

BAR STANDARDS BOARD

REGULATING BARRISTERS

Part 1 - Public**Minutes of the Bar Standards Board meeting**

Thursday 25 June 2015, Room 1.1, First Floor
289 – 293 High Holborn, London, WC1V 7HZ

Present: Sir Andrew Burns KCMG (Chair)
Patricia Robertson QC (Vice Chair)
Rolande Anderson
Malcolm Cohen
Simon Lofthouse QC
Tim Robinson
Andrew Sanders
Adam Solomon
Richard Thompson
Anne Wright

Note: Rob Behrens was unable to attend for Part 1 of the meeting but was present for Part 2

By invitation: Keith Baldwin (Special Adviser)
Nicola Sawford (Board Member designate)
James Wakefield (COIC)
Emily Windsor (Special Adviser)

Bar Council in attendance: Alistair MacDonald (Chairman, Bar Council)
Stephen Crowne (Chief Executive, Bar Council)

BSB Executive in attendance: Viki Calais (Business Manager)
Kuljeet Chung (Policy Manager)
Vanessa Davies (Director General)
Oliver Hanmer (Director of Supervision)
Sara Jagger (Director of Professional Conduct)
Ewen Macleod (Director of Regulatory Policy)
Sián Mayhew (Policy and Projects Officer) – items 1-7
John Picken (Governance Officer)
Pippa Prangle (Regulatory Risk Manager)
Amanda Thompson (Director of Strategy & Communications)
Simon Thornton-Wood (Director of Education & Training)
Angela Yin (Communications & Press Officer)

Item 1 – Welcome and introductions**ACTION**

1. The Chair welcomed members and guests to the meeting.

Item 2 – Apologies

- Justine Davidge (*note: Justine Davidge was in another part of the country at the time of the meeting. She had intended to telephone in but, unexpectedly, could not receive a signal for her mobile phone*)
- Andrew Mitchell QC;
- Sam Stein QC;
- Sarah Brown (Special Adviser);
- Chantal- Aimée Doerries QC (Bar Council Vice Chairman);

- Lorinda Long (Treasurer, Bar Council);
- Mark Hatcher (Special Advisor to the Chairman on Representation and Policy).
- Joanne Dixon (Manager, Qualification Regulations)

Item 3 – Members’ interests and hospitality

3. The following declarations were made:
- Vanessa Davies – CILEX Presidential Dinner (8 June 2015);
 - Vanessa Davies – Dinner hosted by the Institute of Barristers’ Clerks (11 June 2015);
 - Sir Andrew Burns – dinner at Gray’s Inn Magna Carta Lecture with the Chief Justice of Canada (18 June 2015).

Item 4 – Approval of Part 1 (public) minutes (21 May 2015)

(Annex A)

4. The Board approved Part 1 of the minutes of the meetings held on Thursday 21 May 2015.

Item 5 – Matters Arising

None.

Items 6a & b – Action points and Forward Agenda

Action points and progress (Annex B)

6. The Board noted progress on the action list.

Forward Agenda (Annex C)

7. The Board noted the forward agenda list.

Item 7 – Review of the Disciplinary Tribunal Regulations – Consultation Paper

BSB 045 (15)

8. Sara Jagger commented as follows:
- the consultation paper concerns changes to the Disciplinary Tribunal Regulations (DTRs). This follows a comprehensive review carried out by the Professional Conduct Department with support from a Working Group and external legal advice;
 - details of the proposed changes were circulated to Board Members under separate cover at the same time as Board agenda papers;
 - a 16 week consultation is suggested with a final report on the outcome to be presented at the November Board meeting;
9. Members commented as follows:
- there is a potential “bottleneck” of consultations issued by the BSB, given those referring to the Future Bar Training Programme will be issued at the same time;
 - we need an effective communications strategy;
 - we should actively seek the views of other regulators as their own experience of similar regulations will be helpful to know.
10. In response, the following points were made:
- the point concerning multiple consultations is acknowledged though the extended window for replies should assist;
 - a meeting to discuss the communications plan will be held on 26 June 2015. This will identify which stakeholders to target and the action to take. There may also be scope for workshops on the proposed changes to be held over the summer period.

11. Sara Jagger paid special tribute to the work done by Siân Mayhew in preparing the documentation. The Board also expressed its appreciation.

12. **AGREED**

- a) to approve the publication of the consultation paper at Annex 1 of the report setting out proposed changes to the Disciplinary Tribunal Regulations.
- b) to note the proposed changes to the Disciplinary Tribunal Regulation as previously circulated to Board Members under separate cover.

SJ / SM

Item 8 – Equality and Diversity Committee Annual Report 2014-2015

BSB 046 (15)

13. The Board considered the Annual Report from the Equality and Diversity Committee. This highlighted the progress made over the past year, including:

- improved liaison between members of the E&D Committee and other staff / committee members;
- overseeing a compliance exercise for a sample of chambers about the implementation of the Equality and Diversity rules of the Code of Conduct;
- production of the Aggregated Diversity Report on the Profession 2014;
- re-development of the BSB's equality objectives for 2015-16;
- providing input to the Bar Council's Equality and Diversity Officer networking events.

14. It will be three years in September 2015 that the Equality and Diversity Rules were introduced. Nicola Sawford suggested chambers be sent further reminders about compliance. This will be fed back to the E&D Team.

**AP to
note**

15. **AGREED**

to note the report.

Item 9 – BSB quarter report on BTAS and the Browne recommendations

BSB 047 (15)

16. Amanda Thompson highlighted the following:

- the report gives an update on the implementation of the Browne Review recommendations concerning the COIC Tribunal Service;
- very positive progress has been made and the contract management arrangements between the BSB and the Bar Tribunals & Adjudication Service (BTAS) are operating well;
- the Contracts Manager, Chandra Connaghan, is leaving the BSB having completed her task of establishing these satisfactory arrangements. Her contribution to the success of this project has been significant;
- a press release on the paper will be issued at the end of June.

17. Vanessa Davies confirmed that, in view of the progress made, the monitoring visits conducted by the Business Support Team will take place every six months in future (they had previously been undertaken every quarter).

18. **AGREED**

to note the paper.

Item 10 – Chair's Report on Visits and Meetings – June 2015

BSB 048 (15)

19. The Board **noted** the Chair's report on visits and meetings.

Item 11 – Director General’s Report

BSB 049 (15)

20. Vanessa Davies highlighted the following:

- the ASIPRE programme is underway (**A**ccessing **S**taff **P**otential in **I**nspiring **R**egulatory **E**xcellence). This has made a positive staff with a wide range of staff engagement and cross-team working.
- an inaugural Programme Board meeting will take place in the near future;
- there has already been some impact in terms of wider feedback on recent BSB consultations (the Professional Statement and Standard Terms and the Cab Rank Rule).

21. Oliver Hanmer expanded on the ASPIRE project. He commented as follows:

- the project aims to drive through a cultural change as staff to take on more responsibility and accountability for our regulatory work;
- it covers three main areas ie:
 - ❖ consumer engagement;
 - ❖ risk;
 - ❖ governance;
- a meeting has already taken place with the Chair of the Legal Services Consumer Panel which proved very helpful.

22. **AGREED**

to note the report.

Item 12 – Any Other Business

23. None.

Item 13 – Date of next meeting

24. • Thursday 23 July 2015.

Item 14 – Private Session

25. The following motion, proposed by the Chair and duly seconded, was agreed:

That the BSB will go into private session to consider the next items of business:

- (1) Approval of Part 2 (private) minutes – 21 May 2015 (Annex A);
- (2) Matters arising;
- (3) Action points and progress – Part 2;
- (4) Future Bar Training: Consultation on the Academic Vocational Stage and Professional stages of training for the Bar;
- (5) Employed barristers’ scope of practice;
- (6) Review of standard contractual terms and the cab rank rule: undertaking to the LSB;
- (7) Governance Review Direction and Draft Documents;
- (8) Any other private business.

26. The meeting finished at 5.55 pm.