

BAR STANDARDS BOARD

REGULATING BARRISTERS

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

Thursday 26 September 2019, Room 1.1, First Floor

289 – 293 High Holborn, London, WC1V 7HZ

- Present:** Baroness Tessa Blackstone (Chair)
Naomi Ellenbogen QC (Vice Chair)
Alison Alden OBE
Aidan Christie QC
Steven Haines
Zoe McLeod
Andrew Mitchell QC
Elizabeth Prochaska (items 6 - 10)
Irena Sabic
Nicola Sawford – by phone (part of meeting)
Adam Solomon QC
Kathryn Stone OBE
Leslie Thomas QC
Stephen Thornton CBE
- By invitation:** Malcolm Cree CBE (Chief Executive, Bar Council)
Amanda Pinto QC (Vice Chair, Bar Council)
James Wakefield (Director, COIC)
- BSB Executive in attendance:** Jake Armes (Policy and Projects Officer)
Vanessa Davies (Director General)
Sara Jagger (Director of Professional Conduct)
Andrew Lamberti (Communications Manager)
Ewen Macleod (Director of Strategy and Policy)
Robert Pasescu (Corporate Risk & Assurance Officer)
John Picken (Governance Officer)
Irfaan Shaikh (Business and Performance Officer)
Wilf White (Director of Communications and Public Engagement)
- Resource Group:** Richard Cullen (Director of Finance)
- Press:** Jemma Slingo (Law Society Gazette)

Item 1 – Welcome

1. The Chair welcomed Members and guests. She noted that this would be the last Board meeting for Aidan Christie QC as he will stand down from the Board on 15 October 2019 when he becomes Chair of the BSB's Independent Decision Making Body (IDB). She thanked him for his exemplary service both on the Board and the Professional Conduct Committee.
2. She also noted that Mark Hatcher will leave the Bar Council on 31 October 2019. She thanked him for his previous support and wished him well for the future.

3. **Item 2 – Apologies**

- Lara Fielden
- Richard Atkins QC (Chair, Bar Council)
- Grant Warnsby (Treasurer, Bar Council)
- Mark Hatcher (Special Adviser to the Chair of the Bar Council)
- Rebecca Forbes (Head of Governance & Corporate Services)
- Oliver Hanmer (Director of Regulatory Assurance)

4. **Item 3 – Members’ interests and hospitality**

None

5. **Item 4 – Approval of Part 1 (public) minutes (Annex A)**

The Board approved the Part 1 (public) minutes of the meeting held on Thursday 18 July 2019.

6. **Item 5a – Matters arising and action points (Annex B)**

The Board noted the updates to the action list.

7. **Item 5b – Forward Agenda (Annex C)**

Members noted the forward agenda list.

8. **Item 6 – Regulatory Operations**a) **Regulatory Operations progress update**

BSB 030 (19)

- (i) Sara Jagger summarised progress to date on the Regulatory Operations programme and gratefully acknowledged the commitment of staff in preparing for this new way of working. There are some residual risks concerning the new case management system but the project remains on track for launch on 15 October 2019.

(ii) **AGREED**

to note the report.

b) **Amendment to Standing Orders**

BSB 031 (19)

- (i) Sara Jagger explained the decision of the Legal Services Board regarding our rule change application for the Enforcement Decision Regulations. This was approved subject to the incorporation of rules on composition and procedures of Independent Decision Panels (currently located in Part 6A of the Standing Orders). An amendment to the Standing Orders is therefore required to avoid duplication.

(ii) **AGREED**

to delete Part 6A (Proceedings of Independent Decision -Making Panels) from the BSB Standing Orders October 2019.

RF

c) **Amendment to Scheme of Delegations to give effect to the Regulatory Operations Programme**

BSB 032 (19)

Note: the Board received a tabled paper in respect of this item. This made some corrections to the version of the Scheme of Delegations originally circulated with agenda papers. It also included an additional delegation for rE4 of the Enforcement Decision Regulations about referrals to the Legal Ombudsman.

Part 1 - Public

- (i) Sara Jagger advised that amendments to the Scheme of Delegations are required to appropriately govern the regulatory changes coming into force on 15 October 2019. Powers currently delegated by the Professional Conduct Committee (PCC) will similarly be delegated by the Commissioner once the PCC is disestablished.
- (ii) There is a separate issue around authorisation of delegations. Previously a signature from the Chair (or the person sub-delegating the power) has been required to put delegations into effect. It would be simpler, however, if we relied on an appropriate entry in the minutes to achieve this.
- (iii) **AGREED**
to approve the new Scheme of Delegations, incorporating the corrections and additional delegation set out in the tabled paper, and that in future the minutes of Board meetings be viewed as the source of authorisation, rather than signed approval statements.

RF

Item 7 - Chair's report on visits and external meetings from September 2019
BSB 033 (19)

9. The Board **noted** the report.

Item 8 – Any Other Business

10. None.

Item 10 – Date of next meeting

11. Thursday 31 October, Royal College of Radiologists, 63 Lincoln's Inn Fields, Holborn, London WC2A 3JW.

Item 11 – Private Session

12. 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 – 18 July 2019;
 - (2) Matters arising and action points – Part 2;
 - (3) Budget Bid – 2020/21 financial year;
 - (4) Consolidated Risk Report;
 - (5) Internal Governance Rules (IGRs);
 - (6) CMA / Legal Choices
 - (7) Director General's Quarterly Strategic Update – September 2019
 - (8) Any other private business;
 - update on recruitment of Director General.
13. The meeting finished at 5.25 pm.