

## Regulatory Update September 2018

Earlier [today/this week], we launched a consultation [link] seeking views about proposed new rules to improve transparency standards for clients of the Bar. Our work in this area is in response to the Competition and Markets Authority's (CMA's) market study of legal services. The new transparency standards relate to information about the areas of law in which barristers practise, the legal services provided by barristers, what those services cost and a client's right to redress. We are also seeking views on draft guidance [LINK] for the profession in relation to these new rules which, after we have considered responses to this consultation and received approval by the Legal Services Board (LSB), will come into force by May 2019,

Between November 2017 and February 2018, we ran a pilot scheme with nine chambers, entities and sole practitioners to test some suggested minimum disclosure requirements in order to help finalise the rules. An evaluation report [LINK] of the pilot was published alongside the consultation launch. We also published a new research report [LINK], commissioned by us, to explore how consumers make decisions when searching for barristers, and to test how consumers respond to different methods of presenting price and service information.

Following their [report on Sexual harassment in the workplace](#), we shall soon be writing to the Women and Equalities Select Committee to outline the actions we are taking and considering to tackle sexual harassment at the Bar.

We will soon be publishing updated guidance on reporting sexual harassment and on the drafting of Non-Disclosure Agreements. Please keep an eye out for this new guidance when it is published.

Our consultation on our [draft new Bar training rules](#) closes on 17 September. After we have considered whether any responses to the consultation should be reflected in the rules themselves the new rules will come into force in early 2019 subject of course to the approval of the Legal Services Board.

During October and November, we will be holding a series of events around the circuits for you to find out more about the new training and qualification rules. For details of these events – and the session we will be running at this year's Bar Conference on 24 November.

One aspect of the new rules coming into force will be the need for chambers or organisations wishing to take on pupils from next year to apply to us to become an Approved Education and Training Organisation (AETO). This will include chambers who currently offer pupillage and those who have done so in the past. We recently wrote to all such chambers about this.

Finally, I would like to make you aware that The Legal Ombudsman (LeO) has refreshed its [guidance on how to direct clients to their complaints procedures, which \[is/will soon be\] a](#) regulatory obligation for barristers. LeO's joint first tier research with the Solicitors Regulation Authority last year highlighted that solicitors' firms were not always meeting their requirements. While the research focussed on

solicitors, LeO feels that there are lessons to be learned across all legal service providers.

**Come to an FBT roadshow to find out more about how the training and qualification process for barristers is changing.**

From next month we are launching a series of roadshows across the circuits (insert link to event webpage) to raise awareness about our plans to [change the training and qualification process](#) for becoming a barrister. Roadshows and events are planned as follows with more TBC:

- Park Square Chambers, Leeds, 6 Park Square East, Leeds LS1 2LW 6pm – 8pm, 18 October 2018;
- Bar Council Pupillage Fair, Bush House, Strand, London WC2R 1ES, 10am - 4pm, 27 October 2018
- Midland Circuit roadshow, St Ives Chambers, 1-3 Whittall Street, Birmingham, B4 6DH, 6pm – 8pm, 7 November 2018;
- The BSB, 289-293 High Holborn, London, WC1V 7HZ, 6pm – 8pm, 15 November 2018;
- Deans Court Chambers, 24 St. John Street, Greater Manchester, M3 4DF, 6pm – 8pm, 20 November 2018;
- Bar Conference, 61-65 Great Queen St, London WC2B 5DA, 2pm-3pm, 24 November 2018, [book your place online](#);
- Western Circuit roadshow, venue TBC, 6pm – 8pm, 28 November 2018;
- National Pupillage Fair, Gray's Inn, 8 South Square, London, WC1R 5ET, 10.30am-3pm, 1 December

In July we [launched a consultation](#) to seek views as to whether our proposed new rules for the training and qualification of barristers provide the right framework to give effect to the new policies announced recently by the regulator as part of our Future Bar Training (FBT) programme.

The rules themselves set a high-level framework and much of the policy implementation will be achieved by additional supporting documents, the overall effect of which will be:

- the authorisation of a limited number of future training routes for students to qualify as barristers in England and Wales. This policy was first announced in the BSB's [Statement in March 2017](#) and will be facilitated by the new rules. A separate Authorisation Framework outlines in more detail the basis on which the BSB will authorise training courses within any of the new training routes;
- confirmation of the role of the Inns of Court in the training and qualification of barristers, as announced in the BSB's [Policy Statement in March 2018](#); and
- provision for the future of pupillage and other forms of work-based learning including the policy changes announced in the BSB's [Policy Statement in May 2018](#).

The consultation presents a new, simplified set of qualification rules that will replace Part 4 (also known as the Bar Training Rules) of the current BSB Handbook. The consultation paper provides more detail about the specific rules that it is proposed will be introduced.

The new rules will be finalised in the autumn and, subject to approval by the Legal Services Board, are expected to take effect in early 2019. The closing date for this consultation is 17 September 2018. To book a place at a roadshow please email [contactus@barstandardsboard.org.uk](mailto:contactus@barstandardsboard.org.uk)

Ahead of the conference why not familiarise yourself with the [2018 Pupillage Handbook](#) to see what changes Future Bar Training is bringing in 2019?

**Have we got correct details of your practice address?**

Please ensure that you have given us of your correct practice address in accordance with rS69 of our Handbook. If your practice address changes, you must tell our Records Department within 28 days.

**Give us your feedback**

If you have any thoughts about how we can improve the Regulatory Update or what content you would like to read, please email [contactus@barstandardsboard.org.uk](mailto:contactus@barstandardsboard.org.uk).