



## **Bar Council of England and Wales**

### **Country report for the Vienna Bar Presidents' Conference 2024**

This report is an overview of the work of the representative side of the Bar Council of England and Wales, during the year 2023. This excludes the work of the independent regulator, the Bar Standards Board.

#### **International**

##### **Visits**

- In September 2023, we hosted a two-day seminar programme in Mexico City. The visit, held over 21 and 22 September 2023, included two in-person workshops. The workshops were co-delivered with the Mexican Bar and covered international arbitration and international investigations.
- In October 2023, we hosted a seven-day programme in Nairobi in conjunction with the Law Society of Kenya (LSK). The programme included seminars with speakers from both the BC and LSK covering topics including the importance of the independent bar; transnational financial crime, fraud and arbitration; how to leverage AI and legal tech for young lawyers and the Rule of Law.
- Several other overseas visits took place, including the attendance of the Bar Council of India's (BCI) International Lawyers' Conference and English Law Day in Tashkent, both in September.
- We welcomed a number of delegations to London including representatives from the Law Society of Singapore, the Danish Association of Advocates, lawyers from Punjab and Haryana and the BCI.

##### **Trade Policy Work**

- The Bar Council fostered existing relationships with the Law Society of Kenya, the New York State Bar Association, the Bar Association of Sri Lanka, the Ghana Bar Association and the Tanganyika Law Society. Through Memorandums of Understanding (MoUs), we have established new relationships with the Bar Council of India and the International Law Section of the Florida Bar.

- The Bar Council has provided expertise and input on a number of Free Trade Agreements (FTA). Of particular note is the legal services trade dialogue taking place under the UK-Aus FTA and the ongoing UK-India FTA negotiations.

### **Rule of Law work**

- We have continued numerous initiatives relating to Ukraine, including our “Homes for Ukraine” and “a day at the Bar for Ukrainian lawyers” schemes.
- The Bar Council continues to produce intervention letters and statements on international rule of law issues. We have released interventions on the war in Ukraine, Sri Lanka’s local elections (March 2023), religious discrimination towards Ahmadi Muslims in Pakistan who are seeking legal representation (March 2023) and the proposed judicial reforms in Israel (April 2023).
- We hosted our annual International Rule of Law lecture in November 2023. The speaker for 2023 was Tetyana Antsupova, former Supreme Court Justice in Ukraine.

### **Overarching work**

- Every year, the Bar Council and the Law Society host the Opening of the Legal Year. In 2023, the Bar leaders’ discussion focused on ‘Protecting the Independence of the Legal Profession. After ceremonial proceedings at Westminster Abbey, a seminar was hosted with Judiciary examining ‘the future of legal technology and AI in the courts: challenges and opportunities.’
- The Bar Council is in the process of developing a Global Exchange Scheme. This will be a multilateral exchange programme delivering on exchanges of lawyers for jurisdictions that we have signed MoUs with.
- In 2023, Bar Council attended the Commonwealth Lawyers’ Association’s conference, the Annual European Circuit Conference, the Vienna Bar President’s Conference, the CCBE and the International Bar Association’s (IBA) annual conference.

### **Regulation**

#### ***Anti Money Laundering***

- A new sanctions working group has formed under the AML working group.
- In September 2023, we submitted a response to HM Treasury’s consultation on the reform of the AML and Counter-Terrorism financing supervisory regime, as this was considered to impact legal sector regulation. The proposals included moving supervision to just one legal sector regulator. Our stance was that supervision should remain with specialist bodies
- We amended the AML guidance for the Bar to assist members with AML compliance.

#### ***Law Reform***

- Our Law Reform Committee regularly responds to consultations every year, mostly issued by the Law Commission and government departments.
- We continued our popular Law Reform Essay Competition aimed at law students.

- The Law Reform Lecture in 2023 was hosted for its 20<sup>th</sup> year and explored the rapidly evolving role of AI in law, and the challenges that are and/or may be experienced as we progress into a virtual world. Keynote speakers included Sir Geoffrey Vos, Jamie Susskind, Shobana Iyer and Dr. Matthew Lavy.

### *Ethics*

- The Ethical Enquiries Service continues to provide a valuable service to hundreds of barristers a month. A team of ethical advisers, supported by the Ethics Committee, respond to daily telephone and written queries from members of the Bar.

### **Equality, Diversity and Inclusion (ED&I)**

#### *Race quality work*

- The Bar Council's Race Working Group continues to advise on Bar Council activity. The working group includes representatives from all the Circuits, Specialist Bar Associations (SBAs) and Inns of Court, as well as networks created to support barristers and Bar students from different ethnic minority communities.
- The Working Group delivered our "Introduction to race training: Starting a conversation about race in chambers".

#### *LGBTQ+ issues*

- We continue to attend London pride on an annual basis.

#### *Social mobility*

- We hosted our first ever social mobility summit on 14 July 2023. This practical half-day summit supported in developing and delivering effective social mobility programmes.

### **Sustainability work & Net Zero**

- We continue our work with our established Sustainability Network which supports chambers in tackling the climate emergency and achieving a Net Zero target. This work is supported by a Climate Crisis Working Group.
- We are piloting a carbon reduction scheme that will assist selected chambers reduce their carbon emissions and implement targets, with the support of consultancy.
- We hosted our first Sustainability Summit in June 2023. This practical half-day summit aimed to support chambers in developing and delivering effective interventions on carbon reduction and responding to the climate crisis.

### **Pro Bono**

- In 2023 we supported Pro Bono Week. This is an annual event that celebrates pro bono achievements at the Bar and seeks to encourage more barristers to volunteer/take on pro bono work.

### **Young Bar**

- Our successful Young Lawyers Anglo-Dutch Exchange Scheme continued in 2023.
- In September 2023, we released our “Starting at the Bar: your essential guide”. Written by young barristers for young barristers, this provides answers to the key questions that arise when joining the Bar, and signposts resources available to support the first seven years of practice.
- Our Young Barristers Committee is also supporting with a young lawyer mentoring scheme with the Law Society of Kenya, as part of our MoU implementation work.

## Employed Bar

- We celebrated the best of the employed Bar with the Employed Bar Awards.
- We released our “Life at the Employed Bar report” in February 2023. This analyses data on the demographics and working lives of employed barristers in England and Wales, as well as describing their experiences of working in employed settings through a series of focus group discussions.

## The Courts

- The latest data published by Her Majesty’s Courts and Tribunals Service shows that there is still a large backlog of cases in the criminal Courts. Despite Government targets, backlogs continue to rise.

### Magistrates Court <sup>1</sup>

	Month receipts (criminal only)	Disposals (criminal only)	Outstanding (criminal only)
Aug 2022	112934	105912	343842
Aug 2023	116098	111397	353700

### Crown Court <sup>2</sup>

	Month receipts	Disposals	Outstanding
Aug 2022	8653	7429	60580
Aug 2023	10137	9411	65004

## Legal Aid

- In January 2023, we welcomed a review from the Government of civil legal aid but warned that interim measures are needed now to prevent the collapse of the system.
- We continue our lobbying work on civil, family and criminal legal aid.

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<sup>1</sup> <https://www.gov.uk/government/statistical-data-sets/hmcts-management-information-august-2023>

<sup>2</sup> <https://www.gov.uk/government/statistical-data-sets/hmcts-management-information-august-2023>