

THE HONOURABLE SOCIETY OF LINCOLN'S INN

**AGENDA FOR A MEETING OF THE BAR REPRESENTATION COMMITTEE
TO BE HELD ON TUESDAY 11 JULY 2017
AT 33 CHANCERY LANE, ROOMS 4 & 5 IMMEDIATELY FOLLOWING THE EGM OF
MEMBERS OF HALL AT 5.30PM**

1. **Apologies for absence and conflicts of interest**

To **NOTE** the apologies for absence received and any relevant conflicts of interest.

2. **Minutes of previous meeting**

a. To **APPROVE** the Minutes of the meeting held on 14 June 2017. [pp.2-6](#)

3. **Chair's report**

To **RECEIVE** the Chair's updating report to the Committee. [pp.7-9](#)

4. **Sub-Committee reports**

To **RECEIVE** updates from the Social Mobility Sub-Committee and the Social and Wellbeing Group

5. **Matters arising**

6. **BRC Elections in autumn 2017**

To **NOTE** the Chair's proposals for the BRC elections in autumn 2017. [p.10](#)

7. **Identifying potential BRC co-option candidates for 2018**

a. To **NOTE** that the Chair and Vice Chair propose to contact the SBAs and Circuits over the summer to invite suggestions for suitable co-option candidates.

[Paper to be tabled]

b. To **NOTE** that an additional BRC meeting has been fixed for 13 December 2017 at which 2018 co-options may be discussed in light of the election results.

8. **Any Other Business**

9. **Dates of the next Committee meetings:**

12 October 2017 – at 33 Chancery Lane, Rooms 4 & 5

(agenda items should be identified to Wiebke by 28 September and papers submitted by 4 October for circulation by 6 October)

Thereafter 20 November (and AGM) and 13 December (followed by drinks in the MCR for Committee members).

**W Morgan, Member Services Manager
6 July 2017**

THE HONOURABLE SOCIETY OF LINCOLN'S INN

**MINUTES OF A MEETING OF THE BAR REPRESENTATION COMMITTEE
HELD ON 14 JUNE 2017 IN 33 CHANCERY LANE at 5.30 p.m.**

Present

Benjamin Wood
Margia Mostafa

Chair
Vice Chair

District Judge Afzal OBE	Amelia Highnam
Daniel Barnett	Stuart Hornett
Thomas Barrett	Laureen Husain
Zoë Barton	Karim A. A. Khan QC
Melissa Coutinho	Timothy Lyons QC
Georgina Blower	James Manning
Aidan Crook	Mark McDonald
Emily Culverhouse	Claire Palmer
Timothy Devlin	George Payne
Gerard Forlin QC	Amy Proferes
Keith Gordon	David Scorey QC
Laura Gould	Linda Turnbull

In attendance

The Venerable Sheila Watson	<i>Preacher</i>
Julie Whitby	<i>New Bencher</i>
Hazel Jackson	<i>Junior Members' Association</i>
Ben Hamer	<i>Junior Members' Association</i>
Mary Kerr	<i>Under Treasurer</i>
Murray Campbell	<i>Assistant Under Treasurer</i>
Wiebke Morgan	<i>Member Services Manager</i>

Apologies received

Sara Ibrahim	Sarfaraz Metlo
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Not present

Neil Chawla	Christopher Harris
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Preliminary

1. The Chair welcomed everyone to the meeting and in particular the Venerable Sheila Watson, Preacher to the Inn. The Preacher introduced herself, stating that she was settling in to her post and that she wanted to get to know the workings of the Inn and its members.
2. Apologies for absence received were **NOTED**. No relevant conflicts of interest were declared.

3. **Minutes of previous meeting**

The Chair thanked Claire Palmer and David Scorey QC for their suggested amendments to the draft Minutes. The suggested changes had been incorporated. The Chair had been made aware of one further amendment: the date of the BRC Quiz is Monday 2 (not 3) October. The Minutes of the meeting held on 22 May 2017 were **APPROVED** subject to these amendments.

4. **Chair's report**

The committee **RECEIVED** the Chair's updating report.

5. **Updates from the sub-committees**

5.1. **Social Mobility Sub-Committee**

5.1.1. Stuart Hornett informed the Committee that the request for further testimonials had elicited a disappointing response. Only two suggestions for potential candidates had been received in addition to the one testimonial that had been submitted prior to the May meeting. He had hoped for a minimum of six. It was **AGREED** that the Vice-Chair would canvass Committee members to encourage them to provide testimonials.

5.1.2. Stuart Hornett thanked Aidan Crook for his help in drafting a volunteer mentoring form. However, this had prompted a discussion under which banner this initiative would fall: BRC, the Inn or SMF – and the question of constitutionality would need to be resolved. A meeting with the Inn's Education Department (participants: Stuart Hornett, Sara Ibrahim, Ben Wood, Faye Appleton, Charlie Taylor and Jenna Cowling) was scheduled for Monday 19 June, to get a better understanding of what it was that the Inn could do or the BRC might do on its own initiative. Outreach programmes are already part of the remit of the Pre-Call Committee. The Chair pointed out that the BRC was well represented on this Committee (6 BRC members in total). It was **AGREED** that Stuart Hornett would report the outcome of the meeting on 19 June at the next BRC meeting.

5.2. **Social and Wellbeing Group (SWG)**

5.2.1. The Vice Chair asked members to note Monday 2 October in their diaries for the Quiz night.

6. **BRC Rules**

6.1. Following the discussion at the meeting on 22 May the Chair had emailed the Committee with alternative proposals (including the introduction of a separate category of 'Overseas member' or maintaining the status quo). A summary of the responses was included in the papers.

6.2. **Outstanding Proposals**

There were two issues on which the Chair sought the Committee's views :

Termination of Membership by qualifying vote

6.2.1. Members unanimously **AGREED** that draft Rule 10 (p.17) was now non-contentious.

Distinction between ‘Members of Hall’ and ‘Overseas Members’

6.2.2. Members were not in favour of an ‘overseas’ membership category. The Committee **AGREED** that the status quo should be maintained.

6.3. Thomas Barrett had made the Chair aware (just before the meeting) that there was some further typographical amendment required (including Rules 8(d) and 6(e), in particular). The Committee **AGREED** that such changes did not require further approval and all changes were therefore non-contentious.

6.4. The Chair would prepare the rules for consideration at the Extraordinary General Meeting for members of Hall, to be held on 11 July 2017, prior to the BRC meeting, and the information would be available on the Inn’s website by 5pm on 20 June 2017 at the latest.

7. Possible Separation of the Bar Council and Bar Standards Board

7.1. Julie Whitby provided a written report prior to the meeting but summarised her report at the meeting.

7.2. The SAG is minded to endorse a separation between the two bodies. Julie’s report was presented to this Committee to canvass the views of BRC prior to seeking the wider views of Hall.

7.3. The UT noted that at this stage there were too many ‘unknowns’ for the Inn or this Committee to come to a considered view. This point was **ADOPTED** by members of the Committee.

7.4. The ensuing discussion centred around the current role and function of the Bar Council and there were widely diverging views as to the Bar Council’s usefulness and impact. Several members were clearly in favour of the BC being wound up but equally there were voices warning strongly against such a move.

7.5. There was general recognition that certain of the Bar Council’s activities (such as the provision of ethical guidance and the Pupillage Gateway) would probably need to be administered by other entities in the event that the Bar Council ceased to provide them.

7.6. The Chair asked members to contact him should they have further observations. It was **AGREED** that another discussion ought to take place once the position had become clearer.

7.7. The Chair and the Committee thanked Julie Whitby for her contribution.

7.8. The Committee **VOTED ITS THANKS** to Julie Whitby for her work on the BRC over many years.

8. **Proposed BRC Budget for 2018**

- 8.1. The Chair thanked members for their suggestions of items to be covered in the first draft BRC budget proposal.
- 8.2. Given the desire to broaden the BRC's activities it is appropriate to seek a budget, rather than asking for financial support on an ad-hoc basis.
- 8.3. The Chair clarified that the Gourmet Dinner had been included as it was an event that incurred cost (even though it is hoped that it breaks even), as it was clear that the budget ought to include income as well as expenditure.
- 8.4. The Chair also noted that he had confirmed with the Assistant Under Treasurer that existing provision (such as the provision of reasonable adjustments for any members of the Committee with a disability and the Committee dinner) would continue to be provided by the Inn but did not need to be included in the BRC's budget.
- 8.5. The Committee suggested that the wording on travel expenses be clarified but overall enthusiastically welcomed the draft and **AGREED** that the proposed budget should be taken forward.
- 8.6. The Chair would liaise with the Chair of the Finance & General Purposes Committee prior to submitting a final proposal to PADG and then to F&GP.

9. **Development Works**

- 9.1. The UT informed the Committee that the work on the Library Extension was on schedule but that work on the East Terrace and Great Hall was somewhat behind schedule.
- 9.2. The Great Hall was unlikely to be open before Christmas, more likely in January 2018. The Inn would have a better idea of the timetable by the end of September.
- 9.3. Some members asked whether a 'tour' of the site might be possible. This would be difficult in view of the health and safety requirements of the contractor, but the Chair recommended that people one could view both sides of the Development from the top walkways of the Library.

10. **Proposed Inns of Court Bar Course**

- 10.1. It has been reported in the Press that the Inn would be introducing a Bar Course at its buildings. The Chair asked the Under Treasurer whether a new Bar Course was on the horizon (as the Inn was creating an Education Centre).
- 10.2. The UT responded that currently no commitments had been made, although possibilities were being explored (e.g. going into partnership with other providers). Nothing could happen until the BSB's Authorisation Framework was published and this was unlikely to be the case before Easter 2018.

11. **Any Other Business**

11.1. **BSB Consultation**

The Chair made the Committee aware that there was a consultation by the BSB on “[Review of the Standard of Proof Applied in Professional Misconduct Proceedings](#)” – deadline 21 July 2017. Members were directed to the BSB website for further information. COIC had contemplated a response but felt that it was not in a position to provide a single view. The Chair gauged that the BRC was also not in a position to offer a unanimous view amongst itself, let alone for all members of Hall. BRC members (and members of Hall) were therefore **ENCOURAGED** to consider responding individually to the consultation.

11.2. **Bar Council Sitting Hours Protocol and Ministry of Justice pilot re split sittings**

11.2.1. The Vice Chair noted that the Bar Council was suggesting a protocol for Court Sitting Hours in response to practitioners’ needs to balance work and family life. The proposed court sitting hours are from 10am to 4.30pm.

11.2.2. The Vice Chair also outlined the MoJ’s proposed pilot re split sittings in the Crown courts. The initiative, which had been tested at Croydon Crown court, would be tested again at Blackfriars and Newcastle Crown courts where the courts will sit between 9am and 1pm for one trial and then 2pm until 6pm for a second trial. The pilot was due to commence in May.

11.2.3. The Committee **ASKED** that members of Hall be informed of the protocol and the pilots via the Inn’s e-newsletter. The Chair and the Member Services Manager would liaise as to the text and timing, as regrettably it was too late for inclusion in the June e-newsletter.

11.3. The Chair **VOTED ITS THANKS** to Hazel Jackson and Ben Hamer (the inaugural President and Vice-President of the Lincoln’s Inn Junior Members’ Association) for their input to the work of the BRC Committee. The Committee looked forward to working with their successors.

12. **Dates of the next committee meetings**

12.1. 11 July 2017 (agenda items should be identified to Wiebke as soon as possible and papers submitted by 27 June. Papers to be circulated on 5 or 6 July.)

12.2. 12 October 2017

ACTION SUMMARY

	Item	Action	Lead	Deadline
1	Future agenda Items	Committee members to suggest matters for discussion or decision	All	Ongoing
2	Testimonials for Website	Draft testimonials for Stuart Hornett or recommend colleagues	All	Ongoing
3	Information regarding BSB consultation and Court hours pilots to members of Hall	Arrange for information regarding BSB consultation and Court hours pilots to go out to members of Hall	Chair & MSM	23 June

Wiebke Morgan, Member Services Manager, June 2017

CHAIR'S REPORT TO BRC
FOR MEETING ON 11TH JULY 2017
Benjamin Wood and Margia Mostafa

Introduction

1. We are now over six months in and the time has flown by! There have, we hope, been many good things to celebrate, such as the first Wellbeing Event for the Inn, the promotion of social mobility initiatives and the opening of BRC meetings to members of Hall. We would like the BRC to achieve much more, but you probably deserve a summer break from us and our requests and demands.
2. This note deals with the following issues:
 - a) Committee and sub-committee update;
 - b) Forward planning; and
 - c) General update and pleas.

A. Committee and sub-committee update

3. The Chair and Vice Chair have attended the following committee meetings since the last meeting: Pre-Call Education, Post-Call Education and F&GP.
4. The Chair had a meeting with the Treasurer on 4 July 2017.
5. On 30 June, the Chair, accompanied by Aidan Crook, attended the inaugural Employed Bar Awards ceremony at the Tower of London. The Inn had sponsored the award for Outstanding Performance by a Public Service Employed Barrister and Ben presented the award on the Inn's behalf.
6. We are very grateful to Timothy Lyons QC and Thomas Barrett for the further work that they put into finalising the draft changes to the BRC Rules for the EGM.
7. The Committee's notice is drawn to the following:
 - i. Pre- Call Education.**
8. A memorial service for Edward Bartley-Jones QC has been arranged provisionally for 19 October 2017.
9. The Committee agreed to keep QS prices at current levels for the 17/18 academic year, with the cost and pricing structure (including the cost of associated dining/social events, even if not themselves QS) wrapped into the wider QS review. There was general support for the idea of a basic, flat rate for a QS, with additional costs to reflect additional provision (such as food or accommodation).
10. The Final Report of the Qualifying Sessions Working Group (which was considered by the BRC at its meeting on 11 April 2017) has not yet been considered by PADG because of the more recent

developments and discussion between COIC and the BSB, which remain ‘work in progress’. There is clearly a feeling amongst some Benchers that there should be a full debate (and decision) in Council regarding any changes. The Chair of Pre-Call Education has prepared a paper for PADG to consider at its July meeting, with the intention that Council should be updated in the autumn.

11. The Committee endorsed the suggestion that the BRC’s Social Mobility Sub-Committee should look at initiatives for the Inn, rather than just Hall, to take on. It was accepted that the Pre-Call Committee was not the right forum for a detailed discussion of possible social mobility initiatives. The SMS-C was invited to bring forward proposals to the Committee.
12. We think that this is great news for the BRC and a real endorsement of the work that Stuart, Sara, Fayyaz and the Sub-Committee have begun.

ii. Estates

13. The proposals to compensate tenants disrupted by the development works have not yet been finalised.

iii. Finance

14. Although the Chairman of F&GP has in the past approved minor donations (such as the sponsorship of the Employed Bar Awards) on an ad hoc basis, it is anticipated that, in future, a “Small Donations Sub-Committee” will deal with this sort of issue. We hope that the Bar Rep will be represented on such a group.

iv. Development

15. The latest (but still approximate) timetable for the completion of the works is as follows:
 - a) Great Hall – 15 January 2018
 - b) East Terrace – 31 March 2018
 - c) Library extension – 1 April 2018
16. Even if these dates are achieved by the contractor, the facilities may not be available for use by members straightway, as time will be needed for the Inn to move back and for staff to familiarise themselves with the new facilities (including particularly the new kitchens).

BRC Sub Committees

i. Social Mobility

17. Stuart Hornett and Sara Ibrahim are working on the testimonials page and the proposed SMF mentoring scheme. Please continue to give them your support.

ii. Social and Wellbeing Group

18. Plans are in place for the Quiz night on Monday 2 October 2017. Please start thinking of suitable team members and team names! Your Chair and Vice Chair are threatening to compete against you and against each other with their own teams...

B. Forward planning

19. We have fixed an additional meeting of the BRC for 13 December 2017 in order to discuss co-options for 2018/19.
20. With that in mind, too, Margia and Wiebke have been liaising to identify the right people at the Circuits and SBAs to contact in order to invite suggestions for possible co-option candidates. We will be writing to them over the summer.

C. General update and pleas

21. The Inn will be hosting a celebration of the Centenary of Women Lawyers on Wednesday 19 July. There is an exhibition of photographs and images, which will be on display at the launch and then go on display on the east side of the hoardings around the Great Hall until the end of August. If you would like to attend the launch reception, which is between 6 and 8pm on 19 July, please register at www.celebratingthecentenary.eventbrite.co.uk. Tickets are free.
22. On the same day, 19 July, the Junior Members' Association will be hosting a screening of A Man for All Seasons at the BFI. The tickets cost £12 each, which includes a pre-film talk about Thomas More's time at the Inn and a drink at the BFI bar.
23. The Inn's summer closure begins on Friday 28 July. The Old Hall will close after lunch on that Friday, but the MCR will close its doors after the evening service on Thursday 27 July. The Old Hall and the MCR will reopen on Monday 4 September.

Thank you again for everything that you have done and continue to do for the Inn and for us.

Have a great summer break!

Benjamin Wood and Margia Mostafa, 6 July 2017

BRC COMMITTEE ELECTIONS 2017

4 July 2017

1. There will be 6 vacancies for the Committee elections in autumn 2017.
2. I am required to declare the results of the election at the AGM on Monday 20 November 2017.
3. Having consulted Murray and Wiebke, I intend to direct that the elections will be run according to the following timetable:
 - a. 2 October 2017 (Monday) – Formal declaration of vacancies and nominations open
 - b. 13 October (Friday) - Nominations close
 - c. 19 October (Thursday) – Voting opens
 - d. 9 November (Thursday) – Voting closes
 - e. 20 November – AGM and announcement of results
4. I would like to amend the nomination form (and therefore candidate statements) so that the following information is requested and included (with my details by way of example):

Name	Benjamin Wood
	<i>[recent photograph]</i>
Called	2005
Practice	<i>[Practising status, practice area and location of practice]</i> Self-employed commercial barrister at 4 New Square
Status	Seeking re-election <i>[or “Seeking election for the first time” or “Currently co-opted and seeking election”]</i>
Election statement	<i>[Max 200 words]</i>

5. I would also like to require candidates to make the following declaration upon their nomination: “*I am eligible to stand in this election. I have not been disbarred or suspended from practice.*” I would not intend to include this in the published material.
6. It has been suggested that we should include existing committee members’ attendance/participation records on the election materials. Although this may be desirable, I am concerned that the records may not be entirely accurate and there may be a suggestion of unfairness if these data are included without notice. I therefore suggest that we include this information from next year (and starting from 1 January 2018 but thereafter covering the most recent term of office).
7. The Committee is asked to **NOTE** the Chair’s proposals.

Benjamin Wood, 4 July 2017