



BAR COUNCIL NEWS UPDATE – FRIDAY 7 JANUARY 2022

Race at the Bar

The Guardian (print and [online](#)) – The Guardian reports that one of the few black female QCs in [England](#) and Wales has said the time has come for action and “no more talk” when it comes to tackling race inequality in the legal profession.

Barbara Mills QC, who is co-chair of the Bar Council’s race working group, said the next 12 months would be “critical” to tackling systemic obstacles at the Bar.

These were identified in [the group’s landmark Race at the Bar report](#), which found that there were just five black female QCs (senior barristers, also known as silks) in England and Wales (another two were announced in the latest appointments, published on 22 December). Another stark statistic was that a black female junior barrister with the same level of experience as a white male junior billed £18,700 a year less on average, and an Asian woman £16,400 less.

Mills says there had been “well-meaning people” in the profession but a more strategic approach was required to boost diversity.

“If, in a year’s time – I shouldn’t say if – when, in a year’s time, we have ... all sorts of stakeholders with clearly defined targets, which we can then work to and then hold them to account, that would be real progress,” said Mills.

“The system didn’t get like this overnight and none of us can hope that the change will be overnight but what the race working group members and our brown and black colleagues are expecting is a sense, a feeling of visibility, that it’s changing – no more talk, just change it and let me see that it’s changing. So, I think the next 12 months are critical.”

International

Daily Express (print and [online](#)), MSN, Business Fast, Business Telegraph – The Daily Express reports that the UK has seen a post-Brexit win as its legal services sector has racked up a healthy £5.6bn surplus, with top firms seeing four percent growth rates in 2021.

Under the headline 'BREXIT Win', the Express reports that Derek Sweeting QC, outgoing chair of the Bar Council of England and Wales, which represents barristers, welcomed the report, adding that analysis from its insurer, Bar Mutual, showed overseas income had tripled for barristers from £114m in 2005 to more than £394m last year.

The Express reports that "with the news coming at a time when many doubted post-Brexit Britain would succeed, it appears economic doom predictors miscalculated their sums."

Lord Chancellor

The Guardian (print and [online](#)), The Times (print and [online](#)), Law Society Gazette, Public, Business Fast – The Guardian and other media outlets report that the outgoing head of the Bar Council has labelled [Dominic Raab](#) "thin-skinned" for failing to meet him, claiming he was snubbed by the justice secretary for defending lawyers.

Derek Sweeting QC, whose tenure as chair of the professional body representing more than 16,000 barristers in England and Wales concluded at the end of 2021, said he has not had a face-to-face meeting with Raab since the latter was appointed lord chancellor in mid-September.

In an interview with the Guardian, Sweeting said: "I still haven't met him and don't expect to. I understand he took exception to something which I had said and I have a good idea what it was.

"All I would say is that if ministers are going to make attacks on lawyers – unfairly, in my view, and the view of many others – then they should expect a robust response. We shouldn't then end up in a position where we are denied meetings as a result of being critical. It does seem counterproductive and perhaps a bit of a thin-skinned approach."

Practising Certificate Fees

[Legal Futures](#) – Legal Futures reports that the Bar Council has expressed scepticism over a sharp planned rise in the Bar Standards Board's (BSB) budget for the coming financial year, which would amount to a 9% increase in the cost of practising.

According to the budget consultation issued by the Bar Council, the intention is for half of the increase to be met by reserves, if the demand is ultimately approved by the Legal Services Board (LSB).

The proposed 4.5% increase in the practising certificate fee (PCF) would mean raising nearly £17m in 2022/23, of which just over 70% would be for the BSB, with the rest going to the Bar Council for certain purposes as permitted by the Legal Services Act 2007.

Legal Futures reports that in his inaugural speech, new Bar Council chair Mark Fenhalls QC doubled down on the criticisms of the regulator. He said: "It does not take much imagination to see that a profession burdened by the stresses and strains of the last few years might be less than enthusiastic about increases in regulatory costs unless there is a reasonable and objective justification."

He continued: "Many might reasonably wonder why it is that, unique amongst the professions, we appear to be paying for the regulation of tens of thousands of unregistered people (growing at around 2,000 per year) who have never completed their professional training.

"The profession might also reasonably want to ensure that the regulator is not exploring ground that should properly remain within the domain of the representative body."

Court backlog

Civil Service World, Politics Home, Law Society Gazette – Further coverage appears of the backlog in the criminal courts. The reports highlight the Bar Council's call for more funding following years of cuts.

Both new Chair of the Bar, Mark Fenhalls QC and outgoing Chair, Derek Sweeting QC, are quoted in the reports.

BAR COUNCIL TWEETS



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The time has come for action and “no more talk” when it comes to tackling race inequality in the legal profession, says Barbara Mills QC, co-chair of the Bar Council’s race working group, in today’s [@guardian](#) [@Haroon_Siddique](#) [@bmillsbarrister](#)



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Outgoing Bar Council Chair criticises "thin-skinned" Lord Chancellor Raab for dodging meetings.

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Bar Council chair criticises 'thin-skinned' Raab for not meeting him

Exclusive: Derek Sweeting QC claims lord chancellor has snubbed him over response to defence lawyer remarks

