BAR COUNCIL NEWS UPDATE –
MONDAY 30 OCTOBER

BSB

The Gazette - The Bar Standards Board has confirmed that it will not extend the 'cab rank' rule for barristers in public access cases – on the grounds it would restrict access to justice. At its board meeting last night the BSB confirmed several proposals outlined in a consultation paper published in June.

Public access schemes allow lay clients to instruct barristers directly without going via a solicitor or other lawyer.

One of the major points of this summer's consultation was on extending the time-honoured, but in practice little used, cab rank rule, but the BSB has confirmed will remain applicable only to cases referred to barristers from another lawyer.

According to the BSB's Handbook, the rule obliges a barrister to accept work in a field they say they are competent to practise in, at a court they normally appear at, and at their usual rates, irrespective of the identity of the client and any personal thoughts they may have.

The regulator said extending the rule could create a barrier for access to justice because some barristers may become less inclined to undertake public access work and clients might also try to invoke the rule in cases with little merit.

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