

Regulatory Update September 2019

[Tessa's blog for the email content of this month's Regulatory Update]

Earlier this month, important new requirements on pupillage came into force as a result of the introduction of the new Bar Qualification Rules in April. The recent changes include the need to start using the Professional Statement for assessing the competence of pupils and an increase in the minimum pupillage awards to £18,436 per annum in London and £15,728 per annum outside London for all pupillages starting on or after 1 September. Our online version of this month's Regulatory Update contains an important reminder for pupils, pupil supervisors and pupillage providers.

We also recently announced the appointment of the members of our new Independent Decision-Making Body (IDB) which will come into force on 15 October. The IDB will be a new non-executive body responsible for taking all regulatory decisions that require independent input. It will be made up of a pool of barristers and lay members. Establishing the IDB is the final component of our programme to modernise our regulatory decision making.

Finally, we published a new version of the BSB Handbook. It contains new rules that remove restrictions on the reporting by the profession of sexual orientation, religion and belief data. It means these data will now be treated in the same way as other diversity characteristics. You can read more about the new rules, which were the subject of a consultation last year, on our website.

[Articles for the online version of Regulatory Update]

Reminder for pupils, pupil supervisors and pupillage providers

Following the introduction of the new Bar Qualification rules in April, we remind chambers and other organisations that train pupils of the following:

- Pupillages starting on or after 1 September 2019 must be funded in line with our revised minimum pupillage awards of £18,436 per annum for pupillages in London and £15,728 per annum for pupillages outside London.
- Organisations should now be adapting their training programme and documentation ready for implementation of the Professional Statement for assessing the competence of pupils starting from 1 September 2019.
- The rules about training and registering supervisors have changed.
- Existing and prospective pupillage providers should familiarise themselves with the **transitional arrangements** regarding the authorisation of AETOs.

For full information, including more on [Pupillage funding](#), [Using the Professional Statement to assess competence in pupillage](#) and [Guidance for Pupil Supervisors](#), see: <https://www.barstandardsboard.org.uk/qualifying-as-a-barrister/future-requirements/>.

You may also find it useful to watch a short film about these changes featuring Julia Witting our Head of Supervision <https://www.youtube.com/>

New rules to remove restrictions on reporting barristers' sexual orientation, religion and belief data

This month, in the 4.2 version of the BSB Handbook (link), we published new rules that remove restrictions on the reporting by the profession of sexual orientation, religion and belief data.

Until now, the BSB Handbook stated that every member of a chambers', or a BSB regulated entity's, workforce must give their consent before aggregated and anonymised data on sexual orientation, religion and belief can be published. The removal of this restriction will see these data treated in the same way as other diversity characteristics. This includes a requirement not to publish if there is a risk of any individuals being identified from the data. Under no circumstances would any member of a chambers' or an entity's workforce be obliged to disclose their diversity characteristics if they do not wish to do so.

We hope that this will help to demonstrate the diversity that exists at the Bar and lead to a stronger evidence base for future diversity initiatives.

Members of new Independent Decision-Making Body (IDB) appointed

We have appointed the members of our new Independent Decision-making Body (IDB) which will begin its work on 15 October.

The appointees are as follows:

Barristers

- Sarah Blackmore
- Daniel Bunting
- Louisa Cannon
- Aidan Christie QC (**Chair**)
- Iain Christie (**Vice-Chair**)
- Deborah Cullen
- James Cutress QC
- Tim Grey
- Anthony Harrison
- Jamie Hunt
- Paul Jarvis
- Camilla Lamont
- James Petts

Lay

- David Abbott
- Richard Bayly
- Christine Braithwaite
- Andrew Brennan
- Sarah Brown
- Cindy Butts
- Alan Clamp
- Robin Field-Smith
- Paul Grant
- Sue Heads
- Philip Insuli
- Nicola Jackson
- Tanya Kynaston

- Michael Salter
- Paul Sinclair QC
- Nicholas Stonor QC
- Gemma White QC

- Karen McArthur
- Pauline McCabe
- Brian Moore
- Eileen Neilson
- Sandra Norburn
- Debra Pearlman
- Marie Pye
- John Sills
- Ranjit Sondhi
- Judith Webb

The IDB has been created to take independent decisions on relevant regulatory issues including enforcement of the professional obligations of those we regulate, and the authorisation of certain types of individuals and entities to provide legal services.

The IDB is made up of a pool of barristers and lay members. It will take decisions on individual cases with panels of three members being used for authorisations decisions and panels of five for enforcement and disciplinary decisions. Establishing the IDB is the final component of our programme to modernise our regulatory decision making.

Most of the decisions the IDB takes will be in relation to whether disciplinary action should be pursued in cases that may be serious enough to amount to professional misconduct. The IDB will also be responsible for, amongst other things, taking decisions in relation to appeals against certain executive decisions not to grant waivers from the Handbook requirements or decisions not to authorise or license a body to provide legal services.

Appointments will be for an initial period of up to three years commencing in September. Further announcements about the work of the IDB will be made as it prepares to become fully operational, and able to take decisions, on 15 October.

Have we got correct details of your practice address?

Please ensure that you have given us 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.