

The Questions in the Consultation Paper

Practice in Legal Disciplinary Practices

- Q.1 Do you agree with the Board's approach (paragraphs 12 to 14) and with the proposals in paragraphs 51 to 54? If not, please explain why not, and also how you consider that the Board can effectively prevent barristers from becoming managers of LDPs.
- Q.2 Do you consider that there are any restrictions or safeguards that should be attached to any permission to practise as the manager of a LDP, such as a requirement to inform the firm's client of his or her right to access advice or advocacy services from the independent Bar? If so, what are they?
- Q.3 Do you agree that barristers should be allowed to be shareholders in LDPs, subject to the safeguards described in paragraph 48 above? Are any additional safeguards required? If so, what are they?
- Q.4 Do you agree that barristers should not be allowed to practise both as the manager of a LDP and as an independent practitioner?
- Q.5 Do you think it would be desirable to strengthen the provisions of paragraph 601 of the Code of Conduct? If so, in what way? (paragraph 45)?
- Q.6 Do you agree with the amendments to the Code proposed in Appendix B?

Practice in barrister-only partnerships

- Q.7(a) Do you agree that barristers should be permitted to practise in barrister-only partnerships?
- Q.7(b) If so, should these be restricted to the provision of advocacy and advice services?
- Q.8(a) Are you likely to consider joining or establishing a partnership of barristers for any reason?
- Q.8(b) Are you more or less likely to do so if barristers are permitted to become managers of LDPs?
- Q.8(c) Would you be more or less likely to practise through limited liability partnerships or limited companies if this were to become possible?
- Q.9 Do you agree that barristers who are members of a barrister-only partnership should be subject to the cab-rank rule?
- Q.10 If barrister-only partnerships were permitted, what restrictions or safeguards would the Board need to put in place to ensure that consumers understand that they are engaging a firm of barristers to act for them, rather than a single, independent barrister?

- Q.11 Should barristers be permitted to practise both as members of a partnership and as sole practitioners? If so, what safeguards would be appropriate (paragraph 65)?
- Q.12 Do you agree with the list in paragraph 68 above of additional regulatory matters that would need to be addressed? Are there other matters that would need to be addressed?
- Q.13 Should the Bar Council take steps to enable the Board to regulate entities such as LLPs and limited companies?
- Q.14 Are there any further provisions that you think necessary or desirable?