



BAR COUNCIL NEWS UPDATE – MONDAY 20 JANUARY 2020

Deferred prosecutions

The Daily Telegraph (print and [online](#)) – The Telegraph’s front page and page 2 report that violent offenders, burglars and thieves are being allowed to escape prosecution if they agree to rehabilitation as part of a “deferred” charge scheme that could go nationwide.

The Daily Telegraph has established that at least 10 police forces – almost a quarter of the total in England and Wales – have adopted “deferred prosecution” schemes, where offenders are offered four months’ rehabilitation, to which they have to agree, in return for prospective charges being dropped. If they complete it without reoffending or breaching the terms, prosecution is waived and they avoid a criminal conviction. The schemes were pioneered by West Midlands and Durham Police for crimes including assault, burglary, theft, criminal damage, affray, drug possession and low-level drug dealing. Eight other forces are now to join in with similar “deferred prosecution” schemes.

Amanda Pinto QC, head of the Bar Council, said any initiative to stop reoffending was welcome but added: “We have concerns some of the offences in this scheme are serious, such as domestic burglary.”

“It is unclear how this initiative will fit in with cautions and how the decision to use it, as opposed to the prosecution or caution route, will be taken, or what scrutiny there will be of that decision.

“If under 18s are excluded from the scheme, it may mean young offenders will go through the courts, whilst adults will have the opportunity to avoid them. We want to examine the detail of this approach fully.”

Televised sentencing

Yorkshire Post (print), Jersey Evening Post (print) - Follow up coverage of the comments from Chair of the Bar Council, Amanda Pinto QC, on the government’s

announcement that television cameras will be allowed to broadcast from Crown Courts in England and Wales for the first time.

Richard Jones writes for the Yorkshire Post: “While ministers may stress this move is about information and not entertainment, **the Bar Council** has raised concerns about a growing focus on judges as individuals. The Daily Mail’s ‘Enemies of the People’ headline about three justices who ruled that MPs should have a ‘meaningful vote’ on Brexit has cast a long shadow. For all that judges might want to resist the spotlight, some will become familiar faces if a pithy turn of phrase is deemed newsworthy.”

Amanda Pinto QC, chair of the Bar Council, said: “This initiative will help people understand the realities of our criminal justice system. However, given that it is only the judge's sentencing remarks that will be televised, the public may well not fully appreciate why a particular sentence has been given without seeing the evidence presented during trial, the mitigating factors and other relevant information, such as probation reports.”

Legal Reporting Awards

The i paper (print, page 2) – i’s Rob Hastings has won the Bar Council Legal Reporting Award 2019 for written journalism for his series “The Trial: Secrets of Jury Service”. Rob, i deputy features editor, “gave readers a first-person perspective on what it’s like to be a juror and raised important concerns which have been ignored for a long time”, judges said.

Diversity

Independent Community Pharmacist (print) – The pharmaceutical sector’s trade media reports on diversity initiatives at the Bar.

“The lack of diversity at senior level is not unique to pharmacy and is seen in other professions. Putting aside our egos, pharmacy can look to where progress is being made elsewhere, understand what is being done and accelerate improvement. In June 2019, the Law Society of England and Wales, **the Bar Council of England and Wales** and the Chartered Institute of Legal Executives (CILEx) joined together to launch a Women in Law Pledge at the Law Society's international symposium on gender equality.

“Law firms, local law societies, barristers' chambers and organisations outside the legal sector signed their name to the pledge to build a more equal profession for all. Organisations committed to support the progression of women into senior roles by focusing on retention and promotion opportunities, set clear plans and targets

around gender equality and diversity, publish their action plan and publicly report on their progress towards achieving their goals.”

CPS

New Law Journal (print) – The CPS has launched a recruitment drive to hire 390 extra prosecutors by June.

Amanda Pinto QC, Chair of the Bar Council, said:

“It is good news that the CPS is recruiting more prosecutors; together with the promised increase in police numbers, this should go some way to address plummeting investigation, prosecution and conviction levels, even whilst crime figures have risen. 'But the whole system, from start to finish, needs urgent funding, not only for the police and prosecutors, but also to ensure there are enough defence lawyers, enough courts open, and enough judges sitting to hear cases. A piecemeal approach won't repair the damage done by years of cuts to justice.”

LexisNexis survey

City AM (print and [online](#)), The Times (print), [Law Society Gazette](#) – Nearly three-quarters of barristers said their practice has grown or remained stable in the last three years, according to research published today.

The growth comes despite challenges facing the independent bar, including government cuts to legal aid and a move towards fixed costs in private cases, both of which are driving down fees.

The survey by legal research business Lexisnexis found 37 per cent of barristers said their practice had grown compared to three years' previously, 36 per cent said their practice was stable and 21 per cent said it had declined.

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

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clive coleman @colemancr · Jan 18

Thanks @thebarcouncil Delighted to have won 2019 Bar Council Legal Reporting Award (Broadcast) for my coverage across @BBCNews of the Supreme Court prorogation case. Congrats @robhastings for his series 'The Trial: Secrets of Jury Service' in @thepaper who won print category.

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The Bar Council @thebarcouncil · Jan 18

We've teamed up with @CityLawSchool for #JusticeWeek (24-28 Feb) for university students to take part in a legal design sprint. Find out more



Justice Week 2020: Legal Design Sprint

Justice Week 2020

barcouncil.org.uk

2

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Rob Hastings @robhastings · Jan 17

Really honoured to have won the Legal Reporting Award 2019 for written journalism for my four-part narrative series 'The Trial: Secrets of Jury Service' in @thepaper. Thanks to @thebarcouncil!

The first part here if you fancy a read:



Jury service can be traumatic - but also restore faith in humanity

Join juror Rob Hastings as he sits on a real trial and examines whether the system still works, in the first of a major four-part series

inews.co.uk

18

21

110





The Bar Council  @thebarcouncil · Jan 17

2/2 Bar Council on new QC appointments: "we aren't going to wait another 100 years to see substantial improvements on diversity."

#notanother100years barcouncil.org.uk/resource/bar-c...



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 14

 28

