BAR Standards Board

REGULATING BARRISTERS

Anti-Money Laundering and Counter Terrorist Financing Annual Report for the fiscal year 2023/24

Foreword

According to the 2024 National Strategic Assessment of Serious and Organised Crime¹, it is a realistic possibility that over £100 billion is laundered through and within the UK or UKregistered corporate structures each year. There is a risk that the services of lawyers and other professional advisers may be used to enable this activity where there are vulnerabilities that can be exploited. The Bar can play its part in preventing this by ensuring that robust controls are in place to assess risk, conduct appropriate customer due diligence and stay up to date with an understanding of the threat environment, in line with its obligations under the Money Laundering Regulations.

The role of the legal sector regulators in relation to economic crime was clarified in the Economic Crime and Corporate Transparency Act 2023, which introduced a new Regulatory Objective into the Legal Services Act 2007 to promote the prevention and detection of economic crime. The Cross-system Professional Enablers Strategy 2024-26² meets a key milestone set out in the Government's Economic Crime Plan. The aim of this strategy is "to galvanise a whole system response to deliver a step-change in reducing the threat posed by individual that provide a professional service that enables criminality". The BSB is working with the National Economic Crime Centre, law enforcement and other regulators and representative bodies to support the delivery of the strategy.

This report sets out how we are meeting our responsibility as a professional body supervisor under the Money Laundering Regulations for barristers and BSB entities in England and Wales. It highlights themes emerging from our supervision work over the fiscal year 2023-24 that will assist you when reviewing your own controls.

Our website contains information to help you to comply with the Regulations. Our Money Laundering pages are regularly updated with new information about risk and the latest developments in Government. In addition, we shall shortly be launching a new page for chambers, bringing together and clarifying our regulatory requirements of barristers' practice management in chambers. I would strongly encourage you to monitor our website, our monthly Regulatory Update and our social media platforms for the latest information.

Mark Neale Director General and Responsible Officer 30 October 2024

¹ <u>https://www.nationalcrimeagency.gov.uk/threats/nsa-illicit-finance-2024</u>

² <u>https://www.nationalcrimeagency.gov.uk/who-we-are/publications/724-cross-system-professional-enablers-strategy/file</u>

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The role of the Bar Standards Board

- The role of the legal sector regulators in relation to economic crime was clarified in the Economic Crime and Corporate Transparency Act 2023, which introduced a new <u>Regulatory Objective</u> into the Legal Services Act 2007 to promote the prevention and detection of economic crime.
- 2. The General Council of the Bar is designated as a Professional Body Supervisor in Schedule 1 of the <u>Money Laundering Regulations</u> (MLRs). The General Council of the Bar has established the Bar Standards Board (BSB) to be the regulator of the Bar and to be independent of the Bar Council which represents the profession. The BSB is responsible for the supervision of barristers and BSB entities under the MLRs. Our <u>governance documents</u> set out our arrangements for ensuring regulatory independence from the representative functions of the Bar Council.

Regulation 46 of the MLRs sets out the duties of supervisory authorities. The BSB must:

- Adopt a risk-based approach to supervision (regulation 17).
- Approve self-employed barristers and owners and managers of BSB entities to carry out work under the Regulations (regulation 26).
- Publish an annual report containing information about supervision activity undertaken, to encourage the reporting of actual or potential breaches of the Regulations, and measures carried out to monitor, and enforce, compliance by barristers and BSB entities with their obligations (regulation 46A).
- Make a Suspicious Activity Report to the National Crime Agency if there is a suspicion of money laundering or terrorist financing (regulation 46(5)).
- Provide information and guidance (regulation 47).
- Appoint a responsible officer to monitor compliance with the Regulations (regulation 49(2)(b)).
- Co-operate with other supervisory authorities, HM Treasury and law enforcement authorities (regulation 50(1)).
- Provide a register of Trust and Company Service Providers to HMRC (regulation 54(2))
- 3. The BSB is subject to oversight regulation by the <u>Office for Professional Body AML</u> <u>Supervision</u> (OPBAS). OPBAS has published a <u>Sourcebook</u> on how the BSB and other professional body supervisors can meet their obligations under the MLRs.

How the Regulations apply to the Bar

Barristers and BSB entities

4. All barristers have to declare at Authorisation to Practise (when they renew their practising certificate annually) whether they engage in work that falls within the scope of the MLRs. BSB entities must do the same upon authorisation and annual renewal.

<u>Rule S59.7</u> of the BSB Handbook requires barristers to declare at Authorisation to Practise whether they do work within the scope of the MLRs. This rule enables us to meet our obligations under the MLRs to carry out risk-based supervision (<u>regulation 17</u>) as it helps to identify which barristers are carrying out relevant work.

5. The number of "relevant persons" (the term used in the MLRs) declared at renewal each year is as follows:

Table 1	Number of "relevant persons" that we regulate						
	2021	2022	2023	2024			
Self-employed barristers	477	431	478	461			
BSB entities	13	9	8	5			
No of BOOMs*	19	10	12	9			

*Beneficial Owners, Officers and Managers of BSB entities

Trust or Company Service Providers

6. We are obliged to provide a register of Trust or Company Services Providers (TCSPs) to HMRC (regulation 54).

<u>Regulation 12</u> defines Trust or Company Service Provider as a firm or sole practitioner who by way of business provides any of the following services to other persons:

(a) forming companies or other legal persons;

(b) acting, or arranging for another person to act as a director or secretary of a company; as a partner of a partnership; or in a similar capacity in relation to other legal persons;(c) providing a registered office, business address, correspondence or administrative address or other related services for a company, partnership or any other legal person or legal arrangement;

(d) acting, or arranging for another person to act, as a trustee of an express trust or similar legal arrangement; or a nominee shareholder for a person other than a company whose securities are listed on a regulated market.

Table 2	Number of Trust or Company Service Providers (TCSPs)							
	2021	2022	2023	2024				
Self-employed barristers	; 1	2	2	2				
BSB entities	2	1	1	1				

7. The <u>National Risk Assessment</u> identifies TCSP activity as high risk. However, this forms a very small part of the work undertaken by barristers and BSB entities (as table 2 shows) and their TCSP activity is small scale, serving clients local to the area they are based in. All barristers and BSB entities acting as TCSPs are individually reviewed to assess their specific risk profile.

Our assessment of risk

- 8. Under <u>Regulation 17</u>, we are required to identify and assess the money laundering and terrorist financing risks associated with the Bar. We have published <u>information on our</u> <u>website</u> for this purpose.
- 9. The last <u>National Risk Assessment</u> was published in 2020. The work on the next one has commenced and it is likely to be published in 2025. We recently joined other legal sector supervisors in a workshop led by HM Treasury to begin the development of the new assessment. Whilst the Government assesses the risk of Money Laundering in the legal sector as high, we assess the risk for barristers and BSB entities to be low for the following reasons:
 - Practising barristers do not typically engage in conveyancing and only a very small minority act as Trust or Company Service Providers, which are the two services identified as at highest risk for money laundering in the National Risk Assessment.
 - Barristers and BSB entities are prevented by the rules in the BSB Handbook from holding client money or managing their clients' affairs.
 - The majority of instructions are referred by solicitors or other relevant persons under the MLRs, who are obliged to conduct their own Customer Due Diligence and therefore provide a first line of defence in assessing risk.

However, we review relevant chambers, BSB entities and barristers to determine whether the individual risk profile of their practice has been appropriately assessed under <u>Regulation 18</u> (the requirement to conduct a practice risk assessment), and whether case risk assessments are conducted to determine whether individual instructions and clients have a different risk profile.

- 10. Independent legal, and other professionals are commonly referred to as "professional enablers" when providing professional services that enables criminality where their behaviour is deliberate, reckless, improper, dishonest and/or negligent through a failure to meet their professional and regulatory obligations. Whilst the vast majority of professional service providers invest in systems designed to address the threat of criminality, a professional enabler can play a critical role in the efforts of corrupt elites and Organised Crime Groups to conceal the origin and destination of the proceeds of crime.
- 11. As part of the <u>Economic Crime Plan (2023-2026)</u>, a <u>Cross-system Professional Enabler</u> <u>Strategy</u> to tackle the threat has been established with the following objectives:
 - Create an enhanced sectoral level understanding of the threat;

- Ensure quality information is shared between law enforcement and supervisors;
- Strengthen and co-ordinate the capabilities of the whole system;
- Prevent enabling activity through supervision;
- Achieve long-lasting disruptive impact against the threat;
- Be a world-leader on the response to professional enablers.
- 12. The BSB is a member of the working group that has established a series of actions to meet these objectives. The Bar can play its part by keeping up to date with training and ensuring that robust policies, controls and procedures are in place to identify risk, conduct appropriate due diligence and report suspicious activity.

Changes to our guidance in 2023/24

- 13. The changes that were made to the Legal Sector Affinity Group (LSAG) Anti-Money Laundering (AML) Guidance in March 2023 are still awaiting approval by HM Treasury. In addition, LSAG published a number of addenda in November 2023, which are also pending approval. The addenda are supplementary to the main guidance and are provided by LSAG as an update and to illustrate how our attitude towards regulation is developing over time. They cover the following:
 - Information about the Economic Crime levy, which is payable if your annual turnover exceeds £10.2 million and you conduct work within scope of the MLRs.
 - Reporting of material discrepancies to the Registrar of Companies under <u>Regulation</u> <u>30A</u> of the MLRs.
 - Information about the Register of Overseas Entities.
 - Changes introduced by the Economic Crime and Corporate Transparency Act 2023.
 - Supply chain risk.
 - Further guidance on conducting customer due diligence and understanding source of funds.
- 14. Barristers, BSB entities and chambers staff should read the Anti-Money Laundering Guidance for the Legal Sector in conjunction with *R* (on the application of World Uyghur Congress) v National Crime Agency [2024] EWCA Civ 715 in which the Court of Appeal held that the "adequate consideration" exemption in section 329(2)(c) has no application to the offences in section 327 or section 328 of the Proceeds of Crime Act. The guidance is in the process of being amended to reflect this judgment and we are working with other Supervisors to do so. In the meantime, the Bar Council has published a <u>practice</u> <u>note</u> and <u>addendum</u> to the guidance to assist barristers, but it is important to note that this has not been approved by HM Treasury.
- 15. Details of all of the above can be found on our guidance page.

Breaches of the Money Laundering Regulations

Measures in place to ensure that breaches of the Regulations are reported to the BSB

- 16. There are a number of ways that barristers and anyone else can report breaches, or potential breaches to us:
 - All barristers and BSB entities have an obligation under the BSB Handbook to <u>report</u> <u>serious misconduct</u> by themselves or others.
 - Anyone who has a concern about the conduct of a barrister or a BSB entity can make a <u>report</u> to us. Staff in the Contact and Assessment Team, which is responsible for making an initial assessment of reports, are provided with training to ensure they can identify red flags that might indicate a risk of money laundering.
 - We work closely with other regulators and have signed a number of <u>Memoranda of</u> <u>Understanding</u> in order to support sharing of intelligence where appropriate. We also subscribe to the Financial Conduct Authority's Shared Intelligence Service.
 - Our <u>Money Laundering Hotline</u> provides an additional platform. It is a confidential service that anyone can use to report a concern to us about a person or an organisation we regulate, in connection with Money Laundering. During this period, we received no reports to the hotline. Most people contact us through our <u>online</u> reporting portal.
 - As part of our ongoing programme of supervision, barristers, chambers and entities are required to complete a self-assessment of compliance with the Regulations.
 - Two staff in the Supervision Team have undergone security vetting to enable them to receive reports from the National Crime Agency relating to persons we authorise.

Potential breaches of the Regulations reported to the BSB and action taken

17. The BSB is required to take appropriate action against barristers and BSB entities where they have failed to meet their obligations. Regulation 49(1)(d) requires that effective, proportionate and dissuasive disciplinary measures are in place. The enforcement regulations in the BSB Handbook and the Bar Tribunals and Adjudication Service (BTAS) <u>Sanctions Guidance</u> provide the framework for sanctions. There is an explicit reference to the MLRs in the misconduct group "<u>Financial Matters</u>". The starting point for this group is a medium level fine of £5,000-£15,000 and goes up to disbarment. The misconduct group "Financial matters" excludes dishonesty, which is a separate misconduct group. As set out in the Guidance, "a finding of dishonesty will almost invariably lead to disbarment in all but the most exceptional circumstances".

Table 3

Number of potential breaches reported to the BSB

	0004/00	0000/00	2022/24
	2021/22	2022/23	2023/24
Cases reported to the BSB and assessed but no further action taken	2	3	2
Cases where supervisory action was taken	3	3	4
Cases investigated by the Investigations & Enforcement Team where no enforcement action was taken	0	1	0
Cases where enforcement action was taken (barrister disbarred)	0	0	0
Cases under investigation at year end	0	2	1

Themes arising from our supervision activity

Accuracy of declaration at Authorisation to Practise

- 18. The majority of barristers and BSB entities do not engage in relevant work. This is because contentious litigation is generally not within scope and because the BSB Handbook does not permit barristers or BSB entities to hold client money or manage their clients' affairs, so they are less likely to conduct relevant work.
- 19. The annual declaration that barristers and BSB entities make is important to us because:
 - we need to know which barristers and entities are undertaking work that is within scope to enable us to comply with our obligations (set out in paragraph 2);
 - we are required to report this data to HM Treasury as part of an annual return that is used to produce an annual supervision report ³; and
 - this information is used by OPBAS to inform their programme of work.
- 20. Inaccurate declarations distort the risk profile of the Bar and have the potential to lead to additional regulatory costs and poorly targeted interventions.
- 21. In 2023 we selected nine sole practitioners who had declared, when renewing their practising certificate (Authorisation to Practise) that they did work within scope of the MLRs. They were requested to submit their practice risk assessment. Seven of these barristers confirmed that they had made an inaccurate declaration and did not undertake work within the scope of the MLRs. We have continued a rolling programme of such spot checks in 2024 with similar results.

³ <u>https://www.gov.uk/government/publications/anti-money-laundering-and-countering-the-financing-of-terrorism-supervision-report-2022-23</u>

22. We have devoted significant resources to promoting more accurate declarations, and this has led to improved accuracy consistency in the numbers being declared, but our rolling programme of spot checks continues to identify barristers who have made incorrect declarations based on misunderstanding. We encourage all barristers and BSB entities to carefully read our <u>guidance</u> before making their annual declaration. We work with the Bar Council to make continuing improvements to the guidance for barristers, adding new topologies where they assist with common scenarios. We encourage barristers or their staff to contact us where a new topology would be helpful.

Improved guidance for the Property Bar Association

When making their declaration at Authorisation to Practise, members of the Property Bar Association and the Planning and Environmental Bar Association, asked for more guidance about whether certain types of work fall within scope of the MLRs. In response, the Bar Council, in collaboration with the BSB, developed some new typologies for the Part 2 guidance for Barristers and BSB entities.

We are now conducting compliance testing in this area of practice.

Role of chambers

- 23. In October 2023, we launched a public <u>consultation</u> to clarify our regulatory expectations of chambers. Feedback from this, and a series of engagement events, reaffirmed the important role which chambers can play in fulfilling many of the BSB's regulatory objectives, including in ensuring compliance with the MLRs. We are therefore bringing together and clarifying our regulatory requirements of barristers' practice management in chambers in a dedicated section of our website, which will include a section on money laundering and financial sanctions. This will complement the guidance on best practice for chambers which the Bar Council provides.
- 24. Whilst the MLRs apply to barristers and BSB entities, it is also important that chambers know when their barristers are conducting work that falls within the scope of MLRs so that:
 - The management committee or its equivalent is aware of the risk to which chambers is exposed, having gathered a collective understanding of which of their barristers conduct work that is in scope of the MLRs and the potential impact of the practice of individual barristers on the risk profile of chambers as a whole.
 - Appropriate controls are in place when barristers accept instructions, particularly in relation to conducting customer due diligence and sanctions checks, and clerks understand their role in this.
 - Appropriate training can be arranged for chambers staff, and barristers reflect on this topic when planning their CPD.
- 25. We therefore encourage chambers to talk to their barristers about the MLRs and reach a shared understanding with them.

Practice risk assessments

Regulation 18:

- (1) requires a relevant person to take appropriate steps to identify and assess the risks of money laundering and terrorist financing to which their practice is subject.
- (2) In carrying out the risk assessment, a relevant person must take into account:
- (a) information made available to them by the supervisory authority, and
- (b) risk factors including factors relating to:
- (i) its customers;
- (ii) the countries or geographic areas in which it operates;
- (iii) its products or services;
- (iv) its transactions; and
- (v) its delivery channels.

(3) In deciding what steps are appropriate, the relevant person must take into account the size and nature of its business.

(4) A relevant person must keep an up-to-date record in writing of all the steps it has taken under paragraph (1), unless its supervisory authority notifies it in writing that such a record is not required.

(5) A supervisory authority may not give the notification referred to in paragraph (4) unless it considers that the risks of money laundering and terrorist financing applicable to the sector in which the relevant person operates are clear and understood.

(6) A relevant person must provide the risk assessment it has prepared under paragraph (1), the information on which that risk assessment was based and any record required to be kept under paragraph (4), to its supervisory authority on request.

Detailed guidance on conducting practice risk assessments can be found in chapter 5 of the "Part 1" <u>Legal Sector guidance</u>.

- 26. As well as enabling barristers and BSB entities to meet their obligations under the MLRs, practice risk assessments also help us to understand the extent of inherent risk across the profession, so that we can focus our supervision activity in the areas of highest risk (based on the nature and extent of relevant work conducted, and the nature of the clients).
- 27. As noted above, we have a rolling programme of spot checks to test compliance with Regulation 18.

Case study: practice risk assessment

A barrister was selected as part of the 2023 risk assessment spot-check and was issued a Risk Assessment Questionnaire, which covered the nature of the barrister's work (TCSP activity) within scope of the MLRs and their risk assessment.

The barrister had carried out a risk assessment of each instruction received, which showed that the risk related to the specific type of work, the volume of instructions and nature of the clients was low, but they did not have a documented practice-wide risk assessment in place. The barrister was set an action to document one in accordance with regulation 18, which was monitored by Supervision until completion.

Compliance testing of tax advisers

- 28. In 2023, we commenced a review of barristers in five tax chambers. Desk-based reviews were completed, which showed that policies, controls and procedures were generally satisfactory and therefore no chambers were assessed as high risk. The information they provided when completing a questionnaire and providing supporting documentation covered the following areas:
 - Type of work undertaken that is within scope of the MLRs.
 - Risk assessment to identify and assess money laundering risks to chambers and barristers' individual practice.
 - Policies, controls and procedures proportionate with regard to the size and nature of the practice, to mitigate and manage the risks identified, and ensure compliance with the MLRs.
 - Approach to due diligence including enhanced due diligence and simplified due diligence.
 - Suspicious Activity Reporting.
 - Compliance with the financial sanctions regime.
 - Training for barristers and chambers' staff.
- 29. Where we identify areas for improvement, actions are raised and monitored to ensure that the necessary improvements have been made to manage risk and ensure compliance. Our review found that those assessed during this round of compliance testing had documented policies and processes in place already and actions were set mainly around improving them rather than as a result of inadequate controls in place.
- 30. The main area for improvement was ensuring that barristers and staff stay up to date with appropriate training.

<u>Regulation 24</u> of the MLRs requires that relevant persons undertake and maintain records of training in:

- the law relating to money laundering and terrorist financing; and
- how to recognise and deal with transactions and other activities or situations which may be related to money laundering or terrorist financing.

The BSB Handbook requires that barristers of more than three years' standing must complete a plan of the CPD that they are going to undertake by setting learning objectives and planning the types of CPD activities that they are proposing to undertake. They must keep a record of CPD activities undertaken and reflect how they have met the learning objectives and what further CPD they need.

https://www.barstandardsboard.org.uk/for-barristers/cpd.html

31. Follow-up visits have been arranged for Autumn 2024, during which we are selecting a sample of instructions to test compliance with the policies they provided us with, focussing on Customer Due Diligence processes and case risk assessments.

Suspicious Activity Reports

<u>Section 330 of the Proceeds of Crime Act 2002</u> says that a person commits an offence if they fail to disclose if they know or suspect, or has reasonable grounds for knowing or suspecting, that another person is engaged in money laundering, and the information on which their knowledge or suspicion is based came to them in the course of a business in the regulated sector. A similar provision is set out in <u>Section 19 of the Terrorism Act 2000</u>.

<u>Regulation 19</u> of the MLRs says that relevant persons must have policies, controls and procedures in place for the reporting of suspicions.

Suspicious Activity Reports must be made to the National Crime Agency

- 32. It is often said by government departments, law enforcement agencies and others that the level of Suspicious Activity reporting (SARs) is too low in the legal sector and the Professional Enabler working group is currently reviewing the evidence for this. The low level of reporting would appear to contradict the assessment in the <u>National Risk</u> <u>Assessment</u> of the legal sector as being at high risk of money laundering.
- 33. The National Crime Agency's Annual Statistical Reports⁴ show that the Bar makes very few SARs. We routinely discuss this with barristers, chambers and BSB entities during the course of our compliance testing. Our discussions so far suggest that barristers who conduct work within scope of the MLRs are aware of their obligations and have not had cause to make a SAR.

How we engage with others

- 34. Economic crime, including money laundering and breaching sanctions, continues to receive considerable national focus and we continue to engage extensively with various government departments, OPBAS, law enforcement, other regulators and other stakeholders in a variety of fora, in order to identify and respond to risk.
- 35. The Economic Crime and Corporate Transparency Act 2023 introduced the biggest changes to Companies House since corporate registrations were established in 1844, enabling it to play a much stronger role in the prevention of economic crime. Along with other regulators, we are working with Companies House as these reforms are implemented⁵.

⁴ <u>https://www.nationalcrimeagency.gov.uk/what-we-do/crime-threats/money-laundering-and-illicit-finance/suspicious-activity-reports</u>

⁵ You can read about the reforms to Companies House here:

https://changestoukcompanylaw.campaign.gov.uk/?utm_content=&utm_medium=email&utm_name=& utm_source=govdelivery&utm_term=

- 36. The Legal Sector Information Sharing Expert Working Group comprises the legal sector regulators and representative bodies, who meet together with the NCA, OPBAS and HM Treasury. Membership of this group (and the others listed below) helps us to stay up to date with emerging risk and build collaborative working relationships. It helps to inform our own risk assessment of the threat to the profession. In 2023/24, the Group discussed a range of topics including:
 - Case studies that were shared by members of the group about specific investigations.
 - NCA typologies concerning shell companies and tax evasion, High Net Worth Individuals and tax evasion, and high risk behaviours and typologies associated with the TCSP sector.
 - A presentation by Counter Terrorism Policing about the work they do on terrorist financing investigations.
 - A presentation by the Office of Financial Sanctions Implementation on how they work, covering engagement (promoting compliance), licensing and enforcement.
 - A presentation by Companies House on how they are building their capacity and capability to meet the new powers they have been granted under the Economic Crime and Corporate Transparency Act 2023.
- 37. The Legal Sector Affinity Group comprises the legal sector regulators and representative bodies. In 2023/24, our focus was on the following:
 - HM Treasury's consultation on the future of AML supervision.
 - Response to the development of the Government's Economic Crime plan 2023-26.
 - Developing and agreeing various addenda to the legal sector AML guidance, as well as updating part 2 guidance for barristers.
 - Discussing supervisors' work in the area of financial sanctions compliance.
 - Response to the <u>HM Treasury consultation on improving the effectiveness of the</u> <u>Money Laundering Regulations</u>.
- 38. The Legal Sector Supervisors forum comprises those organisations conducting supervisory activity, separate from the representative bodies where relevant. This group considered the above topics in greater detail from a supervisory perspective, sharing good practice in our approaches to supervision of AML and financial sanctions compliance. In addition, we discussed new developments in Artificial Intelligence and how it may affect criminal activity and enforcement. We also joined a working group to consider the findings of a report published by OPBAS: Multi-PBS project on TCSP risk. The report reviewed the Professional Body Supervisors' approach to TCSP risks and tasked supervisors to address issues raised in the report. The group produced a core set of standardised questions on TCSPs to be asked of each regulator's supervised population.
- 39. The Anti-Money Laundering Supervisors Forum comprises the regulators and representative bodies of the legal and accounting sectors, the statutory supervisors (the

Financial Conduct Authority, HMRC and the Gambling Commission), Companies House, HM Treasury, the NCA and OPBAS. This is primarily a forum for providing updates on Government policy, the work of law enforcement and the regulators from all sectors.

Looking ahead

- 40. In June 2023, the previous Government published its <u>consultation on reforming the supervisory regime</u>. This followed their 2022 Review of the UK's regulatory and supervisory regime, which concluded that while there had been continued improvement to the regime, some weaknesses in supervision may need to be addressed through structural reform. The current Government has yet to publish its response and, at the time of writing, we have received no indication of when that decision will be made. As we have previously said, the outcome of the consultation has important implications if supervision of the Bar in relation to the MLRs is transferred to another body as relevant barristers and BSB entities may be subject to another supervisor, which could be another legal sector regulator (such as the SRA) or a public body. We remain of the Bar to another body would be the loss of synergy with the wider regulatory framework and consequent knowledge that we have about our regulated population through our wider role as regulator of the Bar.
- 41. Our Supervision activity in 2024-25 is focussing on:
 - Compliance testing of barristers and BSB entities engaged in the tax and property areas of practice.
 - Our ongoing programme of Regulation 18 risk assessment spot checks.
 - Responding to reports to the BSB.

Where to find more information

- 42. Our <u>website</u> contains useful information about Money Laundering and Terrorist Financing risks and barristers' obligations under the MLRs, and is regularly updated. We have compiled a set of <u>FAQs</u> to help barristers and BSB entities to understand their obligations and if the work that they do falls within the scope of the MLRs. Key updates are publicised in our <u>Regulatory Updates</u> and on our social media platforms.
- 43. The joint legal sector guidance, approved by HM Treasury, contains a wealth of information to support legal professionals to comply with their obligations.
- 44. The Bar Council provides a confidential <u>Ethical Enquiries Service</u> for the benefit and assistance of barristers and their staff to assist them to identify, interpret and comply with their professional obligations.
- 45. You can contact us with any questions or feedback by emailing <u>aml@barstandardsboard.org.uk</u>