



BAR COUNCIL NEWS UPDATE – MONDAY 3 FEBRUARY 2020

Prosecutions

[The Daily Telegraph](#) - Twice as many victims of crime are dropping out of prosecutions amid warnings of a “worrying lack of public confidence” in the justice system.

An analysis of official data by The Telegraph shows the proportion of victims withdrawing support for police investigations has doubled across all crimes since 2015 to 43.3 per cent for violence, 40.5 per cent for rape, 32.2 per cent for public order offences and 16.4 per cent for robbery.

Campaigners and criminologists blame the rise on victims losing faith in the chances of securing a criminal conviction, lengthy court delays, lack of support by police or prosecutors and fears of retribution

Bar Council chair Amanda Pinto said: “Alongside rising recorded crime, falling crime detection rates, plummeting charge rates and prosecutions, courts not sitting and the backlog of cases piling up, it would not be a surprise if victims of crime and the wider public were losing faith in our justice system.

Sexism and #MeToo

[The Times \(print and online\)](#) – Lewd comments, harassment and non-consensual sex – British legal firms are the latest businesses to be accused of having a toxic culture. When women complain, they are routinely paid to keep silent. Sally Williams [for The Times] speaks to female lawyers who are daring to break their NDAs.

[...]

The legal profession is built around pyramid structures. As a junior barrister at the Bar, you are dependent on the patronage of clerks to market you to solicitors, on solicitors to give you work, and on senior barristers to bring you onto cases.

“It’s like with Harvey Weinstein – someone else has so much potential power over your career and your future,” says **Sam Mercer, head of equality and diversity for the Bar Council**. “It creates an environment where it’s difficult to complain.”

The #MeToo movement has prompted changes. A new app called Talk to Spot has been created to support barristers who are victims of or witnesses to sexual harassment or bullying. The move follows a report published last May by the International Bar Association, which concluded that “bullying and sexual harassment are widespread”. Barristers can log issues confidentially, but name perpetrators. “If there are a number of reports about the same person, the system can feed that back and encourage the complainant to make a formal report, knowing there will be strength in numbers,” says Kate Brunner QC, leader of professional body the Western Circuit.

Pupillage

[Legal Cheek](#), [The Lawyer](#), [Law Gazette](#) - All chambers in England and Wales will need to bring their pupil recruitment processes in line with the Pupillage Gateway timetable, the Bar Standards Board (BSB) has confirmed.

The Gateway, operated by the Bar Council and runs from November through to May, prescribes the set timetable for each stage of pupil recruitment, including the publication of adverts, submission dates for applications, shortlisting, interviews and making offers.

Separately, the regulator confirmed it will now require mandatory contracts between pupil barristers and their chambers in order to improve each party’s “awareness of their obligations”.

The written agreements, which must be in place for all pupillages commencing from 1 May, will make the pupillage experience across the bar more consistent and could, according to the regulator, [help reduce the risk of pupil barristers being subjected to “inappropriate behaviour”](#).

[The Bar Council previously backed the move](#), claiming some sets were guilty of “truly shocking” treatment of their pupils, and that written contracts might concentrate chambers’ minds on their responsibilities.

Independence of the judiciary internationally

[PoliticsHome](#) - The Bar Council releases a statement expressing its grave concern at the latest legislative measure by the Polish parliament, passed on 23 January 2020,

which interferes, once more, with the independence of the judiciary, a principle which is internationally recognised.

Under this new legislation, judges may now be dismissed if they criticise the legitimacy of the government's judicial reforms. We know that previously, judges have been sanctioned for referring cases to the Court of Justice of the European Union.

[...]

The Bar Council condemns this latest act of interference with the independence of the judiciary and calls upon the Polish government and the PiS majority in Parliament to reverse all measures that have been introduced to this effect. These measures have grave consequences for the rights of Polish citizens, the rule of law and the standing of Poland in the world.

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

The Bar Council @thebarcouncil · Feb 1
Number of victims not backing prosecutions increasing: Amanda Pinto QC, Chair of the Bar Council, tells @Telegraph @charleshymas "it would not be a surprise if victims of crime and the wider public were losing faith in our justice system."

Charles Hymas @charleshymas · Feb 1
Twice as many victims of crime are dropping out of prosecutions amid warnings of a "worrying lack of public confidence" in the justice system. Percentages are 43.3% for violence, 40.5% for rape, 32.2% for public order offences and 16.4% for robbery. telegraph.co.uk/politics/2020/...

Figure 2
Central government funding versus local funding by police force in 2018-19
Some forces are far more dependent on central government funding than others

Police Force	Local Funding (%)	Central Government Funding (%)
Northumbria	81	19
West Midlands	70	30
Merseyside	75	25
Greater Manchester	73	27
South Yorkshire	72	28
West Yorkshire	71	29
Metropolitan	70	30
Durham	69	31
Cleveland	67	33
Lincolnshire	67	33
Humber-side	65	35
Nottinghamshire	65	35
Total England and Wales	64	36
Bedfordshire	61	39
Leicestershire	60	40
Cheshire	60	40
Kent	60	40
Derbyshire	60	40



The Bar Council  @thebarcouncil · Feb 2

The situation in Poland: Governing Law and Justice Party' assault on judicial independence continues @CentralLobby



Statement of the Bar Council of England and Wales o...

The Bar Council expresses its grave concern at the latest legislative measure by the Polish parliament, ...

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