



BAR COUNCIL NEWS UPDATE – FRIDAY 2 OCTOBER 2020

Spending review

[The Guardian](#) (print and online), [Yahoo News](#), [MSN News](#), [Legal Cheek](#), [PoliticsHome](#) - The justice system is at a “tipping point” after decades of underfunding, with some barristers earning less than the minimum wage, the Treasury has been warned.

The Bar Council said those on government fees could earn the equivalent of £6.25 an hour “despite their central role in clearing the 500,000-plus backlog of cases in the criminal courts”.

The poor rates of legal aid pay are having a “disproportionate impact on diversity” in the legal profession, the report adds, driving out women, minority ethnic and state-educated barristers who are all more likely to work in publicly funded areas of law.

Amanda Pinto QC, the chair of the Bar Council, said: “The spending review is the government’s chance to protect the rights of the British public and restore confidence in law and order in this country.

“For too long, there has been a dismal failure to invest in the Ministry of Justice budget, and many barristers were left unsupported by the government, struggling to get by, as courts closed during the pandemic and their work dried up.

“The justice sector is now in a dire state: outrageously long delays to people’s cases and shockingly low fees for legal professionals are undermining the government’s commitment to law and order.”

Scrutiny of emergency legislation

[The Guardian](#), [BusinessFast](#) - Lord Thomas of Cwmgiedd, the former lord chief justice of England and Wales, has called for greater parliamentary scrutiny of the

government's emergency coronavirus legislation because vital freedoms are being "curtailed".

The Bar Council, which represents barristers across England and Wales, also called for greater parliamentary scrutiny of the government's emergency coronavirus legislation.

Amanda Pinto QC, chair of the council, said: "We have urged the government to provide for greater scrutiny of the operation of the Coronavirus Act. The opportunity for parliament to debate measures that curtail freedoms will almost certainly lead to better public understanding and a greater chance of more effective laws being passed.

"That approach is in the public interest, balancing the need for agile responses to the national emergency, whilst safeguarding personal liberty as much as possible in the circumstances."

Backlog

[Hillingdon Times](#), [Halifax Courier](#), [Hebden Bridge Times](#), [Shields Gazette](#), [Brighouse Echo](#), [The Argus](#), [Rugby Advertiser](#), [Kenilworth Weekly News](#), [Leamington Courier](#), [Bucks Free Press](#) - The backlog of criminal cases facing Warwick Crown Court has swelled during lockdown, with over 100 fewer defendants dealt with between April and June compared to the first three months of the year.

Legal industry bodies say victims, witnesses and defendants alike are being failed by an underfunded criminal justice system thrown into further disarray by the coronavirus pandemic.

Amanda Pinto QC, chair of the Bar Council, which represents barristers, agreed the criminal justice system was "already in severe difficulty" before the pandemic.

She said: "We've seen what lack of funding for law and order achieves – rising crime, low detection rates, long delays to cases with many collapsing before they get anywhere near a court, victims of crime denied justice, and all because government after government has failed to invest in justice.

"The need for long term, significant investment is crucial across the entire justice system if it is to serve its purpose which is to enable people to exercise their rights in a timely and meaningful way."

Internal Market Bill

Teignmouth Post & Gazette (print), Cornish Guardian (print), West Briton (print x3) – Letters published in multiple South West regional newspapers from members of the public and a local councillor highlight the Bar Council’s position on the government’s stated intention to break international law in the Internal Market Bill.

They write:

“It is not a view shared by the country's top lawyers (including the Bar Council), nor by the last five Prime Ministers, nor by previous Attorneys General, nor even by one of the Prime Minister's own ministers, the Advocate General for Scotland.”

“I saw the Cornish MPs all line up last week to attempt to justify this Government breaching its own Brexit Withdrawal Agreement. Then I listened to the chair of the Bar Council and president of the Law Society (and even Theresa May) who were very clear that doing so would mean breaking international law.”

Chambers

Law Gazette – Criminal chambers could go virtual in the wake of coronavirus, a QC has said, following the establishment of one of the first fully remote barristers’ sets.

Simon Csoka QC, head of Libertas Chambers, told the *Gazette* that lockdown has ‘made people realise how little they in fact used or needed the traditional chambers model’.

According to Bar Council survey, [one in 10 chambers](#) has given partial notice on its lease in a bid to relieve financial pressure.

However, chair of the Bar Council Amanda Pinto QC has warned of the ‘very important role a physical chambers plays in all barristers’ careers’.

‘This is especially so for those at the junior end and pupils, where chambers’ help is essential to establishing and developing a practice. Chambers is a great support for barristers not just by sharing professional expertise and friendship, but with wellbeing and mental health issues too. None of these advantages should be compromised in any moves towards alternative ways of working,’ Pinto said.

Events

New Law Journal (x2)– The Bar and Young Bar Conference 2020 is entitled ‘Forward thinking: Bar of the Future’, and will be held on 18 to 21 November. For the first

time, delegates will be able to sign up for the whole four-day event or for individual sessions.

Speakers include practitioners, former judges and the Lord Chancellor and Shadow Lord Chancellor. Topics include Race at the Bar, sustainability of the profession both at home and internationally, ethics and advocacy, resilience, best practice for courts adopting virtual technology and the future of chambers.

For more information and to book tickets, go to: bit.ly/33YYuoG.

New Law Journal also highlights that lawyers are invited to a free online seminar this Friday, 2 October at 12 noon to mark the opening of the legal year and celebrate 125 years of the Commercial Court.

It is being run by the Bar Council, Law Society and Judicial Office, and looks at how different jurisdictions have coped with the impact of COVID-19 and online hearings, what measures they have deployed and their successes and challenges.

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The Lord Chancellor, Robert Buckland QC, and Shadow Justice Secretary, David Lammy, will speak at this year's Bar Council Bar & Young Bar Conference on making the justice system fit for 2021 and beyond. #BarConf

Register here barcouncil.org.uk/training-event...



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