



BAR COUNCIL NEWS UPDATE – FRIDAY 1 MAY 2020

Jury trials

[BBC News](#), [Dundee Messenger](#) - Coronavirus could prompt the biggest changes to jury trials since World War Two, the head of judiciary in England and Wales has told the BBC. Social distancing could mean fewer jurors at trials and sittings moved to bigger buildings such as university lecture theatres, said Lord Chief Justice, Lord Burnett. Jury trials across the UK were halted in March due to the virus.

"Blue-sky thinking" on restarting them safely is ongoing, said Lord Burnett.

Whatever mechanisms are found to get the criminal justice system back on its feet, lawyers will be needed to service cases but many fear they will have gone out of business.

The [latest Bar Council survey](#) found 31% of criminal barristers may not be in practice in chambers within three months; 87% will not last six months and 88% will not last a year.

Bar Council survey findings

[The Times](#) (print and online), [The Guardian](#), [Express & Star](#) (print and online), [The Courier](#), [Evening Telegraph](#), [Legal Cheek](#), [New Law Journal](#), [Legal Futures](#), [Exec Review](#) (live blog), [PoliticsHome](#), [PA News Wire](#) (x2) – Legal issues cannot be put off indefinitely, according to barristers who have warned that public access to justice is being hindered by the Covid-19 crisis.

Three-quarters (75%) of more than 3,400 barristers surveyed by the Bar Council said they do not think the public can currently access justice at an acceptable level, while just 7% said access is acceptable.

Rehana Popal, a public law and immigration barrister and social mobility advocate for the Bar Council, said many people are being left waiting for hearings or the outcome of ongoing cases. She said "justice is in several parts" and is not just about individuals physically going to the police or lodging appeals and complaints. "It's

not just that part, it's also the waiting for hearings, or waiting for a judgment or waiting to appeal a matter. That's all part of the justice process."

The Bar Council calculated that of the self-employed barristers polled, 65% had seen a reduction in work. It argued that Covid-19 is having a "devastating" effect on barristers, due to a drop in hearings and other work, despite efforts to deliver justice through remote hearings and essential in-person court proceedings.

Amanda Pinto QC, chair of the Bar Council, said: "We can't bury our heads in the sand and ignore the ramifications this virus has for the future of justice, which affects the public in a direct way, day in, day out.

"Legal issues cannot be put off indefinitely. If we fall into the trap of routinely delaying hearings, adding to the ever-growing backlog of cases and taking work away from those whose livelihoods depend on it, we might very well find there are no barristers left to help pick up the pieces of the justice system after the crisis subsides. Then access to justice in England and Wales will be in real trouble."

A Ministry of Justice spokesman said: "We appreciate the challenges legal professionals face and have taken action to address some of these pressures - including improving access to financial support. Our priority is to keep all court users safe and we thank lawyers for their service during this unprecedented public health emergency. We continue to work with those who rely on legal aid for their income to identify ways we can support them and keep the justice system running."

Cost-saving measures

[Law Gazette](#), [Legal Futures](#), [The Lawyer](#), [Legal Cheek](#), [New Law Journal](#), [BusinessFast](#) - The Bar Council and Bar Standards Board (BSB) have implemented a series of cost-cutting measures in response to the COVID-19 pandemic.

Both bodies have implemented a pay and recruitment freeze, while the Bar Council confirmed it had also furloughed seven of its 35 staff. The BSB said regulatory demands, such as the need to make new arrangements for bar students whose exams have been delayed and to help the bar to maintain pupillages, meant it "has been unable to furlough staff now".

The chairs and vice-chairs of the Bar Council and BSB, and the chief executive of the Bar Council and director general of the BSB, have all taken a temporary 20% pay cut, too. The Bar Council is expected to save £98,000 as a result of the measures, while its regulatory counterpart, will save £110,000.

Malcolm Cree, chief executive of the Bar Council, said: "Right now, our focus is on supporting the profession we represent through this crisis. We have been working flat out to ensure that the vital public service and contribution to society and the economy that the bar provides is recognised and supported. The scale of the challenge for practitioners and chambers must be addressed."

He added: "As the Bar Council (including the BSB) is funded by the bar, with fees based on earnings in the previous year, we are anticipating a significant drop in income next year, hence the need to cut costs early so we do not become a greater financial burden on those we are trying to support."

Judiciary working party

[The Guardian](#) (print and online), [Financial Times](#), [The Daily Express](#), [Yahoo News](#), [Wired-gov](#), [Shropshire Star](#) (print) - Last week, it was announced "a judicial working group" has been established "to consider ways to restart some jury trials once it is safe to do so". It includes representatives from the Law Society, Bar Council, Criminal Bar Association (CBA), HMCTS, Crown Prosecution Service and other agencies.

New tech for the criminal justice system

[Gov.uk](#), [Law360](#), [UK Authority](#), [Mirage News](#), [Wired-gov](#) - HMCTS is bringing in a new video platform to enable all parties in a criminal hearing to take part remotely – allowing all magistrate and crown courts in England and Wales to hold secure hearings, making it easier to make sure justice continues to be served.

The Kinly Cloud Video Platform (CVP) is initially being rolled out to 60 magistrates' courts and 48 crown courts currently open to the public, with others to follow as soon as possible. It is also being introduced to the Civil and Family courts.

Courts Minister Chris Philp, said: "It is essential that justice continues to be served in these difficult times and this new platform will help equip courts across England and Wales with secure and robust video technology to enable them to carry out more of their vital work. I am extremely impressed at the way all those within the justice system have adapted so well to the unprecedented challenges we face."

Amanda Pinto QC, Chair of the Bar Council, said: "We must keep the justice system going in the public interest. Barristers, along with the judiciary, court staff and many others, are determined to adapt quickly to delivering justice during Covid-19, including delivering it remotely. The new CVP platform is crucial to these efforts, enabling more cases to be heard without everyone having to gather in a physical courtroom. We have heard positive feedback from barristers involved in hearings

where CVP has already been used. I am keen to see it rolled out widely to try and ensure that as far as possible, effective justice is delivered, not delayed.”

QC Appointments donation

[Law Gazette](#), [Legal Futures](#), [LawCareers.Net](#)- The body that organises the annual silk round has responded to pressure to release reserves during the coronavirus crisis by donating £200,000 to the benevolent associations for solicitors and barristers.

Bar Council chair Amanda Pinto QC revealed that the directors of QC Appointments (QCA) have agreed to donate £100,000 to each of the associations “to support struggling practitioners in immediate need”.

BAR COUNCIL TWEETS <https://twitter.com/thebarcouncil>

You Retweeted

 **Suella Braverman MP**  @SuellaBraverman · Apr 29

Good discussions today with @thebarcouncil and @TheCriminalBar about the impact of Covid-19 on legal practice, especially the publicly-funded Bar. A functioning justice system depends on them and I will do all I can to support their work at this time.

19 26 132

 **The Bar Council**  @thebarcouncil · Apr 29

Latest update from @CEOofHMCTS on Cloud Video Platform (CVP) now available on our website, along with plenty more #Covid19 guidance for the Bar:

barcouncil.org.uk/uploads/assets...

1 18 23

You Retweeted

 **North Eastern Circuit** @ne_circuit · 16h

Thank you Amanda Pinto QC, Chair of the @thebarcouncil, for answering our members qns today & for all the work you are doing on our behalf.

1 2 13



The Bar Council @thebarcouncil · Apr 28

Update from Chair of the Bar, Amanda Pinto QC, including:

- 5 key asks of Chancellor of the Exchequer @RishiSunak @hmtreasury
- latest support for barristers
- breakthrough on Legal Aid Agency payments
- jury trials update + more #COVID19

r1.dmtrk.net/4CGD-TSSM-32/s...



11 14

You Retweeted



Eleena Misra @EleenaMisra · Apr 29

The report is out! Read my summary for @thebarcouncil later today. Many of our suggestions and concerns made it into the @Law_Commission report. Thread follows.

lawcom.gov.uk/project/employ... @OldSqChambers

3 28 56

**Shiryn
Sayani**

Communications Manager (Policy & Campaigns)

The Bar Council

289-293 High Holborn

London WC1V 7HZ

Direct Line: 020 7611 1399

Switchboard: 020 7242 0082

Website: www.barcouncil.org.uk

Twitter: [@thebarcouncil](https://twitter.com/thebarcouncil)



The Bar Council
Integrity. Excellence. Justice.

www.barcouncil.org.uk

 @thebarcouncil

The Bar Council – Integrity. Excellence. Justice.