



BAR COUNCIL NEWS UPDATE – WEDNESDAY 25 JULY 2018

Sexual harassment

[Legal Business](#) – Legal Business reports that a report by the Women and Equalities Committee on sexual harassment in the workplace published today (25 July) is the culmination of an enquiry launched by MPs in the wake of the #MeToo movement that saw the legal profession's handling of these situations thrust into the spotlight.

The report also calls for regulators to take a more active role in tackling sexual harassment in the workplace. This should include 'setting out the actions they will take to help tackle this problem, including the enforcement action they will take; and by making it clear to those they regulate that sexual harassment is a breach of professional standards and a reportable offence with sanctions.'

The Solicitors Regulation Authority (SRA) in March issued a warning notice reminding lawyers of their responsibility to ensure that, among other things, these agreements are not used to prevent parties from reporting to the regulator or the police in the event of alleged sexual misconduct; shouldn't prevent the person having a copy of the NDA or making a protected disclosure; and shouldn't be used to prevent the person from co-operating with a criminal investigation.

The committee said it was encouraged by that development and hoped the Bar Standards Board and the Bar Council would follow suit. It also urged regulators to 'demonstrate that members of the legal profession will face serious sanctions if they sexually harass clients or colleagues or if they misuse NDAs to silence victims of sexual harassment.'

Court reform

[Politics Home](#) - The report from the Public Accounts Committee endorses many of the concerns raised by the Bar Council about the HMCTS programme of modernisation and reform, and underlines their importance, says Andrew Walker QC, Chair of the Bar.

He said: “There is much in this programme that may deliver real benefits if it is done properly, and we welcome that warmly. Modernising our courts and tribunals, partly through digitisation and better use of existing and new technologies, is urgent and vital work. But HMCTS must not allow ambition to run too far ahead of what can actually be achieved and delivered.

“Modernisation and reform also needs to be carried out in the right way, with proper prior research, consultation and evaluation, and a clear vision and understanding about the aims, effects and implications of the changes. The failure to do this from the outset is a troubling reminder of the Ministry of Justice’s failure under successive Governments to recognise and assess the knock-on costs for others (even for the courts) of cutting legal aid.”

Justice Week

[Lawyer Monthly](#), [Global Legal Post](#), [LawCareers.net](#) - The legal profession's main representative bodies, including the Bar Council, have announced the date for the first 'Justice Week' and are hoping to involve businesses, the public and frontline service providers in a conversation on wider justice issues.

The week will begin with an event exploring what the public thinks about the justice system and how issues are reported by the media.

Disclosure

[Lawyer Monthly](#), [Politics Home](#) - The Bar Council has responded to the Justice Select Committee’s [report](#) on the disclosure of evidence in criminal cases. Chair of the Bar Andrew Walker QC is quoted in the media. He said: “We welcome the urgent call for action in today’s report from the Justice Select Committee on the serious and systemic failure in our criminal justice system regarding the disclosure of relevant evidential material by the prosecution to the defence, in cases of all types and at all levels. We welcome too its recognition that while several other factors have also been behind both this chronic failure and the failure to do anything about it for many years, the impact of dramatic cuts in funding for criminal justice cannot be ignored.”

Attorney General

The Herald (Plymouth) - The Lord Chancellor, David Gauke MP, the Lord Chief Justice, The Lord Burnett of Maldon, and the Chair of the Bar, Andrew Walker QC, spoke at the ceremony to welcome Geoffrey Cox QC MP to his role, reports The Herald.

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"Pre-LASPO legal aid provided low cost advice on complex benefits problems from @CitizensAdvice etc. Post-LASPO: many deprived justice & underpaid; knock-on costs where benefit probs lead to health problems, family breakdown." Tom Royston, @gcnchambers #LASPOStories @tdroyston



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"100s of people have committed suicide in [#prison](#) since LASPO. Legal aid to challenge prisoners' treatment in custody removed by LASPO for adults & children. Only 2% (approx) of criminal [#legalaid](#) spent on prison cases." Felicity Williams, [@gardencourtlaw](#) [#LASPOstories](#) [@Felicity51](#)



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"The Government have to accept that there is a clear link between disclosure failures and the sustained budget cuts that it has imposed on all parts of the criminal justice system."

Andrew Walker QC, Chair of [@thebarcouncil](#)
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Government must admit links between funding cuts and dis...

The Bar Council has responded to the Justice Select Committee's report on the disclosure of evidence in criminal cases.

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