



BAR COUNCIL NEWS UPDATE – FRIDAY 15 FEBRUARY 2018

Immigration detention

[The Church Times](#) – Canon Mark Oakley, Chancellor of St Paul’s Cathedral, writes in The Church Times that Christians must speak out against the Government’s routine use of indefinite detention.

He writes that: “There is no legal limit to how long they can be held. We are the only country in Europe which locks people up with no time limit, meaning that they enter detention with no idea when they will be freed. Many are held for months; some for years. As at 30 June 2017, the longest length of time a person has been detained was 1514 days. **The Bar Council** has emphasised that people are held for too long, with inadequate access to the courts and legal help.”

Brexit

[Lawyer Monthly](#) – Lawyer Monthly reports that that Hugh Mercer QC, Chair of the Bar Council Brexit Working Group has said that the British tax-payer should not be asked to foot the Bill to set up an alternative to the CJEU unless there are tangible benefits to the quality of justice.

Giving evidence to the House of Lords EU Justice Sub-Committee, Hugh Mercer QC said: “What are the costs? What are the benefits? Are we really going to invent something which costs tens if not 100s of millions of pounds in order to replace something when it isn't broke? It works.”

Legal Services Board

[Legal Futures](#) – Legal Futures reports on the various consultation responses to the Legal Services Board’s review of the internal governance rules (IGR), which govern the rules around the independence of legal services regulators.

Legal Futures reports that the Bar Council stood alone in calling for no changes to the rules, saying the LSB had not provided “the evidence or any analysis” of their failings.

“Our position, informed by our experience operating under the IGRs, is that the existing arrangements work well.

“The structural set-up and working relationship between the Bar Council and BSB currently serve effectively to secure regulatory independence, and we are concerned that revising the rules wholesale or adding greater prescription or formality would undo all this and reverse years of good practice.”

Education and training

[The Times](#), [Legal Cheek](#) – The Times Student Law supplement reports that regulators are planning to reform the qualification process for barristers.

Last October the Bar Standards Board published a consultation paper replete with all the appropriate watchwords: “greater flexibility”, “improving accessibility and affordability” and “sustaining high standards”. That consultation closed last month and the board is “reviewing responses”, reports The Times.

Yet the Bar Council, the representative arm of the profession, is relatively clear about its wish list. It wants to split the Bar professional training course (BPTC) into two parts, with the first being conducted mainly online.

Only those who passed an exam at the end of part one of the revised course would be allowed to move on to the second, lecture-based segment. And then only those who passed a second exam would be allowed to apply for pupillage, which would remain a requirement to qualify as a practising barrister.

The Times adds that Bar leaders are concerned that course providers are, for commercial reasons, allowing too many inferior students who have little hope of gaining pupillage to take places on the BPTC.

Elsewhere, [Legal Cheek](#) reports that the Bar Council has defended the role of the Inns in education and training.

Responding to [the Bar Standards Board's consultation on Future Bar Training](#), the Bar Council strongly defended the role of the Inns, the minimum 12-month period for pupillages, and compulsory Inns of Court dinners for students.

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