



BAR COUNCIL NEWS UPDATE – FRIDAY 13 NOVEMBER 2020

Criminal justice

The Daily Telegraph (print and [online](#)), [Yahoo News](#) – The Telegraph reports that Ministry of Justice data showed community resolution orders rose by 25 per cent compared with 2018, and were up 13 per cent year on year.

Amanda Pinto QC, Chair of the Bar is quoted by the Daily Telegraph. She said the figures were a cause for concern, as both prosecutions and convictions were down year-on-year while “out-of-court” punishments were up 13 per cent.

She added: “We had warned against using out of court disposals for serious crimes months ago, to avoid sending a message of ‘soft justice’ to potential criminals. These methods must not be used as an alternative to bringing serious criminals to justice. Add to that the fact that the public’s safety is at risk because of the inordinate delay in bringing cases to trial.

“The Government must invest properly in the whole criminal justice system to enable cases to be heard in a reasonable time.

“If this is not urgently brought in hand, through the provision of more court rooms and more staff to help run the courts, the public will lose all faith in this country’s ability to keep them safe.”

Spending Review

Cumberland and Westmorland Herald – Local media outlets continue to report that the Bar Council has warned that parts of the country need investment in local justice as part of the government’s plans to ‘level up’ deprived areas.

The media report that in a paper to the Treasury ahead of the Spending Review, the Bar Council writes:

“Levelling up is a key Government commitment to help communities, particularly in the Midlands and the North, and to reduce regional inequalities. “There is an opportunity as part of this strategy to regenerate towns and cities by modernising and investing in courts and tribunals, which are often in the centre of these towns and cities such as Blackpool, Carlisle, Preston, Cardiff and York.”

Chair of the Bar Council, Amanda Pinto QC, is quoted. She said: “Levelling up should focus on people as well as the areas they call home. The Government has a chance right now to help support the most vulnerable in society and balance the scales.

“Many in the North and Midlands are in dire need of early legal advice to help them resolve issues such as housing, debt or unemployment. In the long run, this early advice saves the Government money and resources across several Ministries.

“The sooner we can stop cases snowballing, causing further delays to the court system and cost and misery to the people involved, the better.”

Gender pay gap

[Legal Futures](#) – Legal Futures reports that the gender pay gap at the Bar is “alive and well”, the **Chair of the Bar, Amanda Pinto QC**, has said, after new figures looking at individual practice areas revealed “shocking discrepancies”.

In all but two of the [30 practice areas analysed](#), female barristers received a lower proportion of the gross fee income than their representation in the field.

Amanda Pinto QC is quoted as saying: “We must confront, not hide, this profession-wide problem... The fair allocation of work must be embedded across the whole Bar.”

The [Bar Council’s Modernising the Bar accelerator programme](#), launched early this year, “could not be more critical in making a concentrated effort to ensure every barrister can succeed”, she added.

[Bar Standards Board research published last week](#) that that female barristers and those from Black, Asian and minority ethnic backgrounds were likely to earn less than male and White counterparts by every measure – self-employed barristers, employed barristers, QCs, barristers based inside and outside London, barristers with similar years of call and those in the same areas of practice.

PCF/Budget consultation

[Legal Futures](#), [Law Society Gazette](#) – Media coverage emerges of the General Council of the Bar’s Practising Certificate Fee and budget 2021/22 consultation. Legal Futures reports that the Bar Council is bracing for a £3.2m loss next year with revenue from practising fees – which are tied to barristers’ income – set to tumble because of Covid-19.

However, because of a £5m loan the Bar Council has applied for under the government’s coronavirus business interruption loan scheme (CBILS), it has proposed maintaining the practising certificate fee (PCF) at last year’s level.

Legal Futures reports that the Bar Council has been cutting costs and using the furlough scheme and was negotiating with its bank, RBS, for a CBILS loan to mitigate the expected drop in income.

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NEWS: HMCTS has confirmed with [@thebarcouncil](#) that pupils accompanying [#barristers](#) to court can rely on the leaving home for the purposes of education or training exception in section 6(4)(b) of the Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020.

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