



The Bar Council

Bar Council Seminar, 'Thriving in your first years of practice: handling ethical dilemmas'

Pre-reading for attendees

13 May 2026, 17.30-19.00

Panel

- **Chair:** Fenner Moeran KC (Chair of the Ethics Committee, barrister at Wilberforce Chambers)
- Matthew Morrison (Chair of the Anti-Money Laundering Working Group, Ethics Committee member and barrister at Serle Court Chambers)
- Charlotte Elves (Ethics Committee member and barrister at Outer Temple Chambers)

Bar Council Ethical Enquiries Service

The Bar Council runs the confidential Ethical Enquiries Service for barristers and their support staff, to assist them to identify, interpret and comply with their ethical obligations under the BSB Handbook. Information about the Ethical Enquiries Service can be found on the [Bar Council's website](#).

The Bar Council also maintains many ethics and practice guidance documents on its online [Ethics and Practice Hub](#).

Bar Standards Board resources

[The BSB Handbook \(containing the code of conduct\)](#)

[BSB Code Guidance](#)

Ethical Scenarios for the Seminar

The session will look at fictional ethics scenarios. We would encourage you to read the below scenarios in advance of the seminar. Please note that the source of all rules is the BSB's Handbook

Scenario 1 (Use of AI)

You are a pupil barrister in your second six and have been instructed in a family law case. When corresponding with the barrister on the other side, you suspect that they have used AI to formulate their legal arguments and that the pleadings contain multiple fabricated legal citations. You are concerned that no one else has noticed this yet and you are in court tomorrow for the trial.

Questions:

- a. **What should you do? Should you raise this issue with the Court?**
- b. **If opposing counsel does not correct the incorrect citations, should you report them to the BSB?**

Relevant Bar Council Guidance - [Considerations when using ChatGPT and Generative AI Software based on large language models](#)

Scenario 2 (Avoiding conflict when acting against a client you often represent)

Your chambers is regularly instructed by a large insurer, particularly in defending high-value Bermuda form arbitrations and you yourself have received frequent lucrative instructions from this source. As a result you have a close personal relationship with the claims handlers there, and they have let you know that you, or if you are unavailable other members of your chambers, will be their preferred counsel for all such claims.

You have now been approached by a large UK-based pub chain who wishes to make a very large COVID business-interruption insurance claim against your favourite insurer. (If the pub-chain had not come to you first, it is very likely that you would have been instructed to defend the claim).

You cannot discuss the matter with your friendly claims handlers, because the fact that a claim will be made is confidential. But you have a shrewd suspicion that

taking the case will very seriously damage your relationship with the claims handlers and the insurer, and you may no longer be their most-favoured counsel.

Question: Can you decline to take the case?

Scenario 3 (Avoiding conflict when acting against a client you often represent)

You have previously acted for an insurer in relation to the potential avoidance of a long-term liability insurance cover. On the basis of your advice, the insurer affirmed the cover, and decided not to avoid.

You have now been approached by a building owner in relation to the making of a claim on one of the relevant insureds, a firm of architects. It follows that your former client, the firm's insurer will have an interest in the claim.

Question: Must you take the case, or can you refuse on the basis conflict of interest between your former client and your prospective client?

Scenario 4 (Cab rank rules vs personal views)

A Junior barrister has been approached to act for a large oil company and advise on its corporate acquisition of another company. Although the barrister has relevant legal expertise, she has moral objections to taking on this case because she would feel complicit in environmental harms caused by the company.

Question: should the barrister decline to take on the case due to her personal views?

Scenario 5 (Use of social media and Cab rank rules vs personal views)

You are a junior barrister specialising in civil law and you want to promote yourself on social media and make some amendments to the profile which is currently on your chambers' website.

You think about including the statement that you are one of the best barristers in the country. You have been practising for 2 years, and you believe that you have already built a very successful practice. You are also considering amending your profile to say that you 'will only ever act for tenants' in housing law matters, and that

promoting your profile on social media with this statement could be a good way to attract clients.

Question:

- a. Should you advertise yourself on your Chambers website as 'one of the best barristers in the country?'
- b. Should you state that you 'will only ever act for tenants' in housing law matters on your Chambers website/ on social media?

Relevant Bar Council Guidance: [Advertising and Website Profiles](#)

Scenario 6 (Use of social media)

You have been acting as a junior barrister in a judicial review claim. You have just lost at first instance and are considering an appeal. Your client suggests that it would be beneficial for you to write a post on social media and bring awareness to the case. Your client also mentions that they have contacts at a major news outlet and could easily arrange for someone to do a live interview with you. They mention that it will only be a short interview, but think that it would be great publicity.

Questions:

- a. Should you agree to do the short interview?
- b. Should you agree to write the social media post?

Relevant Bar Council Guidance: [Media Comment](#)

Relevant BSB Guidance: [BSB guidance for barristers using social media](#)