



BAR COUNCIL NEWS UPDATE – FRIDAY 24 JANUARY 2020

Courts – Western Circuit

BBC News, Politics Home, The Guardian, Western Daily Press, PA Media - The Bar Council has issued a response to the new Western Circuit report “This Doesn’t Look Like Justice” on the impact of closed court rooms and cuts to sitting days.

Responding to the new Western Circuit report, “This Doesn’t Look Like Justice”, Chair of the Bar Council, Amanda Pinto QC said: “This significant report exposes the real-life consequences of closed courtrooms and cuts to judges’ sitting days. The problems highlighted by the Western Circuit are by no means confined to one region. This is a national issue which is fast becoming a national crisis. Currently, crime is rising but courts are sitting empty. We are seeing an increasing time gap from an offence allegedly being committed to the end of the court case. The many months of delay and the false starts in hearing cases, are undermining effective access to justice for all those caught up in the criminal courts.

“This trend must be reversed. Investment must be made across the whole of the criminal justice system. With thousands more police and many more CPS prosecutors due to be recruited and, as a result, more crime likely to be detected, investigated and prosecuted, how will the justice system cope when our courts can’t function effectively now?”

BBC News reports that Western Circuit leader, Kate Brunner QC said: “Currently knife crime is rising but courts are sitting empty.” While Amanda Pinto QC told the BBC: “You’ve got all of the stress and the impact of that on the witnesses, and of course on the defendant. It may be that he or she is not guilty, but the time lapse is very significant.”

Day of the Endangered Lawyer

Law Society Gazette, Politics Home - The media reports that the Bar Council has joined international calls on Pakistan to protect lawyers, saying they are ‘subject to death threats, physical attacks, harassment’.

The Bar Council said the situation in Pakistan 'remains extremely concerning'. In 2016, dozens of Pakistani lawyers were killed in a bomb attack in provincial capital Quetta, following the shooting of the president of the Balochistan bar association earlier that day. According to the Bar Council, attacks have continued, causing serious fear for the safety of legal professionals.

Amanda Pinto QC, Chair of the Bar, said: "The situation in Pakistan remains extremely concerning. For the rule of law to exist, lawyers and members of the judiciary must be able to fulfil their role in defending the rights and freedom of citizens, without fear of persecution or attack. On this day, the Bar Council stands in solidarity with our colleagues who are at risk around the world and calls, in particular, on the Pakistani government to take immediate steps, to ensure the safety of its lawyers."

Politics Home also runs a blog by Bar Council International Committee member, Patrick Duffy on the issue.

QC appointments

The Times, [CDR Magazine](#) - CDR Magazine reports on the Bar Council's reaction to the 114 applicants appointed as Queen's Counsel (QC) or silks, as the results of the 2019 competition were announced last week.

A record 22 new silks were appointed from 42 applicants with ethnic minority backgrounds, the largest such number ever, good news with the number of applicants having risen from 13 of the 30 candidates who applied, in 2018, and 18 from 33 in 2017. However, the numbers of female applicants remained constant with 2018, (52 compared to 55) although over 60% were successful, with the appointments panel chair, Sir Alex Allen, saying in a statement that he was "concerned that the number... remains comparatively low".

Amanda Pinto QC, Chair of the Bar, said she was "particularly pleased to see a significant increase in the number of ethnic minority silk appointments" but rightly cautioned "on the need to look at data over several years before drawing conclusions", saying diversity at the Bar was "an absolute focus at all levels". The Bar Council, she said, was developing programmes towards this, supported by the QC appointments body.

Pinto flagged the introduction of "a future leaders' programme aimed at ensuring that the most senior levels of the Bar are representative of the society we serve," as one of a range of initiatives, adding that, over 100 years since women were allowed

to practise law, “barristers and the Bar Council aren’t going to wait another 100 years to see substantial improvements on diversity”.

The Times reports on the finances of the QCA and points to grants the QCA makes available to organisations, including the Bar Council, to improve diversity. The Times reports that the Bar Council has used the funding to hire a consultant to deliver this important work.

Televised sentencing

[Australasian Lawyer](#), [The Times](#), [Pontypool Free Press](#), [New Law Journal](#) - Further media coverage appears of the news that sentencing in high-profile cases in Crown Courts of England and Wales will be televised from later this year.

The Bar Council warned that the move could make sentencing a “spectator sport.” It welcomed the move as a “positive step” in making the courts more transparent but said that risks that come with “reality TV-style broadcasting” must be addressed.

“Open justice gives an insight into our justice system and our courts to the public, many of whom will never personally go to court, but who value justice. This initiative will help people understand the realities of our criminal justice system,” said Amanda Pinto QC, Chair of the Bar. “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.”

The danger is more pronounced in a trial where the judge will have already seen and heard the victim, the defendants, and other witnesses, Pinto said. That fact may not be fully appreciated by viewers of the televised broadcast.

“We must guard against unwarranted attacks on judges where the sentence isn’t popular with the public. ‘Enemies of the People’ type proclamations, where judges have been personally attacked and their independence questioned, simply for doing their job, are completely unacceptable,” Pinto said. “Sentencing must not become an armchair, spectator sport.”

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Today is Day of the Endangered Lawyer. To mark this day, the Bar Council has released a statement and published a guest blog by Patrick Duffy, a member of its International Committee, on the dangers lawyers face in Pakistan.

Read more:



Guest blog: Lawyers in danger

Patrick Duffy, barrister and member of the Bar Council's International Committee, blogs ahead of the Day of the ...

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