



Bar Council of England and Wales
Country report for the Vienna Bar Presidents Conference 2026

This report is an overview of the work of the representative side of the Bar Council of England and Wales, during the year 2025. This excludes the work of the independent regulator within the Bar Council, the Bar Standards Board.

International

The Bar Council organised:

- A panel discussion on the new Council of Europe Convention on the Protection of the Profession of Lawyer at the East Africa Law Society conference, in Addis Ababa in Ethiopia.
- A visit to the UAE for family practitioners. It included an event centred on family law at the Abu Dhabi Global Market which covered financial disputes and nuptial agreements in the UAE and UK, covering mediation, arbitration, and enforceability challenges.
- Our fourth visit to Kenya. Our visit included a day of seminars in collaboration with the Law Society of Kenya covering a range of topics including anti-money laundering and international climate change law.
- Programmes for delegations to London including representatives from the Ghana Bar Association, the Law Society of Singapore, the Anguilla Bar Association, the Czech Bar, the New York State Bar, the Caera Bar of Brazil, the Albanian Chamber of Advocacy, a Malaysian delegation as part of Malaysia's *Empirical Study on the Proposed Separation of Powers between the Attorney General and Public Prosecutor* and a delegation from the Delhi High Court Bar Association.
- A successful moot, with participants from across the Commonwealth at the Commonwealth Lawyers Conference in Malta in April. This was followed by a well-attended Bar Council networking reception. We also took the opportunity to hold bilateral meetings with key stakeholders in the margins of the conference including the East Africa Law Society, the Ghana Bar Association and the Law Society of Kenya.
- We worked with the Law Society of England and Wales to invite more than 100 international guests to the Opening of the Legal Year. As part of the programme, we invited leaders from different jurisdictions across the world to discuss endangered lawyers, as part of the Bar Leaders Discussion.

Trade Policy Work

- The Bar Council has provided expertise and input on a number of Free Trade Agreements (FTA).

Rule of Law work

- The 2025 Bar Council International Rule of Law Lecture was delivered by Professor David D Cole of Georgetown Law Center, and former National Legal Director of the American Civil Liberties Union on the challenges and the implications of the Trump administration on the rule of law. The lecture is available to watch [here](#)
- We co-hosted the 21st Ruth Steinkrauss Cohen lecture in collaboration with the Centre for International Studies and Diplomacy at SOAS, University of London and the Westminster United Nations Association in March. In her lecture to mark the 75th anniversary of the creation of the Office of the UN High Commissioner for Refugees, Professor Briddick roots the international legal protection of refugees in the tension between their differential and discriminatory treatment.
- Numerous statements and interventions including support for leaders of the Istanbul Bar Association, support for the IBA call against sanctions on members of the ICC and in support of the American Bar Association, and a joint statement with the Commonwealth Lawyers Association on the suspension of the Chief Justice in Ghana.

Government engagement

- Responses to numerous consultations including that on the Industrial Strategy, the Foreign Affairs Committee call for evidence on soft power, the Sub judice resolution in the House of Commons call for evidence.

Regulation

Ethics

The Ethical Enquiries Service continues to provide a valuable service to hundreds of barristers every month. A team of ethical advisers, supported by the Ethics Committee, responds to telephone and written queries from members of the Bar and maintains a suite of ethics and practice guidance documents. The Ethics Committee also organises a number of ethics webinars throughout the year.

The Ethics Committee also engages with ethics related policy. For example it responded to a consultation issued by the oversight regulator, the Legal Services Board, on “Upholding Professional Ethical Duties”. The consultation identified several types of poor ethical conduct, including strategic lawsuits against public participation (SLAPPs), the misuse of non-disclosure agreements (NDAs) and problems of independence. As part of its strategy to combat poor ethical conduct, the LSB proposed a statement of policy with five outcomes for regulators addressing lawyers’ skills and knowledge and confidence to uphold their ethical obligations, regulators’ frameworks, effective regulatory supervision and evaluation of regulatory measures. We disagreed that these sorts of behaviour are commonplace at the

Bar, or necessarily appropriate for additional regulatory control. We made the point that the ethical issues faced by the different legal professions can arise in strikingly different circumstances and for this reason the Bar Council is opposed to an overly prescriptive approach.

Last year, the Ethics Committee undertook research on Bar ethics with the aim of trying to ascertain what areas further guidance and support would be useful in. The profession was surveyed with questions that sought to find out where barristers obtain ethics support from, whether they feel sufficiently well supported, the types of issues that cause them ethical difficulty and whether they undertake ethics CPD activities. We found that overall, barristers had a good understanding of their ethical obligations and of the support networks available to them. We also established how frequently barristers undertook ethics related CPD activities. Challenges that barristers reported facing included isolation and pressure from clients and others. SLAPPs and unlawful use of NDAs by contrast, didn't present as an issue for many barristers. The full report will be published in the coming months. We will use our findings to create new guidance documents and create webinars that address some of the issues that were identified as arising frequently.

Our guidance on AI was revised to take account of recent developments. The guidance seeks to alert the Bar to ethical considerations it must be conscious of when using it, such as the need to maintain client confidentiality, ensure a competent standard of work and not to mislead the court. We are seeing new challenges in this fast evolving area, for example, the impact of other court users' misuse of AI.

Regulation

The BSB has consulted on two significant areas in 2025, its enforcement processes and the rules governing the way that barristers and chambers must respond to complaints and report data on complaints to the regulator. The enforcement consultation proposed a wide range of measures which are aimed at increasing efficiency and transparency of the disciplinary processes. The complaints consultation resulted in new rules on complaints data and a new requirement to remind clients of their right to complain at the conclusion of a piece of work and will be brought into force this spring.

The case of Mazur¹ in autumn 2025 clarified that non-authorised persons cannot conduct litigation under supervision of an unauthorised person, instead, they can assist and authorised person. This has caused difficulties for legal professionals that are not authorised but have been involved in some way in the conduct of litigation. This has prompted an appeal brought by CILEX, the representative body for Legal Executives, which is listed for February. In the meantime, professional bodies like the Bar Council, and regulators have been looking at whether their guidance on conducting litigation is accurate, in light of the new case.

¹ [Mazur & Anor v Charles Russell Speechlys LLP \[2025\] EWHC 2341 \(KB\) \(16 September 2025\)](#)

Law Reform

We responded to over ten consultations; one consultation of particular significance was the Law Commission's consultation on criminal appeals. Other consultations included areas on employment law, consumer law, and commercial law.

The committee ran the annual law reform essay competition which attracted 63 entries with 6 prizes awarded.

The committee invited Sir Nicholas Mostyn to deliver the annual law reform lecture at Gray's Inn on the topic of 'A priceless inheritance'.

Anti-money laundering

We continue to keep our guidance on AML for barristers up to date and to engage in policy work, for example responding to consultations on new developments. One such development was HM Treasury announcing the creation of a single professional services supervisor with responsibility for anti-money laundering (AML) and counter-terrorism financing (CTF) supervision of legal, accountancy, trust and company service providers. The Financial Conduct Authority (FCA) is the organisation taking on this work and the Office for Professional Body Anti-Money Laundering Supervision and the Bar Standards Board (BSB) will no longer fulfil AML/CTF functions. This major change to the supervisory regime requires legislation, funding, transition and delivery plans.

The Bar Council is concerned that the move to one new model for all professional service firms risks losing sector-specific expertise and could reduce the efficacy of supervision. The new regime will mean that barristers will be supervised by two regulatory regimes: that operated by the FCA in respect of AML/CTF, and the BSB in respect of conduct.

We are disappointed that HM Treasury has decided to make the FCA the sole supervisor, but we are resolved to work with the BSB, HM Treasury and the FCA to help ensure the new regime is as effective, proportionate and as risk based as possible. We also want to ensure the new regime does not impose disproportionate costs and levies fees in a way which takes account of the risk profile of specific sectors.

Equality, Diversity and Inclusion (ED&I)

The Bar Council continue to deliver:

- A helpline (for barristers and pupils facing unequal treatment and chambers/others looking to manage issues/develop good E&D practices) and AI/online reporting for incidents of discrimination, harassment, and bullying
- E&D Training as well as wider education on these issues across the Bar
- Guidance/Policy Support (on compliance with our regulator's E&D Rules and good practice)
- Research (data on the profile of the students, pupils, and the profession – intersectional, and including by different ethnic minority groups - and trends)
- Assistance to Bar stakeholders and Bar-based networks e.g., FreeBar (LGBTQ+, Black Barristers Network; women's groups and

- Discrete Bar Council-led programmes to promote and support equality, diversity, and inclusion (see below).

Examples of our EDI work this year

- Client Briefing practices and earnings inequality. We have published [updated earnings data by sex](#). This supports ongoing work to tackle earnings gaps by sex which is supported by training, bespoke consultancy, and resources including our [earnings monitoring toolkit](#) and guidance on [fair access to work](#). We continue to work closely with individual chambers undertaking earnings audits, and with clients of the Bar (e.g. Crown Prosecution Service) on briefing practices. We see real traction now with tackling earnings inequality a priority for most leading chambers.
- Tackling harassment and bullying. In September 2025 we published a [major review into bullying and harassment](#) which made 36 recommendations for action. These recommendations were accepted by the Bar Council and we are now working to implement them. Some lie outside our own remit (with the regulator and the judiciary) and we are working with these bodies. We have appointed a new [Commissioner for Conduct, Dame Maria Miller](#) to lead work to tackle harassment and bullying on behalf of the Bar (one of the report's recommendations).
- Disability. We have published research on access for those with a mobility impairment (we conducted a survey of the largest two hundred chambers) nearly a fifth were not accessible and we have initiated a programme of work to improve access. We also continue to work closely with His Majesty's Courts and Tribunal Service to improve access to the courts for disabled barristers. We have also published neurodiversity guidance for the profession to support making reasonable adjustments, particularly during recruitment.
- [Wellbeing at the Bar](#) We continue to support an extensive wellbeing programme including online resources, access to counselling and a recognition programme for chambers taking action to improve their members' wellbeing. During 2025 we piloted group reflective practice for Chancery/Commercial practitioners (London) and Family/Crime practitioners (Bristol) and we are currently evaluating the impact. We also created [5 short films](#) explaining the impact of trauma in legal practice and have just delivered [two pilot courses on Trauma Informed Law](#) – one for barristers and another for clerks.
- Race. [10,000 Black Internship \(Bar\) programme](#). We have continued to deliver a 6-week paid internship programme for aspiring Black barristers (29 in 2025). This is a bespoke Bar programme that sits within a wider [10,000 Black Interns](#) programme.
- [Women in Law \(WiL\) Pledge](#). We continue to promote target setting to support greater equity between sexes – signatories are required to set targets and report progress.

- [Returners and Movers](#). We have continued to develop advice and guidance to enable return to the Bar and movement between practice areas and between employed and self-employed practice to support retention.
- Pride 2025. We ran a successful networking event for LGBTQ+ barristers and solicitors to celebrate Pride in June.
- [Judicial Diversity](#). We continue to work closely with the Judicial Appointments Commission, the Judiciary and others to improve judicial diversity. We remain a partner in a positive action programme [Pre-Application Judicial Education](#) (PAJE) targeted at under-represented groups.

Sustainability work

- We have continued encourage chambers to join the [Bar Sustainability Network](#) which supports carbon measurement and reduction. This work is supported by a Bar Council Climate Crisis Working Group which is also prioritising climate education for barristers.

Pro Bono

- In 2025 we supported Pro Bono Week (an annual event that celebrates pro bono achievements at the Bar and encourages more barristers to volunteer/take on pro bono work). We also promoted the [pro bono recognition list](#)

Young Bar

- We hosted the 2025 Anglo-Dutch Exchange entertaining lawyers from Rotterdam, the Hague and Amsterdam.
- We refreshed our “[Starting at the Bar: your essential guide](#)” as part of a suite of support offered to new practitioners which also included seminars covering ethics and working at the Bar.
- We continued to provide grants to young barristers from England & Wales to attend international events or conference that will help develop their practice.

Employed Bar

- We focussed on career progression for the employed Bar, specifically exploring ways to support employed practitioners to take silk.

Education and training

- Barrister apprenticeships. We established a working group to monitor developments with barrister apprenticeships (as an alternate route to train for the Bar)
- Careers information and advice. We redeveloped our [careers information resources](#) and continued to deliver the largest [pupillage Fair](#) for the Bar of England & Wales.
- Work Experience. We provided [work placements](#) and advocacy coaching for students from under-represented groups (who meet socio-economic criteria)
- Contextual recruitment. We offered contextual recruitment via our Pupillage Gateway (the Bar’s recruitment portal) for the first time in 2024/5.
- Oracy resources for primary schools. We developed a range of [oracy resources for 7-11 years olds](#) to support social mobility and introduce young children to the profession via oracy skills development (aligned with the school curriculum).

The Courts

Backlogs

- Family courts: the backlog of cases in the family court stands at 38, 205 for private law cases as of November 2025. This is down by 1.4% from the previous year. For public law cases it is 10, 313. This is up 1.9% from the previous year

<https://www.gov.uk/government/statistical-data-sets/hmcts-management-information-august-2025>

- Criminal courts: In the magistrates' court in 2025 the number of outstanding open cases was 373,084, up 17% on the previous year and the highest on record. In the Crown Court in 2025 in 2025 there was a growing backlog of 79,619 open cases, the highest on record.

<https://www.gov.uk/government/statistics/criminal-court-statistics-quarterly-july-to-september-2025/criminal-court-statistics-quarterly-july-to-september-2025>

The Government announced an intention to reduce the number of criminal cases that can be heard by a jury. The Bar Council is resisting this as wrong in principle, and would make little difference to the backlog.

Artificial Intelligence (AI)

There continue to be cases where lawyers have used AI software which has generated fake cases. The Bar Council's IT Panel have updated its [guidance](#)

Legal Aid

There has been an increase in legal aid fees for immigration and in housing cases. There has also been announced some additional funding for Crown Court defence fees. However, family legal aid fees have still not been increased since 1996.