

Categorisation of reports and allegations and authority to take decisions

Category	Types of report / allegation	Staff decision-making authorities for each allegation category	Case allocation
1.	<p>Allegations relating to:</p> <ul style="list-style-type: none"> • a conviction for an offence of dishonesty or deception; or • a conviction for an offence under Section 4, Section 5 or Section 5A Road Traffic Act 1988 (Driving or being in charge of a motor vehicle with alcohol concentration/ concentration of a controlled drug above prescribed limit); or • a breach of Part 3 or 4 of the <i>Handbook</i>; or • any failure to pay an administrative fine within the relevant time; or • a failure to comply with any requirements of a sanction 	<p>All staff in the Investigations and Enforcement Team at Officer level or above have the power to:</p> <ul style="list-style-type: none"> • dismiss an allegation (but not in relation to criminal convictions for dishonesty or deception, unless authorised by the Head of I&E or the Director of Legal and Enforcement) <p>The Director of LED, the I & E Manager and the Casework Managers also have the power to decide to:</p> <ul style="list-style-type: none"> • withdraw allegations • dismiss allegations with advice • impose administrative sanctions • refer allegations direct to a Disciplinary Tribunal or the Determination by Consent procedure • add additional charges where evidence to support them was revealed during the course of the investigation e.g. failure to respond • In conjunction with any other decision notify the Regulatory Operations Department regarding concerns about a barrister's suitability to be a pupil supervisor 	<p>Case Officer Senior Case Officer Casework Manager Head of Investigations and Enforcement</p>

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	<p>imposed following <i>Disciplinary Action</i>; or</p> <ul style="list-style-type: none"> a failure to co-operate with the regulator and/or respond to enquiries when combined with the above; 		
2.	<p>Allegations that do not fall into category 1 or 3.</p>	<p>The Director of Legal and Enforcement, the Head of Investigations and Enforcement and the Casework Managers have the power to decide to:</p> <ul style="list-style-type: none"> dismiss allegations with or without advice withdraw allegations impose administrative sanctions add additional charges where evidence to support them is revealed during the course of the investigation e.g. failure to respond In conjunction with any other decision notify the Regulatory Operations Department regarding concerns about a barrister's suitability to be a pupil supervisor 	<p>Case Officer Senior Case Officer Casework Manager Head of Investigations and Enforcement</p>
3.	<p>Allegations that:</p> <ul style="list-style-type: none"> are complex either factually or legally 	<p>No member of staff has the power to take final decisions on category 3 allegations. All allegations must be referred to an IDP for decisions on whether to dismiss, impose administrative sanctions, refer to</p>	<p>Senior Case Officer Casework Manager Head of Investigations and Enforcement</p>

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	<ul style="list-style-type: none"> • have attracted, or may attract, media attention • involve wider implications for the public interest, the Bar or a section of the Bar, or the BSB 	disciplinary action or make an application for a disqualification order	