



BAR COUNCIL NEWS UPDATE – MONDAY 3 DECEMBER 2018

Sexual harassment

The Guardian, [Legal Futures](#), [Yahoo News](#) – The Guardian and other media outlets report that sexual harassment at the Bar is not being reported because pupils and young lawyers fear their careers will be damaged if they complain, according to a senior barrister.

Delivering a public lecture at Gresham College in central London, Professor Jo Delahunty QC suggested there was widespread complacency about the prevalence of inappropriate behaviour in chambers and even by judges in courts.

The media report on a number of examples of sexual harassment Professor Delahunty QC referenced in her lecture that had been mentioned to her.

She said young women barristers could be confident the **Bar Council** was on their side and was making strenuous efforts to deal with the problem, highlighting the Bar Council's confidential helpline for anyone who had suffered harassment.

Delahunty added that the lack of human resources departments in chambers contributed to a lack of support and the automatic duty on barristers to pass on suspected serious misconduct to the Bar Standards Board was a "block" on women reporting harassment in confidence.

Brexit

[The Times](#) - Ministers are pressing for the UK to join two conventions that will retain the recognition of English commercial court rulings across the EU after Brexit, the Lord Chancellor has confirmed.

The Times reports that coinciding with the Lord Chancellor's speech, Bar leaders published figures showing that international earnings by barristers in England and Wales had risen by 10 per cent in the last year despite fears over Brexit. The Bar Council said that barristers working on international instructions earned £322

million in 2017 compared with £291 in the previous year. The Bar Council also said that the number of barristers doing international work had increased to 1,790 from 1,744 the previous year.

Also in [The Times](#), Bob Neill MP, Chair of the Commons Justice Select Committee, said the increased delay and expense of Brexit will blight the UK's already financially stretched criminal justice system when the country leaves the EU even under the Prime Minister's Brexit compromise deal.

Britain would suffer from lost access to the European Arrest Warrant, the EU's criminal records information system and the Schengen information system, said Neill.

In a letter to the Ministry of Justice, Bob Neill, demanded that officials publish an assessment of the UK's withdrawal from those arrangements. Mr Neill told Lucy Frazer, QC, the justice minister, that the MoJ should spell out post-Brexit arrangements for data exchange with the EU regarding wanted or missing persons and objects as well as for the cross-border handling of criminal records.

Mr Neill's letter coincided with a warning from Bar leaders that "citizens and small businesses will not get the best out of Brexit unless UK and EU lawyers have cross-border practice rights". The **Bar Council** called on the government to protect rules covering mutual recognition of jurisdiction and judgments between the UK and the EU.

Andrew Walker QC, Chair of the Bar, said that "mutual rules on jurisdiction and judgments between the UK and the EU, and on market access for lawyers, are not part of the current political declaration" between London and the European Commission on Brexit.

He added: "They are vital if small UK firms are to stand a chance of trading successfully with the EU, and if our citizens' rights are not to be undermined. We urge the government to prioritise a deal on these points during any transition period."

Budget

[Legal Business](#) – Further coverage on the General Council of the Bar's practising certificate fee (PCF) and budget consultation appears in the legal media.

As set out in a recent [consultation](#), the Bar Council wants to introduce two new payment bands: Band 7 and Band 8, for high-earning barristers.

Legal Business also reports that the proposals also aim to reduce the fee for barristers in Band 1 – those who earn up to £30,000 a year. Under the revised fee structure, the lowest-earning barristers would pay just £100 a year, slightly down from the previous fee of £123.

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Young female barristers have been urged to stand firm in the profession despite a widespread prevalence of sexual harassment at the Bar, especially at the level of inappropriate comments.

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