



BAR COUNCIL NEWS UPDATE – MONDAY 31 JULY 2017

Brexit

[Farming UK](#) - Farming unions across the UK have called for a cross government agricultural summit to address the perceived slow progress in developing plans for a post-Brexit farm policy.

As powers will be given back to London from Brussels, devolved administrations have urged that they must be considered equal partners in the negotiations.

Senior barristers have already published a series of reports titled *The Brexit Papers*, amid warnings that navigating Government 'red-lines' will not be plain sailing.

The Brexit Papers warn of a potential clash between central government and the devolved regions over who will have overall policy control.

Chair of the Bar Council Brexit Working Group, Hugh Mercer QC said: "The devolved regions may well be in control of their own agriculture policy when we leave the EU, but if regional subsidies diverge from each other there would be considerable distortion in competition that could frustrate international trade deals."

Business Brief (Channel Islands) – An article assessing the implications of Brexit for Guernsey explains: "According to the English Bar Council, the UK's role as a preeminent financial centre is at risk unless a replacement for the passport is negotiated as soon as possible."

Tribunal Fees

[Lawyer Monthly](#) – Responding to news of the Supreme Court ruling on employment tribunal fees, a Bar Council spokesperson said:

"This decision from the Supreme Court is welcome to all who believe in the fundamental importance of the rule of law. There are broad and encouraging implications for those of us that believe in the case for increasing access to justice in our society. The decision makes it clear that in order for the Courts to perform their role of ensuring the law is applied and enforced, people must have unimpeded access to the them. Charging fees which deter or prevent access is unlawful, and undermines the government of society by the rule of law.

“In addition, and specifically, we welcome the fact that in relation to issues that arise in the work place, the Supreme Court has ruled in favour of giving people who face age, sex or race discrimination the right to challenge their employer without being deterred by high tribunal fees.”

Judiciary

The Times - The most senior judge in the UK has warned that the “high quality” of the judiciary is in danger unless it has the right financial and political support from ministers. In his “valedictory” appearance at the Supreme Court, Lord Neuberger, 69, told a packed court that “misconceived attacks on judges undermine the rule of law domestically and the international reputation of the legal system, with its consequential financial benefits to the country”.

The rule of law, he said, required respect for judges not as individuals but as judges. Judges must maintain their high quality while doing everything they could to be more diverse; remain “steadfast to the law notwithstanding media pressure”; and be “humane and socially aware but not sentimental or pandering to short-term trends.”

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