

The Bar in society

Barristers making a difference



The Bar Council
Integrity. Excellence. Justice.



Foreword from the Chairman

Throughout my career, and even more so during my year as Chairman, I have seen first-hand the positive role which barristers play in society. We are a powerful force for good in the community. We work for free, or 'pro bono', providing effective access to justice where otherwise it would not exist. We sit on boards which encourage positive and proactive change. We are charitable and truly publicly-spirited. The list is endless, and is a remarkable testament to the social conscience of the profession.



It is wrong that the contribution the Bar makes continues to go unrecognised and unacknowledged. We are by definition great communicators; our contribution to society is something we should all learn to communicate more effectively.

The Bar's commitment to working in socially responsible ways is a powerful form of self-regulation; it promotes good practice across our profession, and protects consumers and the public. It has become increasingly important for sets of chambers, just like any other business, both to operate and to be seen to operate in ever more socially and ethically responsible ways. Social responsibility is good for business, good for the clients we represent, and we should be proud of it.

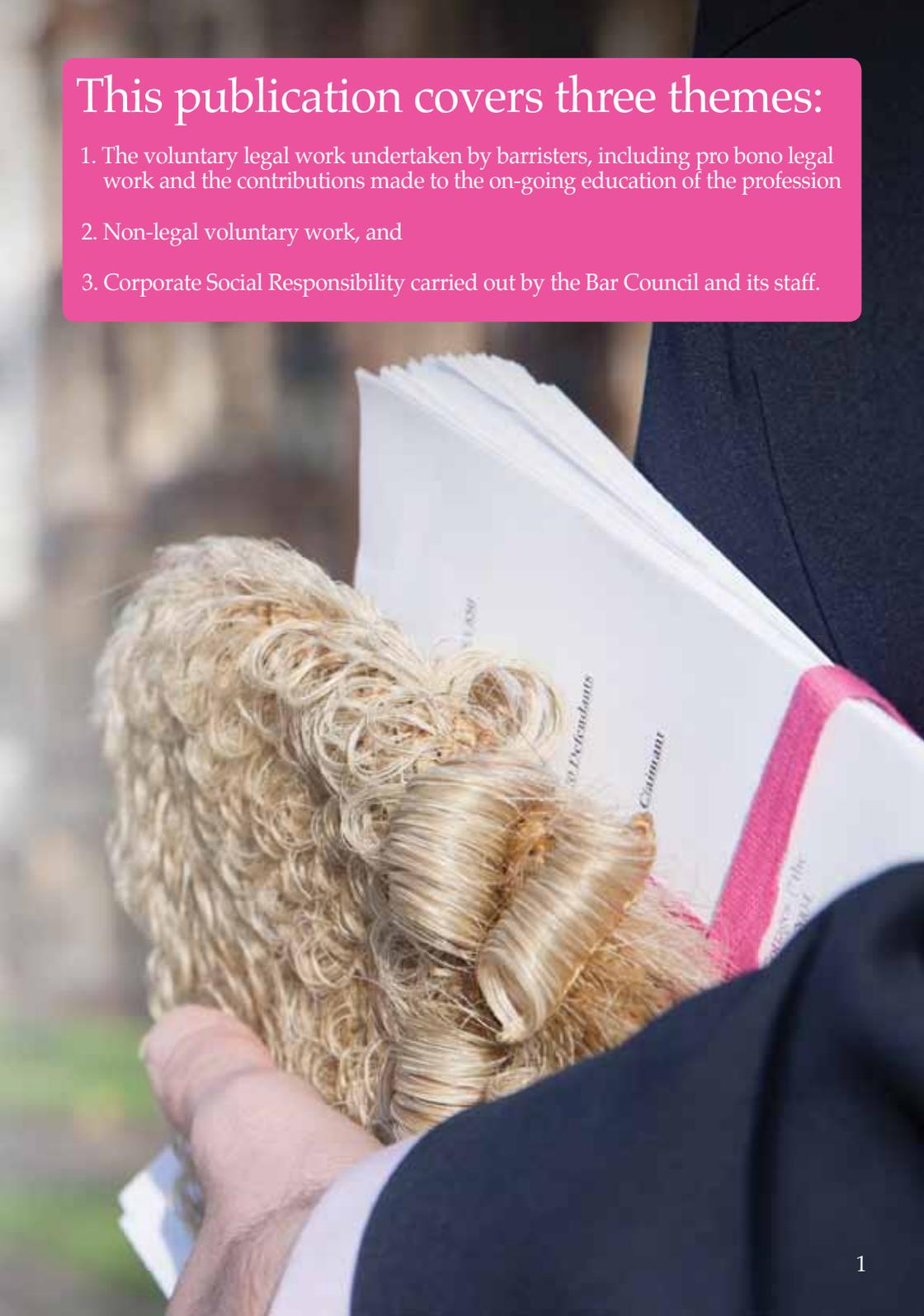
The contribution the profession offers to society frequently goes unnoticed or ignored by the public and by Government. When all areas of the publicly-funded profession are under attack it is incumbent upon all of us to tell people about the value of the Bar to society. Barristers make a huge difference to the lives of many vulnerable people for no financial gain, and together we must be proud of and vocal about the invaluable contribution we make.

A handwritten signature in black ink that reads "Maura McGowan". The signature is written in a cursive, flowing style.

Maura McGowan QC
Chairman of the Bar 2013

This publication covers three themes:

1. The voluntary legal work undertaken by barristers, including pro bono legal work and the contributions made to the on-going education of the profession
2. Non-legal voluntary work, and
3. Corporate Social Responsibility carried out by the Bar Council and its staff.



Voluntary legal work

'Almost a quarter of respondents were found to devote more than one working day per fortnight to voluntary work, and a third give up more than one working day per month.'

Legal pro bono work

Pro bono work is an ethos at the heart of the legal profession. It is a term so embedded within the legal profession that it has become an integral part of the working lives of many lawyers. It is an exceptionally valuable contribution to society, which helps many vulnerable people in a period of acute need, especially in a time of severe cuts to the legal aid budget. But it should not be viewed as a substitute for a properly funded legal aid system. Nobody should be complacent about the individuals who give up their time to carry out unpaid legal work.

A recent survey of the Bar¹ found that over 42 per cent of barristers regularly carry out pro bono legal work, across all practice areas, believing that it is 'very important' to contribute their time to charitable or other worthwhile causes.

There are few predominantly self-employed professions, if any, which can claim that nearly half of their members regularly undertake unpaid work. That, however, is exactly what the Bar does, largely through a sense of duty to protect those who need their services but cannot afford to pay for them. This is all the more striking when taking into account the economic pressures many sections of the Bar currently face. Barristers continue to play a vital role in society, and that role has a tangible and substantial value.

*'In 2012 I advised two renowned NGOs, in cases taking at least five days' pro bono work each. I advised one of those NGOs in 2011 giving about three weeks of my time pro bono.'*¹

*'I represent prisoners in custody abroad (mainly on death row in the Caribbean) and am a trustee of the charity the Death Penalty Project.'*¹

*'I do British Legion Inquest Work, volunteer in a local legal advice centre, and volunteer as a coach for a local sports club.'*¹

¹ Bar Survey – barristers set leading CSR example



Supporting pro bono providers

The Bar supports a range of legal charities, such as the Bar Pro Bono Unit (BPBU)² and the Free Representation Unit (FRU).³ The BPBU is almost entirely funded by the profession, seeking no public funding at all, and can boast a panel of over 3,311 barristers, including one third of all QCs practising in England and Wales, undertaking the large (and growing) body of cases which the Unit takes on. In 2012 the Unit took on 922 cases, which otherwise probably would not have attracted any professional legal support.

Through the £30 opt-out fee, which barristers are invited voluntarily to contribute to as part of their Practising Certificate Fee renewal process, thousands of members of the Bar contribute on an annual basis to the Unit. At a time of significant cuts to the civil legal aid budget (primarily through the LASPO Act 2013), which has removed large swathes of law from the scope of legal aid and thus left thousands of vulnerable people without access to legal representation, there has never been a more pressing time to support the work of the Unit and its ever-increasing number of cases (up 45 per cent in some months compared to pre-LASPO).

Improving professional legal education

The Bar Council, like any other professional body, promotes the maintenance of the highest professional standards. Continuing Professional Development (CPD), governed by the Bar's independent regulator, the Bar Standards Board, is a valuable mechanism for maintaining high quality, and through a variety of ways the Bar is self-sufficient in educating and supporting its members, often without financial reward.

Many barristers take time out of their practices to contribute to the development and running of courses, which teach and train more junior barristers, externally and within their sets of chambers. One example of this is the South Eastern Circuit's annual week-long advocacy training course run at Keble College, Oxford, which aims to encourage and develop the highest standards of advocacy at the Bar, and which is widely recognised as one of the best courses of its kind anywhere in the world. The course is run by barristers, including a number of senior QCs, all of whom offer their time to teach and mentor the students, free-of-charge.

In addition, many senior members of the Bar give speeches and run workshops at conferences, sharing their insights and experiences and helping to develop the profession. This presents a cost-effective way of ensuring that the Bar is in a constant state of learning and is adding to its collective knowledge base.

² www.barprobono.org.uk

³ www.thefru.org.uk

The Bar also plays a hugely important role internationally, promoting and developing the Rule of Law. It provides advocacy training in developing jurisdictions, often through the Advocacy Training Council, and lobbies on behalf of lawyers in foreign jurisdictions where the Rule of Law is in jeopardy. The Bar is proud of its rich history of intervening and raising awareness to support lawyers all over the world where government threatens their independence or security.

Promoting standards from within

The Bar covers all areas of law, and as such divides itself up into a range of Specialist Bar Associations, which focus on the issues and developments of their own practice area, as well as grouping itself geographically through a network of ‘Circuits’, spanning England and Wales, which act as regional hubs and protect the interests of all the practising barristers in that area. Additionally, many barristers are members of the various Bar Council committees, which deal with a wide array of issues affecting the profession, ranging from social mobility and access to the Bar, to matters of EU law and law reform. All of these groups comprise barrister volunteers who promote and defend the interests of their area of law or matters affecting the profession, frequently undertaking time-consuming, unpaid work, for example responding to many relevant government consultations and lobbying for change, all of which is done in the public interest.





*'Over a third of respondents
dedicate time to working for
charitable organisations'*

Non-legal voluntary work

Pro bono legal work is a major part of how the Bar gives back to the communities in which it operates, and continues to be an important part of many barristers' working lives. However, there are many other ways barristers get involved outside their profession, helping to support the communities in which they live. Such activities range from working with charitable organisations like the St John's Ambulance service, to taking on governor roles in local schools, to working with religious organisations that carry out community care work.

Outside working hours

The Bar survey demonstrated the breadth of barristers' contributions, which are voluntary and in their own time. In many individual cases this is remarkable on top of often very heavy caseloads. Of the third of survey respondents who dedicate time to non-legal causes, the sort of work they currently undertake includes:

*'I am treasurer and trustee of a local children's adventure playground. I also coach two children's football teams.'*⁴

*'I am a trustee of a charity named Witness Confident, which encourages witnesses to street crime to engage with the police. I am an executive trustee of a charity named The ALDO Trust, which, through other charities distributes grants to prisoners for educational and welfare purposes. I am a member of the Charity Committee of the Society of Apothecaries, which makes grants to undergraduate medical students and other charities.'*⁴

*'I work as a priest in the East End of London when I am not working as a barrister. I help out at the local primary school, at the homeless shelter, hospital and home-visiting, and preside at services in a thriving Church of England parish Church in one of the 10% most deprived areas in the UK.'*⁴

⁴ Bar Survey – barristers set leading CSR example

CSR at the Bar Council

The Bar Council is an organisation which employs around 150 members of permanent staff in a central London office, covering representational and policy work, corporate services, and the independent Bar Standards Board. The Bar Council is funded largely by the profession, and is constantly looking for ways to use its resources to serve the profession and the public interest efficiently, sustainably and ethically.

In late 2012 the Bar Council joined Heart of the City, a programme run by the City of London Corporation, which works with organisations to improve their Corporate Social Responsibility (CSR).

Environment: Acting sustainably and responsibly

The Bar Council's efforts to 'do more for less' and operate in the most cost-effective manner possible led it to carry out a detailed review of its premises. In 2014 the Bar Council will reduce the floor space it currently uses and, as a consequence, will significantly reduce the organisation's carbon footprint and the associated costs of operating from a larger physical environment. The Bar Council intends to undertake a subsequent review of all its recycling needs, for which it is already an award winner, receiving an *Award of Environmental Excellence* in 2012 from the BPR Group, a company which helps its clients to operate to the highest environmental standards.

The physical office space reduction is being accompanied by an overhaul of the organisation's IT, which will improve ways of working, reduce paper consumption and enhance the way the Bar Council works with the profession.

The Bar Council also operates a range of transport policies, including the Ride to Work scheme, which encourages employees to look at more environmentally-friendly and healthy ways of commuting to work.

Community: Working for others

The Bar Council is an organisation of dedicated and socially active staff who individually undertake a range of voluntary work outside of office hours, to help the communities that they live in and the many charities which make a difference to so many people in society.

Mark, Representation and Policy: I am a self-supporting priest in the Church of England, serving a parish in an Urban Priority Area in south London with some of the poorest and most vulnerable members of society.

Sarah, Communications: I volunteer at the Marie Curie Hampstead Hospice, which is an invaluable support to the whole of North London, providing end-of-life care to those in need.

John, Facilities: I fundraise for COSMIC, a charity that directly supports the Children's Intensive Care Unit at St Mary's hospital. They provide life-saving equipment and fund vital research to ensure that children in their care get the best treatment possible. My daughter was a patient on the unit in 2009 which is why I support this great cause.

Jade, Member Services: I regularly organise fundraising events for different charities, the most recent has been taking part in a bungee jump for the premature baby unit – Little Buds Ward at Darent Valley Hospital.

Community: Working with others

The Bar Council mirrors the commitment of the profession by working with a wide range of organisations which provide services for those in society who do not have the financial means to support themselves.

The Director of Representation & Policy at the Bar Council sits as a Director on the Board of the National Pro Bono Centre, offering support and leadership from the profession's representative body, and the Bar Council is the biggest single financial supporter of the Bar Pro Bono Unit (BPBU), contributing 24 per cent of all funding in 2012, and complementing the in-kind offering of so many members of the profession. Working closely with the BPBU is something of which the Bar Council is exceptionally proud, and, through the introduction of the £30 opt-out scheme, a Bar Council initiative which is linked to barristers' renewal of their Practising Certificate Fee, it hopes to maintain and extend its support.

The Free Representation Unit (FRU) is another charitable organisation to which the Bar Council provides significant support, both financially and in kind. Last year the Bar Council helped FRU to move offices, donating both time and money to find new premises, negotiate the lease, fit out the premises and help organise and pay for the move.

The Bar and the Bar Council are also very closely involved with The London Legal Support Trust, a charity that supports the work of voluntary legal centres in social welfare law. Each year the Bar Council provides administrative and advertising support to the charity's biggest annual fundraising drive, the London Legal Walk, encouraging hundreds of members of the Bar to participate.

Community: Working for society

The Bar Council is committed to supporting and developing public legal education. Whether supporting and championing citizenship on the national curriculum or helping people of all ages to understand their rights and responsibilities, this is a core part of the Bar Council's function in the public interest. In April 2013, the Bar Council published 'A Guide to Representing Yourself in Court',⁵ which helped people for whom legal aid was no longer available and access to justice was denied, to understand the basics of how to bring a claim against someone or to defend one brought against them. This was sent to MPs' surgeries, legal advice centres and Citizens Advice Bureaux across England and Wales, providing a useful and socially-beneficial resource.

As part of its commitment to improving citizenship education, the Bar Council is also the main funder of the Citizenship Foundation's⁶ Bar National Mock Trials, a nationwide advocacy competition for state-school children, to introduce them to, and educate them about, the justice system.

Workplace: Ensuring the best working environment

The Bar Council has a variety of working practices which ensure that its executive staff is protected. There are a wide range of human resources (HR) policies which seek to ensure a dignified workplace, which promote equal opportunities, permit flexible working and encourage training and development. There are also equality and diversity policies which guarantee that the workplace is fair and encourages diversity.

Workplace: Best practice is good business

Acting in a socially responsible manner is the right thing to do, it is also good business sense. Every organisation has a responsibility to the people it serves and to its community to conduct its affairs ethically, and to ensure that those with whom it works are also maintaining proper levels of responsibility. The Bar Council promotes an increasingly sustainable future both socially and through improving environmental practices. These are not only designed to operate in the public interest, but also to set a standard to be maintained and aspired to.

The Bar Council has a strong focus on equality and diversity, and the last 20 years has seen a dramatic change in the composition of the Bar. It is far more diverse, which better reflects the society it serves. In 2012 the Bar Council's Equality and Diversity Committee produced the Fair Recruitment Guide,⁷ which it has distributed to all sets of chambers in England and Wales to help chambers staff, particularly clerks and practice managers, with their recruitment. It is important

⁵ www.barcouncil.org.uk/representing-yourself-in-court

⁶ www.citizenshipfoundation.org.uk

⁷ www.barcouncil.org.uk/fair-recruitment-guide

that the selection and recruitment processes within the Bar are carried out fairly and transparently, and are based upon a person's ability.

Much work has been carried out on widening access to, and within, the profession. The Bar Council works hard to improve the retention of women and support career progression. It encourages under-represented groups to consider taking silk and joining the judiciary. It does this through the provision of tailored advice, events, training and targeted programmes. It is the official endorser for the Legal Category of the Women in the City Award, which is an annual award that recognises senior female lawyers who actively promote and encourage the professional progress of other women.

Against a backdrop of cuts to the legal aid budget, the Bar Council continues to speak out about the negative impact such cuts will have on women and ethnic minority members of the Bar.

Workplace: Social mobility and access to the profession

Through a variety of social mobility initiatives, the Bar Council provides a number of platforms for children from less advantaged backgrounds to learn more about the UK's justice system and the Bar as a potential career option. The Bar Council organises 'Speak up for others', a programme which sends 500 volunteer barristers from all practice areas into their local state schools to talk with young people about the possibility of training to become a barrister, a profession which is often seen as unachievable by students from less-well off backgrounds.

The Bar Council also works in partnership with the Social Mobility Foundation⁸ because it recognises the value of recruiting from the broadest pool of talent. It is committed to running a variety of initiatives which ensure that students of all socioeconomic backgrounds can obtain the information, advice and experience they need to reach an informed decision about a career at the Bar.



⁸ www.socialmobility.org.uk

Chairman's pledges

This publication demonstrates the forward-looking barristers within our profession who are working tirelessly to promote social responsibility within their practice areas and communities. To ensure that the Bar Council mirrors this dedication, and operates with the same ethos of social responsibility at the forefront of its work, this year, under the leadership of Chairman, Maura McGowan QC, and throughout the next, under the chairmanship of Nicholas Lavender QC, the Bar Council pledges to:

- Work with Law for Life⁹ on a number of public legal education projects to improve legal capability
- Support the Advocacy Training Council in their efforts to safeguard vulnerable witnesses and to ensure that barristers are trained to the highest standards to be able to deal with them
- Continue working with the Citizenship Foundation on important public legal education projects, such as the National Bar Mock Trials competition
- Continue our working relationship with the Social Mobility Foundation, with whom we currently run a Bar Placement Week for year 12 students in London
- Continue to promote the £30 opt-out donation to support the work of the Bar Pro Bono Unit, in an effort to secure the vital charity's long term financial sustainability
- Better articulate the contribution the Bar makes to society
- Reduce the physical working space occupied by the Bar Council executive to lower our carbon footprint and work in a more sustainable and cost effective way, and
- Increase efficiencies in the way we work by upgrading our current IT infrastructure, helping to reduce paper consumption and embed more integrated working practices.

⁹ www.lawforlife.org.uk



Integrity. Excellence. Justice.

The Bar Council represents barristers in England and Wales. It promotes:

- The Bar's high quality specialist advocacy and advisory services
- Fair access to justice for all
- The highest standards of ethics, equality and diversity across the profession, and
- The development of business opportunities for barristers at home and abroad.

The General Council of the Bar is the Approved Regulator of the Bar of England and Wales. It discharges its regulatory functions through the independent Bar Standards Board.

www.barcouncil.org.uk

 @thebarcouncil