

Regulatory Update June 2019

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

In April, when we published our [Strategic Plan for 2019-22](#), we announced that we would be reviewing the BSB Handbook to make sure that it remains fit for purpose, relevant and accessible, given that it has been in force in its current form for several years.

Our plan is to begin by gathering evidence and talking to you, the profession, and other interested parties, about what our review should cover. Our initial thoughts are that we should make the Handbook easier to navigate and to use on mobile devices and that we might be able to simplify it in places, but we do want to know what you think.

We will undertake the review following a call for evidence. We do not envisage this process leading to any fundamental changes to any of the core professional or ethical duties expected of all barristers. It is, however, a chance for you to share your experience of using the Handbook with us and to help us make it easier for you to navigate and to find the information you need more quickly.

To find out more about our call for evidence which runs until 28 October and how to give us your views, please visit our website.

Further to [what I said last month](#) about the introduction of new transparency rules for the Bar, the Legal Services Board has very recently approved the new rules, so we expect them to come into force soon when we publish an updated version of the BSB Handbook.

And finally, I would like to welcome Elizabeth Prochaska and Leslie Thomas QC [to our Board](#). They took up their new positions on 1 June 2019.

You can also read the following articles in our website version of this month's Regulatory Update:

- The A-Z of Becoming an Authorised Education and Training Organisation for pupillage at the employed Bar – come to our event on 27 June.

[RU articles to appear only on the website – ie not in the email]

Call for evidence to help improve BSB Handbook

We are calling for evidence to help us scope a planned review of the BSB Handbook.

This follows our announcement within our [Strategic Plan for 2019-22](#) that we would be reviewing the Handbook to make sure that it remains fit for purpose, relevant and accessible given that it has been in force in its current form for several years.

We are asking you to share your experience of using the Handbook with us. We are seeking views on matters such as:

- what the review should, and should not, cover – including matters of substance and/or structure;
- what difficulties do people have engaging with the current Handbook?; and
- what positive aspects of the Handbook should we retain?

We plan to consider the evidence we receive before deciding the scope of our review, and then undertaking the review itself after that.

We do not envisage the review leading to any fundamental changes to the core ethical and professional duties expected of all barristers. It is, however, a chance for you to tell us what you think of the current Handbook and to help us identify where it might be possible to simplify it.

This call for evidence runs until **28 October** and anyone wishing to contribute, or to request further information, should please email ProfessionalStandards@barstandardsboard.org.uk.

The current (4th) edition of the Handbook contains most of our regulations and guidance in one place and is approximately 250 pages long. Approximately 90 pages concern barristers' ethical duties and permitted scope of practice, 80 pages concern enforcement, 35 pages cover qualification and authorisation, and a similar number are used for the introduction and definitions.

With regard to your ethical duties, the Core Duties in the Handbook define the core elements of professional conduct, and compliance with them is mandatory. The rules are intended to supplement the Core Duties where a Core Duty alone is considered insufficient to address the perceived risk. (The outcomes, while not mandatory, put the rules into context and help you to determine how they should act if a specific situation is not covered by the rules.) Our general approach has been to express all requirements that are genuinely mandatory as rules, and provide further information, or examples of behaviour that would breach rules, in guidance.

The A-Z of Becoming an Authorised Education and Training Organisation for Pupillage at the employed Bar

On 27 June together with the Employed Barristers' Committee of the Bar Council, and BACFI, we are hosting an event titled *The A-Z of Becoming an Authorised Education and Training Organisation for Pupillage*. We invite you to learn more about the current regulatory framework, the practicalities of the application process and the requirements for obtaining approval to offer employed pupillages. You will also be informed about CPS and Government pupillages and hear from employed pupils about the benefits of undertaking an employed pupillage.

The speakers are:

- Julia Witting, Head of Supervision, BSB
- James Kitching, Barrister/Partner, Fried Frank
- Mike Jones QC, CPS Wales
- Vinesh Mistry, Pupil Barrister, DWF Advocacy
- Andre Nwadike-Jonathan, Pupil Barrister, CPS London North

This event starts at 6pm (registration 5.30pm with a drinks and networking reception afterwards) and takes place at Fried Frank, 41 Lothbury, London, EC2R 7HF. Please register via events@bacfi.org or call 07507 237 218.

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.