

BAR  
STANDARDS  
BOARD

REGULATING BARRISTERS

# Annual Report 2010

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## **Our Purpose**

The Bar Standards Board's purpose is to provide specialist regulation of advocacy and expert legal advice, in the public interest.

### **The Bar Standards Board is responsible for:**

- Setting the education and training standards for becoming a barrister
- Setting continuing training requirements to ensure that barristers' skills are maintained throughout their careers
- Setting standards of conduct for barristers
- Monitoring the service provided by barristers to assure quality
- Handling complaints against barristers and taking disciplinary or other action where appropriate

## **Chair's statement**

My second year as Chair of the Bar Standards Board was eventful and busy, just as the first one was. The extent of change in the regulatory landscape is becoming clearer and we are fully involved in both creating that change and providing the necessary clarity. The Bar Standards Board and the Bar itself are navigating these changes boldly. The users of barristers' services and the public generally will be the ultimate beneficiaries of the work that we are undertaking. This reporting year, 2010, saw us make progress on a number of different projects. There is still a great deal in progress that will not come to fruition this year but will be the basis for all future developments.

### ***Key achievements during the year***

During 2010 the Bar Standards Board's Constitution was finalised. This represents a significant step forward in the BSB's evolution. While the Bar is to be commended for having established the Board as an independent body, having a defined constitution outside the Bar Council's Standing Orders is a welcome development. The Constitution requires the Board to have a lay majority and there are arrangements in place to ensure that this happens before January 2012. The creation of the BSB Constitution was a key element in showing that the Bar Council as a whole is meeting the requirements of the Internal Governance Rules issued by the Legal Services Board.

In keeping with the exercise of regulation independently from the representative activities of the Bar Council, the Bar Standards Board has been active in furthering the regulatory objectives of the Legal Services Act 2007 during the last year.

There are a number of developments that have contributed towards this and are paving the way for significant benefits for the users of barristers' services as well as furthering the other regulatory objectives, particularly the protection of the public interest.

We issued several major consultations. Elements of the new Code of Conduct, a new authorisation to practise regime, new equality and diversity rules and a quality assurance scheme for advocates were all consulted upon. The feedback received is integral to developing sensible and robust policies that properly take all views and needs into account. We are very grateful for the time taken by many individuals and organisations to make these contributions to us. More information about these consultations is given in the body of this report.

Some work programmes involve a variety of different types of interaction with us. The Education and Training Reviews undertaken by working groups under the chairmanship of Derek Wood QC are a case in point. They have offered a variety of ways to interact with the BSB as those reviews have been carried out. This year saw further progress in that regard. The BVC Review was completed in July 2009 so this year has been mainly about implementation, including the publication of a new BPTC handbook. This year was significant in terms of seeing the Pupillage Review reported to the Board. Implementation of the report is now well underway. The last phase of the reviews is also well progressed, relating to Continuing Professional Development. We are indebted to Derek Wood QC for his leadership on this suite of reviews.

We undertook an expanded chambers monitoring programme this year. This was successful with the vast majority of Chambers supplying full information on time. Further, the information provided showed that there was a high degree of compliance with the BSB's

requirements. Future monitoring will build on the lessons learned from the 2010 monitoring exercise and this will become an established and central feature of the BSB's work.

During the year we amended the Code of Conduct to permit Barristers to operate in LDPs, further to the decisions taken by the Board in 2009. This is part of the series of reforms the Board has been considering in order to implement the Legal Services Act 2007. This is a large area of work with wide ranging implications for barristers and anyone who deals with them, as well as for the BSB itself. A consultation on the BSB's future approach to regulating entities was published in September 2010. The results of that consultation and the recommended next steps will be considered by the BSB in April 2011.

The issuing of the first joint regulators' consultation on advocacy standards for use in the scheme to quality assure criminal advocates was a significant achievement in 2009. The standards will form a central part of the quality assurance scheme, the principles of which were the subject of further consultation in August 2010. The responses to both consultations were analysed and reported to the BSB. The scheme continues to be developed collaboratively with the Solicitors Regulation Authority and ILEX Professional Standards. A systematic and rigorous competency assessment of advocacy is a fundamental part of the Board's regulatory framework.

The Legal Ombudsman started operation in October 2010, meaning that all people complaining about barristers should contact the Legal Ombudsman in the first instance. His remit is over poor service. The BSB will continue to deal with complaints concerning misconduct, that may lead to disciplinary action, but we anticipate that this will mean that the BSB will deal with fewer complaints overall in the future. We will be monitoring developments in this area, as well as working with the Legal Ombudsman to make sure that between us we are able to deal effectively with complaints against barristers.

We have also been developing our relationship with other legal regulators. We have entered into Memoranda of Understanding with the Legal Services Board and the Solicitors Regulation Authority to ensure that we are sharing information appropriately when we need to, as well as working as effectively as we can to avoid duplication or unnecessary regulation. We are committed to proportionate and targeted regulation that protects the public but does not place unnecessary burdens on the profession.

### ***Talking about and to the Bar***

This year was another busy one in terms of meeting with people. I very much enjoy my interaction with all members of the Bar, learning from them and sharing information about the BSB. I value this aspect of what I do enormously and am very grateful for the hospitality shown to me by so many lawyers. This is especially true of the four Inns of Court, which have supported me personally and contributed to the work of the BSB. The Inns are the foundation of a barrister's life and work. They protect so many elements that constitute the identity of a barrister, fostering collegiality and high standards as well as providing a wide range of educational opportunities.

The BSB regulates in the public interest, but understanding the views and needs of the profession as well as users of barristers' services is an integral part of our decision making process, in all areas. This year sees another set of significant changes for the users of the legal profession as well as members of it: reduced legal aid, increased pressures on the many students who wish to join it, and evolving working practices. We are very grateful for the input of so many to our work and look forward to another year of development that serves the law and its users.

I have enjoyed my first two years as Chairman of the Bar Standards Board. I look back at what has been accomplished over this time and regard it as the start of a journey with the Bar in a challenging national environment. The BSB aims to preserve the independence of the Bar and to serve the public ever better. There is a great deal more change and development to come.

On behalf of the entire Board, I wish to thank all those involved in or who have contributed to the work of the BSB. We are fortunate to have a constructive working relationship with the Bar Council and welcome the support of the Inns of Court. This year we have worked increasingly with other Approved Regulators on projects of considerable significance and thank them for their positive contributions to our combined efforts. Our relationships with the Legal Services Board and Office for Legal Complaints are also vitally important. I also wish to thank the Board and Committee members, who work extremely diligently, grappling with complex issues and rising to meet all of the challenges we face. Their efforts are remarkable. Last but by no means least; I also wish to mark the contributions of our staff. They are an able and willing group who also work incredibly hard and we simply could not make the progress we do without their considerable efforts. All of these people working so well mean that we are making significant progress on all of our work areas.

Farewell to those who have assisted: Board members Sue Carr QC, Anthony Inglese CBE, Peter Hutton and Vicki Harris. 2010 also saw us bid farewell to Mandie Lavin from the post of Director of the BSB and then welcome Vanessa Davies into the post. We owe all those who have served the Bar Standards Board so well a debt of gratitude. We thank them for their contribution and wish them well in the future.

The Baroness Deech DBE  
Chair, Bar Standards Board

## **Director's report**

I took up the post of Director of the Bar Standards Board on 1 January 2011. I was in the fortunate position of having a comprehensive induction prior to formally taking up the position. I wish to thank Mandie Lavin, the previous Director of the BSB for her support and enormously helpful advice as I started to learn about the BSB. I must also pay tribute to her work for it was under her oversight that so much was achieved during 2010.

As our Chair has already reported, 2010 saw a great deal of work completed. I am pleased to report that the Board made major progress in delivering against its objectives during that year, many of which are explained more fully in the Achievements against the Business Plan 2010 section which follows.

I will of course be responsible for the continuation of much of the work that has already begun, as well as the new initiatives that we must undertake.

Looking to the future, during 2010 the BSB started a review of Continuing Professional Development. The review is being undertaken by a working group under the chairmanship of Derek Wood QC. This will be his third report reforming education and training of barristers and we are very grateful to him. The BSB anticipates receiving the report in May 2011. As any changes to CPD will affect everyone at the Bar, we anticipate undertaking a comprehensive consultation on the recommendations later in 2011 so that the proposals for change can be properly considered by everyone.

We expect to publish in 2011 details of the quality assurance scheme for advocates and the first stage, involving criminal advocates, will be implemented after full consultation, agreement with all regulators and necessary judicial training.

The Code of Conduct consultation closed in April 2011. The Board will formulate the final draft of the Code following analysis of all the responses received and consider the final version in late in 2011.

The decisions about the Bar's working practices made in November 2009 were the first major steps in implementing the possibilities of the Legal Services Act. We made further significant decisions in April 2011 regarding the BSB's participation in entity regulation. Now that the Board has decided that it will become an entity regulator, there will be a further consultation with details of how that could be implemented.

I would like to thank everyone involved in the work of the BSB, but especially the staff, for all their hard work throughout 2010. I would also like to thank them for making me so welcome as the new Director. There are many other people and organisations who have contributed significantly to our work. I would like to thank the Bar Council, with whom we have a strong working relationship and the Central Services team within the Bar Council, led by Oliver Delany. Their efforts are integral to the achievements described in this report.

Dr Vanessa Davies  
Director

## **Achievements in 2010**

The preliminary strategy 2010-2012 and Business Plan 2010 document published in 2010 shows the range of activity being undertaken across the BSB. The plan shows our aims linked to the work being done to meet them. We have used a matrix to summarise our aims through until the end of 2012. Our work programme is shown against those aims in four areas: Regulation, Accountability, People and Values.

Each aim then has high level objectives that we want to fulfil by the end of 2012 and the activities we undertake in each year in order to achieve those objectives. This structure enables us to ensure that all of our activities are aligned with our aims and that our resources are used effectively to achieve what we want to. Broadly speaking, this based on a "balanced scorecard" approach. By meeting the objectives in the regulation and accountability areas we will deliver the objectives in the people section, while demonstrating the values articulated.

This year we have made considerable progress in all areas. The work we have completed is summarised below.

### **Regulation**

We had a significant number of activities relating to our objective of defining standards and competencies which barristers must satisfy at key stages of their education and training, qualification and professional development. This meant that our Education and Training area had another busy year. A number of activities were identified to implement the BVC Review. The BPTC handbook was published in July 2010. A pilot of the aptitude test was carried out and is being analysed when results for the academic year become available.

The second of the major education reviews was also completed by the Pupillage Review Working Group, chaired by Derek Wood QC. The Pupillage Review was received by the Board in May 2010, as planned, with the new Pupillage Handbook being published on schedule in September as part of the implementation of the review. The Handbook brought together all relevant information regarding pupillage into one document to assist all those involved in pupillage to understand the requirements easily.

We anticipated that the CPD review would have been completed by December 2010. The report will now be provided to the Board in May 2011. This has taken a bit longer than anticipated in order to properly address the range and breadth of views expressed by people. Continuing Professional Development is a subject that affects every member of the Bar and the additional time on it has been necessary to fully consider all issues.

We stated in the business plan for 2010 that we would consult on a new authorisation to practise regime. The consultation was issued in March 2010 and led to the establishment of a Practising Rules Working Group which has made further progress on the new framework. The Board considered the Working Group's findings in October 2010 and made a series of policy decisions based upon the Group's recommendations. Implementation is still being worked on but together with the revised Code of Conduct, this new regime will represent a significant change in how barristers will be regulated in the future.

Another key part of the Code of Conduct was also consulted upon during 2010: the Equality and Diversity provisions. That consultation was issued in November 2010 and closed in March 2011.



The full Code of Conduct was to be consulted upon late in 2010. This consultation was issued in January 2011, just slightly later than we originally anticipated. We had some staff vacancies in 2010 that meant the consultation was delayed slightly.

Other decisions were made to support implementation of the Legal Services Act 2007. For instance, the Code of Conduct was altered to permit Barristers to operate in Legal Disciplinary Practices (LDPs).

We undertook a more comprehensive chambers monitoring programme in 2010. We received 631 responses to the chambers monitoring questionnaire with the vast majority of chambers being fully compliant. We worked with the small minority that needed to undertake some action in order to become fully compliant. Those chambers were provided with guidance to ensure that their policies are updated in accordance with the Code of Conduct. Most of those Chambers were able to quickly confirm that they had become fully compliant with the Code. When we did encounter non-compliance, it was mostly related to the new requirements to write to all lay clients to notify them of their right to complain. This raised significant practical compliance issues which we are still working on resolving with all relevant parties. The Board will consider any necessary revision to requirements in 2011. The 2010 programme provided an excellent base for subsequent years' work. This initiative will become increasingly central as the BSB moves to consider how entities must comply with the rules that will apply to them.

Two other major areas of work were significantly progressed during 2010.

We state in our business plan that we will develop a quality assurance scheme. This area of work is significant for several reasons. Firstly, it is important in its own right in giving a public assurance of a barrister's capability and performance. It was also significant because it is a major area of collaboration between legal regulators. We have worked closely with the Solicitors Regulation Authority and ILEX Professional Standards on the Quality Assurance Scheme for Advocates (QASA). This involved considering responses to the first consultation (issued in December 2009 and which closed in March 2010). A further consultation was issued in August 2010, which closed in November. The regulators are now working on the final shape of the scheme for criminal advocates. The final arrangements will be considered during 2011.

A significant amount of resources has been devoted to considering the BSB's future in relation to implementation of the reforms provided for in the Legal Services Act 2007, and particularly to whether the Board should become an entity regulator. A significant consultation was issued in September 2010, which closed just before Christmas 2010. The Board considered the results of that consultation and its future approach in April 2011. Further work will be done the next 2-3 years to implement this regime.

It is apparent from some of these activities that we are working closely with other approved regulators, the representative arms of the professions and of course, the Legal Services Board as oversight regulator. We have worked on developing and maintaining constructive and productive working relationships with all of these people and organisations. In some cases we have formalised how we work with them a little more: we entered into Memoranda of Understanding with the Legal Services Board and Solicitors Regulation Authority.

A lot of the activities described above relate to getting our rules right. We know that sometimes things also go wrong and people do not comply. Our complaints and disciplinary processes address those times. 2010 saw significant change in this area with another key aspect of the Legal Services Act 2007 coming into existence, namely the Legal Ombudsman. We have worked with the Legal Ombudsman and other regulators to ensure that people who need to complain about lawyers have the right information to be able to do

so. We have made arrangements with the Legal Ombudsman to deal with those complaints which may still need to be managed by the BSB, being those which may require disciplinary action to be taken. This has gone well and next year will be the first full year of operation. Work has been done on our internal structures and processes to facilitate this. While making these changes, our Complaints and Hearings team has continued to deal with complaints properly in accordance with our procedures. Statistics outlining our performance in this area are included in this report.

We also recognise that there may be a number of reasons why people need to be excepted from the usual rules. The Qualifications Committee deals with a significant number of applications of this nature. Details of the work that has been carried out by the Committee (and the team that supports it) are detailed in this report.

The year also involved another full programme of monitoring of pupillage and education requirements, including visits to all providers of the BPTC. We monitored compliance with the CPD requirements by all barristers and administered the CPD accreditation process. These core activities are vitally important in making sure that we are actually regulating the profession, in addition to considering all the changes that are necessary.

## **Accountability**

While the main focus of the year has been in relation to activities related to our central regulatory role, other aspects have also been progressed.

We have a high level of interaction with the Legal Services Board, both formally and informally. We have responded to Legal Services Board consultations as well as engaging in numerous less formal discussions and requests for information. We have learnt a considerable amount about how things could be done differently as a result of this interaction.

We also meet our accountability requirements in relation to the Bar Council by publishing our Strategic Plan, Business Plan and Annual report.

We have established strategic planning and business cycles to apply each year. We have worked with the Bar Council to finalise the Finance Manual for the whole organisation. The input of our lay people on the Performance and Best Value Committee has been particularly helpful in this regard. The Committee has overseen these processes as well as the implementation of risk management processes to provide Board with assurance that risks are being monitored and mitigated.

We did not complete a full fees and charges review, partly because the outcome of the CPD review was seen as a necessary input to that work. Changes to how CPD is organised could affect our income flows and activity levels. This work will now be undertaken in the 2011-12 year.

## **People**

The establishment of the Bar Council's Research Team (used jointly by the Bar Council's Representation and Policy Directorate and the Bar Standards Board) in August 2010 meant that we could start to develop the research strategy and activity for the year. This was later than originally planned as there were delays in recruitment to the team. This work will become more prominent in 2011-12.

During 2010 we developed a business case for the development of a new website. This will be necessary in order to support the authorisation to practise requirements and the core

database that will improve our internal systems. The core database was an essential component in having an effective Information Strategy to support our business plan. Both the website and core database projects will be completed in 2011-12.

We successfully completed our first certification of compliance with the Internal Governance Rules, accommodating changes that needed to be made (such as moving to a lay majority) in the process. As part of our compliance, Service Level Agreements between the BSB and the Bar Council's Central Service team were agreed.

The first staff satisfaction survey was carried out in late 2010. The results were received in early 2011. Development of an HR Strategy was delayed until receipt of these results so that the Strategy could properly reflect any findings. The HR Strategy will now be completed in 2011-12.

## **Values**

Much of the activity outlined in the Values sections are contemplated in other parts of the business plan. KPIs are being developed to provide an objective assessment of complaints system although this work will not be completed until 2011-12.

Chapters of the Governance Handbook have been worked on although the final document will not be completed until the 2011-12 year.

As mentioned, the Equality and Diversity provisions of the Code of Conduct were consulted upon in 2010. The final version of these parts of the Code will be considered by the Board in 2011-12.

## **Board members in 2010**

Chair

Baroness Ruth Deech

Vice-Chair:

Sir Geoffrey Nice QC

Barrister Members:

Sue Carr QC (Complaints Committee Chair)

Charles Hollander QC (Standards Committee Chair)

Anthony Inglese CB

Simon Monty QC (Qualifications Committee Chair)

Matthew Nicklin

Patricia Robertson QC

Sam Stein QC (Quality Assurance Committee Chair)

Lay Members

Sarah Brown

Dr John Carrier

Paula Diggle

Dr Vicki Harris (Performance and Best Value Committee Chair)

Professor Peter Hutton

Richard Thompson OBE

## Annual Statistics for the Bar in England & Wales: 2010

As at December 2010

	<b>Total 2010</b>	<b>Total 2009</b>	<b>Men 2010</b>	<b>Men 2009</b>	<b>Women 2010</b>	<b>Women 2009</b>
<b><u>Number of Barristers</u></b>						
<b><u>Self-Employed:</u></b>						
London	7,901	7,758	5,442	5,371	2,459	2,387
Provinces	4,498	4,461	2,988	2,996	1,510	1,465
Overseas	21	22	13	14	8	8
<b><u>Total</u></b>	<b>12,420</b>	<b>12,241</b>	<b>8,443</b>	<b>8,381</b>	<b>3,977</b>	<b>3,860</b>
<b><u>Others:</u></b>						
Employed	2,967	3,029	1,590	1,630	1,377	1,399
Non-Practising	4,087	3,637	2,072	1,877	2,015	1,760
Overseas & Retired	1,376	1,409	830	880	546	529
<b><u>Total</u></b>	<b>8,430</b>	<b>8,075</b>	<b>4,492</b>	<b>4,387</b>	<b>3,938</b>	<b>3,688</b>
<b><u>All Categories</u></b>	<b>20,850</b>	<b>20,316</b>	<b>12,935</b>	<b>12,768</b>	<b>7,915</b>	<b>7,548</b>
	<b>Total</b>	<b>Total</b>	<b>Sets</b>	<b>Sets</b>	<b>Sole Practitioners</b>	<b>Sole Practitioners</b>
<b><u>Number of Chambers:</u></b>						
London	353	347	198	204	155	143
Provinces	396	387	132	139	264	248
<b><u>Total</u></b>	<b>749</b>	<b>734</b>	<b>330</b>	<b>343</b>	<b>419</b>	<b>391</b>
	<b>Total</b>	<b>Total</b>	<b>Men</b>	<b>Men</b>	<b>Women</b>	<b>Women</b>
<b><u>Called to the Bar 2009/10:</u></b>						
<b><u>Total</u></b>	<b>1,852</b>	<b>1,772</b>	<b>876</b>	<b>851</b>	<b>976</b>	<b>921</b>

## Bar Standards Board income and expenditure 2009/2010

### BAR STANDARDS BOARD

#### INCOME/EXPENDITURE

##### 2010/2009

	Actual 2010 £'000	Budget 2010 £'000	Actual 2009 £'000
<b><u>CALL ON PCF</u></b>			
Income from cost-recovering activities:			
Validation of BVC insitutions	583	600	677
BPTC Online/Accreditation	115	80	81
Accreditaion of CPD courses and providers	180	250	175
Qual. Comm. Applications	161	152	145
Other Educational income	76	58	66
Disciplinary fines/cost recoveries *	128	100	164
	-----	-----	-----
	<b>1,243</b>	<b>1,240</b>	<b>1,308</b>
	-----	-----	-----
Total costs of regulation	5,421	6,021	4,960
	-----	-----	-----
To be recovered from PCF income	4,178	4,781	3,652
	-----	-----	-----
Total PCF income: "Core" activities	6,720	6,526	6,501
	-----	-----	-----
BSB call on "core" PCF (as %)	62	73	56
	=====	=====	=====
<b><u>BOARD EXPENDITURE</u></b>			
<b><u>Expenditure by activity</u></b>			
Complaints & Hearings	1,399	1,626	1,340
Education Standards	697	871	700
Qualification Regulations	264	275	213
Professional Practice	529	534	481
	-----	-----	-----
	2,889	3,306	2,734
Executive & Board	491	564	542
Strategy, Communications & Operations	368	423	291
	-----	-----	-----
Total Costs inc. Premises	<b>3,748</b>	<b>4,293</b>	3,567
Allocated Costs: Central Services support	1,673	1,728	1,393
	-----	-----	-----

<b>Total Cost of Regulation</b>	<b>5,421</b>	<b>6,021</b>	<b>4,960</b>
	=====	=====	=====
<b><u>Expenditure by type</u></b>			
Staff costs:			
Salaries	1,916	1,990	1,842
National Insurance	214	222	198
Pensions, inc. Life Assurance	249	299	180
Other Staff Costs, inc. Temps. & Recruitment	277	360	172
	-----	-----	-----
Total	<b>2,656</b>	<b>2,871</b>	2,392
Committee work & other activity	611	922	710
Board	77	92	98
Premises	404	408	367
	-----	-----	-----
Total Costs inc. Premises	<b>3,748</b>	<b>4,293</b>	3,567
Allocated Costs: Central Services support	1,673	1,728	1,393
	-----	-----	-----
<b>Total Cost of Regulation</b>	<b>5,421</b>	<b>6,021</b>	<b>4,960</b>
	=====	=====	=====

**sNumber of Applications Considered by the Qualifications Committee 1 January to 31 December 2010**

	Applications Considered (2009 figure in brackets)
<b>Academic Stage Applications</b>	
Applications for Partial Exemption from the Academic Stage	18 (19)
Applications for Exercise of Discretion to Waive Requirement to obtain lower second class honours	29 (44)
Application for Certificate of Academic Standing on the basis of overseas or non-standard degrees	166 (196)
Applications for reactivation of stale qualifications	27 (10)
Application for approval of credit transfer	30 (37)
Application for approval to exceed permitted study-time	14 (14)
Application for permission to commence Vocational Stage before completing Academic Stage	5 (14)
Application for approval of deemed pass/condonation	1 (0)
Bar Examination Transcript/Certifying Letter	19 (13)
<i>Total Academic Stage applications</i>	<i>309 (347)</i>
<b>Transferring Qualified Lawyers Panel (“Panel 1”)</b>	
Qualified Foreign Lawyers	41 (27)
European lawyers applying for Call to the Bar	8 (5)
European lawyers applying for Registration under the Establishment Directive	5 (0)
Registered European Lawyers applying for Call to the Bar	0 (3)
Legal Academics applying for dispensation from the standard requirements for Call to the Bar	3 (6)
Northern Irish Barristers	4 (1)
Scottish Advocates	1 (0)
Applications for Temporary Membership of the Bar	0 (1)
Solicitors applying for Call to the Bar	118 (65)
Mature students applying for admission to an Inn	18 (19)
Other Panel 1	11 (0)



<i>Total Panel 1</i>	209 (127)
<b>Pupillage Panel (“Panel 2”)</b>	
Applications for approval to undertake external training	24 (9)
Applications for reduction in pupillage	41 (54)
Applications from pupils for dispensation from the pupillage regulations	30 (13)
Applications for retrospective registration of pupillage	16 (3)
<i>Total Panel 2</i>	111 (79)
<b>CPD Panel (“Panel 3”)</b>	
Applications for extension of time for completion of the New Practitioners Programme	73 (59)
Applications for waiver of the NPP Requirements	26 (11)
Applications for extension of time for completion of the Established Practitioners Programme	335 (421)
Applications for waiver of the EPP Requirements	97 (125)
<i>Total Panel 3</i>	531 (616)
<b>Practising Rules Panel (“Panel 4”)</b>	
Applications for rights of audience/waivers of the practising rules	30 (48)
Applications for designation as a “qualified person”	1 (2)
Applications for rights to conduct litigation	10 (0)
Applications for waiver of the Public Access Rules	23 (11)
Applications for Exemption from the Vocational Conversion Course	0 (1)
Applications for authorisation as a pupillage training organisation	25 (13)
Applications for licensed access	30 (41)
Other Panel 4	14 (0)
<i>Total Panel 4</i>	133 (116)
<b>Pupillage Funding &amp; Advertising Panel (“Panel 5”)</b>	
Applications for waivers of the Pupillage Funding & Advertising Requirements	41 (34)
<i>Total Panel 5</i>	41 (34)
<b>Exemptions Panel (“Panel 6”)</b>	
Applications for Exemption	3 (n/a)

<i>Total Panel 6</i>	<i>3 (n/a)</i>
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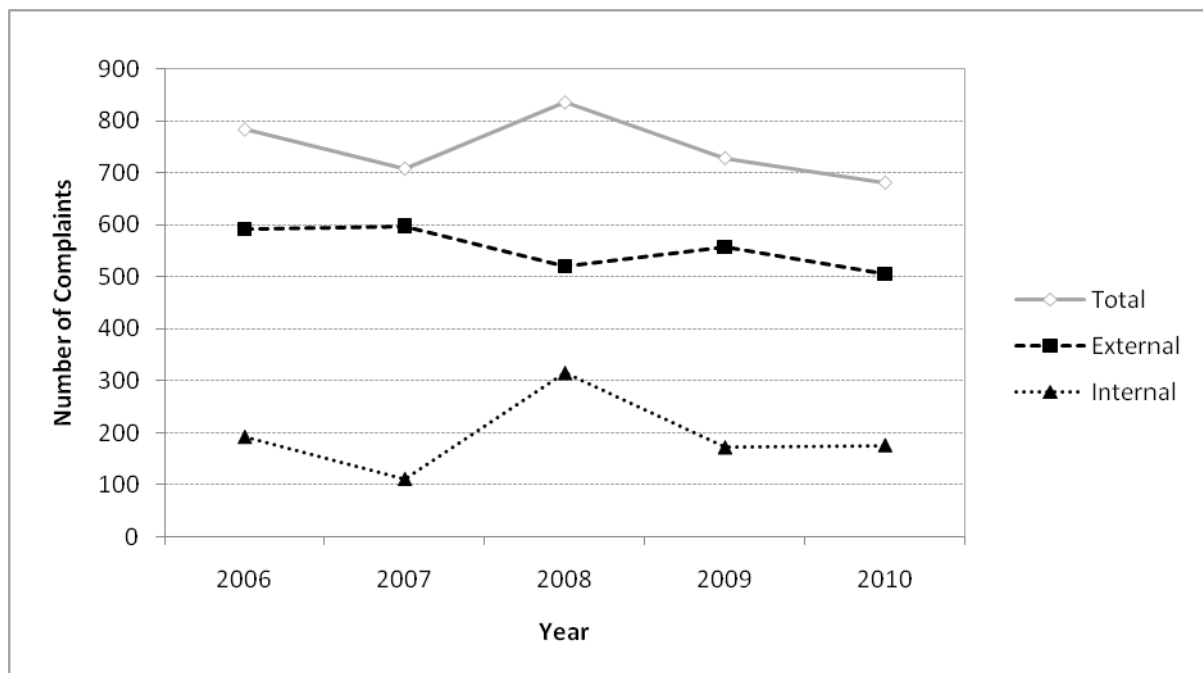
<b>Full Committee</b>	
Review of decisions on Academic Stage applications	37 (11)
Review of decisions on applications to Qualifications Committee	33 (32)
Review of decisions of the Inns Conduct Committee	7 (n/a)
Other Full Committee	2 (3)
<i>Total Full Committee</i>	<i>79 (46)</i>
<b>TOTAL APPLICATIONS</b>	<b>1416 (1365)</b>

## Complaints handling statistics for the Bar Standards Board 2010

**Table 1: Complaints opened - annual comparison 2006 to 2010**

Complaint Type	2006	2007	2008	2009	2010	% Change
External	592	598	521	557	506	-9.2%
Internal	192	111	315	172	176	+2.3%
<b>Total</b>	<b>784</b>	<b>709</b>	<b>836</b>	<b>729</b>	<b>682</b>	<b>-6.4%</b>

**Complaints opened - annual comparison 2006 to 2010**



**Table 2: Complaints closed - annual comparison 2006 to 2010**

Complaint Type	2006	2007	2008	2009	2010	% Change
External	575	582	564	571	657	+15.1%
Internal	275	147	153	258	212	-17.8%
<b>Total</b>	<b>850</b>	<b>729</b>	<b>717</b>	<b>829</b>	<b>869</b>	<b>+4.8%</b>

**Table 3: Complaints opened by complainant category - annual comparison**

Complainant Category	2008	% Total	2009	% Total	2010	% Total	% Change
Civil Litigant	154	18.4%	220	30.2%	177	26.0%	-19.5%
Bar Standards Board	309	37.0%	171	23.5%	169	24.8%	-1.2%
Criminal	143	17.1%	114	15.6%	129	18.9%	+13.2%
Family	62	7.4%	71	9.7%	78	11.4%	+9.9%
Other	79	9.4%	70	9.6%	51	7.5%	-27.1%
Solicitor(s)	37	4.4%	37	5.1%	41	6.0%	+10.8%
Barrister	21	2.5%	22	3.0%	11	1.6%	-50.0%
Immigration Services Commissioner	14	1.7%	3	0.4%	7	1.0%	+133.3%
No Category Selected	2	0.2%	0	0.0%	5	0.7%	-
Chambers Staff	1	0.1%	4	0.5%	4	0.6%	0.0%
Immigration client	5	0.6%	4	0.5%	4	0.6%	0.0%
Head of Chambers	0	0.0%	0	0.0%	2	0.3%	-
Judge (or official on his behalf)	9	1.1%	4	0.5%	1	0.1%	-75.0%
Licensed Access Complainant	0	0.0%	0	0.0%	1	0.1%	-
Magistrate/Clerk to the Justices	0	0.0%	0	0.0%	1	0.1%	-
Public Access complaint	0	0.0%	8	1.1%	1	0.1%	-87.5%
Asylum and Immigration Tribunal	0	0.0%	1	0.1%	0	0.0%	-100.0%
Ministry of Justice	0	0.0%	0	0.0%	0	0.0%	-
<b>Total</b>	<b>836</b>	<b>100.0%</b>	<b>729</b>	<b>100.0%</b>	<b>682</b>	<b>100.0%</b>	<b>-6.4%</b>

**Table 4: Overall turn round times for all complaints - annual comparison 2008 to 2010**

Closure Period	2008	% Total	2009	% Total	2010	% Total	% Change
Under 3 Months	273	38.1%	255	30.8%	339	39.0%	+32.9%
4 - 6 Months	149	20.8%	157	18.9%	164	18.9%	+4.5%
7 - 12 Months	166	23.2%	255	30.8%	200	23.0%	-21.6%
13 - 18 Months	85	11.9%	106	12.8%	121	13.9%	+14.2%
19 - 24 Months	25	3.5%	38	4.6%	28	3.2%	-26.3%
Over 24 Months	19	2.6%	18	2.2%	17	2.0%	-5.6%
<b>Total</b>	<b>717</b>	<b>100.0%</b>	<b>829</b>	<b>100.0%</b>	<b>869</b>	<b>100.0%</b>	<b>+4.8%</b>

**Table 5: Turn round times for all complaints closed up to Committee decision - annual comparison 2008 to 2010**

Closure Period	2008	% Total	2009	% Total	2010	% Total	% Change
Under 3 Months	269	46.3%	206	36.9%	238	43.8%	+15.5%
4 - 6 Months	143	24.6%	150	26.8%	142	26.1%	-5.3%
7 - 12 Months	128	22.0%	153	27.4%	114	21.0%	-25.5%
13 - 18 Months	35	6.0%	34	6.1%	32	5.9%	-5.9%
19 - 24 Months	4	0.7%	13	2.3%	6	1.1%	-53.8%
Over 24 Months	2	0.3%	3	0.5%	12	2.2%	+300.0%
<b>Total</b>	<b>581</b>	<b>100.0%</b>	<b>559</b>	<b>100.0%</b>	<b>544</b>	<b>100.0%</b>	<b>-2.7%</b>

**Table 6: Cases referred for further action: annual comparison**

**Table 6: Outcomes of closures of complaints referred for further action – annual comparison 2008 to 2010**

Referral Type	2008			2009			2010		
	Closed	Upheld	% Upheld	Closed	Upheld	% Upheld	Closed	Upheld	% Upheld
Adjudication Panel	16	6	37.5%	7	4	57.1%	11	6	54.5%
Determination by Consent	0	0	-	17	17	100.0%	15	15	100.0%
Disciplinary 3 Person	0	0	-	13	11	84.6%	113	104	92.0%
Disciplinary 5 Person	0	0	-	6	6	100.0%	43	41	95.3%
Disciplinary Tribunal	44	32	72.7%	63	54	85.7%	5	5	100.0%
Summary Hearing	64	56	87.5%	103	93	90.3%	0	0	-
<b>Total</b>	<b>124</b>	<b>94</b>	<b>75.8%</b>	<b>209</b>	<b>185</b>	<b>88.5%</b>	<b>187</b>	<b>171</b>	<b>91.4%</b>

To come

**Table 7: Turn round times for all complaints closed post Committee referral – annual comparison 2008 to 2010**

Closure Period	2008	% Total	2009	% Total	2010	% Total	% Change
Under 3 Months	3	2.4%	1	0.5%	2	1.1%	+100.0%

4 - 6 Months	31	25.0%	47	22.5%	43	22.9%	-8.5%
7 - 12 Months	52	41.9%	124	59.3%	125	66.5%	+0.8%
13 - 18 Months	27	21.8%	31	14.8%	14	7.4%	-54.8%
19 - 24 Months	3	2.4%	4	1.9%	2	1.1%	-50.0%
Over 24 Months	8	6.5%	2	1.0%	2	1.1%	0.0%
<b>Total</b>	<b>124</b>	<b>100.0%</b>	<b>209</b>	<b>100.0%</b>	<b>188</b>	<b>100.0%</b>	<b>-10.0%</b>

**Table 8: Sentences imposed by disciplinary tribunals: annual comparison**

To come

**Table 9: Outcome of LSO investigations - annual breakdown by decision source 2008 to 2010**

Decision Source	Outcome	2008	% Total	2009	% Total	2010	% Total
<b>Complaints Commissioner</b>	No recommendation	142	88.8%	84	80.0%	106	85.5%
	Formal criticism	7	4.4%	9	8.6%	2	1.6%
	Pay compensation	1	0.6%	1	1.0%	8	6.5%
	Reconsider	10	6.3%	10	9.5%	8	6.5%
	Reconsider and pay compensation	0	0.0%	1	1.0%	0	0.0%
<b>Complaints Commissioner sub-total</b>		<b>160</b>	<b>80.8%</b>	<b>105</b>	<b>87.5%</b>	<b>124</b>	<b>79.0%</b>
<b>Complaints Committee</b>	No recommendation	17	44.7%	10	66.7%	21	77.8%
	Formal criticism	6	15.8%	1	6.7%	1	3.7%
	Pay compensation	7	18.4%	2	13.3%	1	3.7%
	Reconsider	8	21.1%	2	13.3%	3	11.1%
	Reconsider and pay compensation	0	0.0%	0	0.0%	1	3.7%
<b>Complaints Committee sub-total</b>		<b>38</b>	<b>19.2%</b>	<b>15</b>	<b>12.5%</b>	<b>27</b>	<b>17.2%</b>
<b>Adjudication Panel</b>	No recommendation	0	-	0	-	2	100.0%
<b>Adjudication Panel sub-total</b>		<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>	<b>2</b>	<b>1.3%</b>
<b>Chambers</b>	No recommendation	0	-	0	-	2	100.0%
<b>Chambers sub-total</b>		<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>	<b>2</b>	<b>1.3%</b>
<b>Disciplinary Tribunal</b>	No recommendation	0	-	0	-	1	50.0%
	Formal criticism	0	-	0	-	1	50.0%
<b>Disciplinary Tribunal sub-total</b>		<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>	<b>2</b>	<b>1.3%</b>