

Future Bar Training – Professional Statement
consultation
The Bar Standards Board
C/O Tim Keeling
289-293 High Holborn
London
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LEGAL
SERVICES
CONSUMER
PANEL

23 June 2015

Dear Sir/Madam

Future Bar Training Consultation: The Professional Statement

The Panel would like to make a brief response to this consultation. Members of the Panel and the secretariat were pleased to have been able to participate in a BSB-led workshop on the subject. We are supportive of the BSB approach of moving away from the traditional manner in which education and training is currently delivered towards an emphasis on capable practitioners who deliver good quality outcomes.

The Panel has always embraced the notion of day one competence, and we recognise here the impact of having worked with the Solicitors Regulation Authority (SRA) in developing this statement. We agree that establishing a common structure is a sensible approach – consistency across the professions will not always be obtained in the detail, as is recognised, but can be achieved in the high level standards set out and applied. The Panel is particularly supportive of the requirements around recognising and responding to diversity, however we feel that there may be some restriction of scope in using the Equalities Act as a benchmark.

Recognising when and how to respond appropriately to an individual's circumstances is a skill which requires continuous development. We would like to see that reflected here. For example, the section relating to litigants in person feels comparatively light. While we recognise that the Code of Conduct reflects to the need for barristers to balance their duties to court and client, there is an increasing amount of guidance and advice on dealing with litigants in person which could usefully be referred to in this section.

One of the most fundamental principles for members of the Bar is ensuring the administration of justice. While we recognise that the professional statement seeks to ensure an understanding of how a barrister does this in their line of work, there is much to be said for having an awareness of the wider legal ecosystem in which they work. For example, being aware of pro bono or specialised advice units, or even understanding what their client's journey has entailed would greatly enhance their ability to respond and behave appropriately in the course of their work.

Lastly, we would suggest building in a greater emphasis in the section *Working with others* to reflect the need to adapt communication styles to audiences. While the statement as a whole may draw together the key aspects of communication, the sections in isolation do not always cover all the necessary skills.

I hope these comments are helpful. Please contact Stephanie Chapman, Consumer Panel Associate, with any enquiries.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Elisabeth Davies', with a long horizontal flourish extending to the right.

Elisabeth Davies
Chair