



## BAR COUNCIL NEWS UPDATE – WEDNESDAY 14 JUNE 2017

### McKenzie Friends

[Solicitors Journal](#), [The Barrister](#), [Legal Futures](#), [Pink Tape \(blog\)](#), [Family Law](#), [Politics Home](#) - New research shows that the bulk of work undertaken by paid McKenzie Friends is delivered outside court, with few seeking to represent their clients at hearings. However, there is 'enough that is concerning in relation to fee-charging McKenzie Friends to merit efforts to tackle the worst of the sector', the study states.

[A study of fee-charging McKenzie Friends and their work in private family law cases](#), funded by the Bar Council and carried out by legal academics, found that paid McKenzie Friends vary in their motivations, ranging from 'business opportunists' to 'good Samaritans', 'family justice crusaders', and 'rogues'.

**Andrew Langdon QC, Chair of the Bar**, commented: "The research is focused on McKenzie Friends who are making money from the service they sell to clients. It must be viewed against the wider backdrop of the good work the traditional McKenzie Friends, who do not charge for their services and act as a support to litigants in person in our courts, provide. This original concept of the McKenzie Friend is a helpful part of our justice system."

"There is a broader issue here – that many people seeking justice, who may have been denied legal aid following years of cuts to the legal aid budget, have no choice but to turn to a McKenzie Friend, paid or otherwise, at their time of need, for legal advice and support. Although not investigated as part of the study, some McKenzie Friends may charge more than a junior barrister despite McKenzie Friends offering an unregulated service."

The Pink Tape blog looks in more detail at the research and its usefulness.

### Lord Chancellor

[Financial Times, Politics Home, New Law Journal](#) - Following news that Rt Hon David Lidington MP has been appointed as Secretary of State for Justice and Lord Chancellor, the Chair of the Bar, Andrew Langdon QC, has welcomed him to his role.

In the Financial Times, Andrew Langdon QC, says of the outgoing Lord Chancellor, Liz Truss: "It is encouraging to see that the prime minister has, perhaps, taken note of our call in our manifesto for justice . . . for a Lord Chancellor who will properly fulfil their constitutional role and defend independence of the judiciary and uphold the rule of law."

In other media outlets, the Chair of the Bar welcomed the new Lord Chancellor. He said: "The role played by the Lord Chancellor in upholding the rule of law and defending the independence of our judiciary is fundamental to our constitutional arrangements.

"I look forward to working with the Lord Chancellor to improve the quality and efficiency of our system of justice and to promote our legal services sector and judiciary, whose excellence are renowned globally."

#### **BARCO**

[Legal Futures](#) – Legal Futures reports that the Solicitors Regulation Authority (SRA) is moving ahead with a huge rewrite of the accounts rules which will make clear that third-party managed accounts (TPMFs), akin to the Bar Council's BARCO escrow account, are acceptable for law firms, with SRA policy director Crispin Passmore saying there was interest from both the profession and potential providers in such arrangements.

#### **Bar Training**

[The Brief](#) – A legal journalist writing for The Times' The Brief writes that the Council of the Inns of Court is recruiting a project manager, and is therefore looking to move into the Bar vocational education market.

The Brief says that the reason for the moves is due to high BPTC and other fees, with the Inns looking to make the qualification more affordable.

On BPTC, The Brief says: "The Bar Council – which represents barristers in England and Wales – and the Inns of Court are pressing the profession's

regulator to reform the course structure. They argue for a two-tier approach that would weed out poor performing students before they have spent a fortune. It is a worthy proposal and the Bar Standards Board should give it serious and urgent consideration."

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