioned research and analysis to ensure consistency of approach and value for money.
6. Equip the Research Team with the skills and tools to respond to an increased demand for in-house work.

Focus	Actions	Completion
Research standards	Produce new templates and guidance which standardise team processes and ways of working in relation to the planning, commissioning, conduct, reporting and approval of research or evaluation.	Q4 2017-18
	Introduce external independent peer review as final stage of quality assurance prior to publication of research findings, to increase the credibility and quality of our outputs and ensure compliance with ethical codes and good practice in social research and reporting of analysis.	
Skills and tools	Undertake a team skills audit and gap analysis, identifying any key gaps and specific training/coaching needs set against research strategy objectives.	Q3 2017-18

Section 6: Where we will be in 2019

22. Through the implementation of this Strategy, by 2019, we will have delivered a range of cross-cutting projects from our research programme and have generated new evidence regarding those the BSB regulates, the market, and legal services consumers and have advanced our understanding of the impact of our work as the regulator. We will have implemented a new research prioritisation framework and assessed all proposed work against set criteria, ensuring that we only take forward the most relevant and timely research which will address a clear evidence gap whilst maintaining the appropriate balance of reactive and horizon-scanning work.
23. By 2019, we will have standardised and made transparent the processes by which we plan, conduct, commission and deliver research. The new templates and guidance that we establish will support consistently high standards of quality and rigour in our activities and the outputs we deliver and ensure that we achieve value for money. We will have continued to apply sound ethical principles and good social research practice in all stages of our work, following the ESRC's Framework for Research Ethics and the Social Research Association ethical guidelines. We will also have continued to build equality and diversity considerations into every stage of our work, to ensure that the planning, conduct, reporting and use of research minimises any adverse effects and promotes any positive impacts.
24. We will have improved the availability and accessibility of research evidence and data on our internal and external websites and will have in place a clear dissemination strategy for our commissioned and in-house research. We will also have created a publication timetable for our regular data updates to our website, setting out all the information that we make public, their source(s) and when updates will be provided.
25. We will have monitored the impact and use of our research evidence and captured this in a series of case studies which demonstrate how our work has influenced and informed the future direction, strategic aims and regulatory policies of the BSB.
26. We will have identified and addressed any skill gaps within the Research Team, supporting team members to apply their expertise in their work. We will have continued to seek out opportunities to collaborate with researchers in other legal regulators, ensuring value for money and the sharing of knowledge.
27. We will have established research 'single points of contact' within each BSB department and have engaged regularly with them through the new in-house Research Panel. As a result, we will have improved internal awareness of and engagement with research activity and planning.

28. We will have supported colleagues to embed good research practice in their day-to-day work by delivering tailored research sessions to increase awareness of the use and application of research, data and evaluation methods within the BSB. We will also have created and implemented a practical evaluation manual to assist colleagues in their decision-making in the different stages of policy development and implementation, which will align with the policy development framework and help to further embed the understanding and use of evaluation in the organisation.

Contacting us

We are committed to providing a high standard of service and dealing with everyone in a way that is fair, transparent, and proportionate. We welcome your feedback on our services, particularly where the level of service has exceeded or fallen below your expectations.

Your comments and suggestions are important to us as they will help us to meet our obligations to you and to improve our performance.

Write to us:
Bar Standards Board
289-293 High Holborn
London WC1V 7HZ

DX: 240 LDE

Phone us: 020 7611 1444
Fax us: 020 7831 9217

✉ contactus@barstandardsboard.org.uk

🌐 www.barstandardsboard.org.uk

🐦 [@barstandards](https://twitter.com/barstandards)

🌐 www.linkedin.com/company/the-bar-standards-board

📘 <https://www.facebook.com/barstandardsboard/>

