

BAR STANDARDS BOARD
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REGULATING BARRISTERS

**Part 1 - Public****Minutes of the Bar Standards Board meeting**

Thursday 11 September 2014, Room 1.1, First Floor  
289 – 293 High Holborn, London, WC1V 7HZ

- Present:** Ruth Deech QC (Hon) (Chair)  
Rob Behrens  
Sarah Clarke  
Simon Lofthouse QC  
Tim Robinson  
Andrew Sanders  
Sam Stein QC  
Richard Thompson  
Anne Wright
- By invitation:** Sarah Brown (Special Adviser)  
James Wakefield (COIC representative)  
Keith Baldwin (PRP Committee Member)  
David Botha (Director of Finance)
- BSB Executive in attendance:** Viki Calais (Business Manager)  
Andrew Cohen (Business Support Officer)  
Vanessa Davies (Director General)  
Joanne Dixon (Qualifications Manager)  
Sara Jagger (Director of Professional Conduct);  
Andrew Lamberti (Communications Manager)  
Ewen Macleod (Director of Regulatory Policy)  
John Picken (Board & Committees Officer)  
Amanda Thompson (Director of Strategy & Communications)  
Simon Thornton-Wood (Director of Education & Training)
- Bar Council Executive in attendance:** Stephen Crowne (Chief Executive, Bar Council)  
Mark Hatcher (Special Adviser to the Chairman of the Bar Council)

**Item 1 – Welcome and introductions****ACTION**

- The Chair welcomed members and guests to the meeting, in particular Keith Baldwin who had been invited to attend as a member of the Planning, Resources and Performance Committee.

**Item 2 – Apologies**

- Patricia Robertson QC (Vice Chair);
- Rolande Anderson;
- Malcolm Cohen;
- Justine Davidge;
- Nick Lavender QC (Chairman, Bar Council);
- Oliver Hanmer (Director of Supervision).

*Note: Emily Windsor was not present for Part 1 of the meeting but did attend for Part 2.*

**Item 3 – Members’ interests and hospitality**

2. None.

**Item 4 – Approval of Part 1 (public) minutes – 24 July 2014 (Annex A)**

3. The Board approved Part 1 of the minutes of the meeting held on Thursday 24 July 2014.

**Item 5 – Matters arising**

None.

**Item 6 – Action Points & Forward Agendas**Action points and progress (Annex B)

4. The Board noted the action list as set out in Annex B.

Forward agendas (Annex C)

5. The Board noted the forward agenda list. The item on the Jeffrey Review action plan and public response will now be considered at the October 2014 meeting.

**Item 7 – BSB Q1 Performance Report**

BSB 056 (14)

6. Anne Wright presented the Q1 performance report. The salient points were:
- outcomes against performance targets and financial forecasts are largely on track;
  - the main areas of concern relate to:
    - ❖ Regulatory Risk Framework – rated red on grounds of time and staffing (though the newly appointed Regulatory Risk Manager is now in post);
    - ❖ CPD regime development – rated amber on grounds of time and budget. The project has now been re-phased with full implementation now due from January 2017;
    - ❖ PCD Performance Indicators – targets set for two organisational performance indicators (OPIs) and the overarching key performance indicator (KPI) have been missed;
    - ❖ Staff turnover rates – this continues to be a concern following a high turnover figure last year (36%).
7. She also highlighted the following:
- QASA – no operational budget spend will be made to the QASA budget for 2014/15. Staff have been re-deployed to work on projects in other Departments;
  - Entity Authorisation – this has been subject to delay and may need an additional temporary staffing resource once the process for authorising entities is underway;
  - Standard of proof review – this has stalled, though the contributing factors are outside the control of the BSB. An update paper will be provided at the October meeting;
  - Intranet – the first phase remains on track for the planned delivery date despite some minor delays;
  - Performance Management software – delivery has been re-scheduled for next year;
  - Monitoring the cost of complaint handling – work is underway to record the time spent on complaints to identify the cost involved;
  - Youth Courts – a research project has been commissioned in collaboration with ILEX Professional Standards and reflects the Board’s decision on this in May 2014.

**JP to  
note**

- fewer applications than anticipated have been received from barristers to undertake litigation. This has detrimentally affected income streams.
8. Members commented as follows:
- it is curious that the number of barristers seeking authorisation to practise litigation are lower than expected. The Bar Council course on litigation was heavily in demand;
  - the annual report of the Professional Conduct Department is included in the agenda for the meeting on 18 September. The Chair of the PCC will address the issues around performance in that report.
- SL to note
9. In response to the first point, staff commented as follows:
- we shall analyse the numbers attending the Bar Council course and those applying for authorisation;
  - it may be that there is simply a time lag between the two stages and that barristers will apply in due course. It may be worth re-stating the fact that attendance of the Bar Council course is not an end in itself for authorisation purposes and that formal applications need to be made.
- EM to note
10. **AGREED**  
to note the report.
- Item 8 – PRP Committee annual report to the Board**  
BSB 057 (14)
11. Anne Wright highlighted the following:
- the PRP Committee will meet more often in 2015. This is because it considers several complex issues during the course of the year ie the business plan, budget bid and annual report. It has proved challenging to address these fully in a quarterly meeting cycle. More time has therefore been allocated for these specific items;
  - the report sets out the key messages from the Committee in regard to its main items of business ie budget bid and business plan, performance reports, monitoring resources, annual report, fees and charges review and service level agreements;
  - efforts have been made to improve the flow of information to non-Board Members of committees. This followed concerns expressed by some PRP members that they had less than optimum insight as to the Board's perspective.
12. In response to the final point, the Chair welcomed efforts to improve Committee Member engagement and re-stated the open invitation for Members to attend Board meetings.
13. **AGREED**  
to note the report.
- Item 9 – Schedule of Board Meetings 2015-16**  
BSB 058 (14)
14. **AGREED**  
to approve the schedule of Board meetings for January 2015 – March 2016.
- Item 10 – Any Other Business**
15. None.

**Item 11 – Date of next meeting**

16. Thursday 18 September 2014

**Item 12 – Private Session**

17. The following motion, proposed by the Chair and duly seconded, was agreed:

That the BSB will go into private session to consider the next items of business:

- (1) Approval of Part 2 (private) minutes – 24 July 2014 (Annex A);
  - (2) Matters arising;
  - (3) Action points and progress – Part 2 (Annex B);
  - (4) BSB Budget Bid for 2015-16;
  - (5) Corporate Risk Register;
  - (6) Entity regulation fees consultation;
  - (7) Formal approval of legal training delivery requirements for 2014/15;
  - (8) Any other private business.
18. The meeting finished at 4.55 pm.