



The Bar Council

Bar Council Regulation Panel

Draft Terms of Reference

Strategic Aims

The output of the panel will meet the following Bar Council strategic aims and objectives:

- Strategic aim 2- representing the Bar;
- Strategic aim 3- supporting barristers;
- Strategic aim 6- enabling regulation;
- Objective 3- A tailored and proportionate regulatory environment that meets the needs of a specialist Bar;
- Objective 4- The high ethical and regulatory/practice standards of the Bar are maintained and recognised, and;
- Objective 14- The Bar Council is recognised as the lead body for issues that impact on the whole profession.

Tasks

1. Critically analyse regulatory proposals and developments that impact the practice of barristers, paying particular attention to work that is duplicative;
2. Act as an advisory body to the Chair and Executive on regulatory matters;
3. Keep abreast of regulatory developments elsewhere in the legal sector and in other sectors of interest;
4. Liaise with Approved Regulators such as the Law Society and CILEX;
5. Formulate policy on a diverse range of issues such as the legal regulatory set up, a digital register of authorised legal services providers, extending the scope of regulation to unauthorised providers, regulation by activity or title, quality indicators, the regulation of new technologies such as AI and the rule of law and ethics,

6. Influence regulatory developments through drafting consultation responses and engaging with regulators and other bodies (e.g. the Legal Services Consumer Panel and Legal Ombudsman) as well as government officials; and;
7. Assist the Bar Council in meeting its assurance role as Approved Regulator in relation to the Bar Standards Board (see rule 3 of the LSB's [Internal Governance Rules](#) and s. 28 of the Legal Services Act).

Success Criteria

1. Become a leading authority on issues relating to legal regulation for the profession;
2. Regulation of barristers is cost effective and proportionate;
3. Work of regulatory bodies, the oversight regulator (the LSB) and representative bodies is not duplicative and their budgets are maintained at stable and reasonable levels;
4. Regulatory policy positions of the Bar Council are widely known amongst government, regulators and the Bar, and;
5. The Bar Council's protocol for ensuring regulatory independence and provision of assurance is followed to at all times (training will be given on this topic).

Composition

Approximately fifteen members who are barristers or chamber's professional (e.g. clerks and practice directors) inclusive of the Bar Council Chair, the Chief Executive and the Panel's Chair, to be appointed by the Chair of the Bar Council. The proposed first Chair is Barbara Mills KC, who is already the Chair of the working group this panel seeks to supercede.

Panel executives

Sarah Richardson (Head of Policy, Regulation, Ethics and Law Reform), with assistance from Caitlin Lamboo and Eleanore Lamarque.

Bar Council resources

Input may be required from time to time from Jamie Shaw (Head of Governance), Phil Robertson (Director of Policy), the Piran Dhillon-Starkings (Special adviser to the Chair), the Comms Team as well as Committees, Panels and Working Groups for input on their specialist policy areas.

Reporting structure

The panel will report directly to GMC.

Frequency of meetings

Four five a year, both hybrid and online.

Duration

Indefinite.

Sarah Richardson, Head of Policy, Regulatory Issues, Ethics and Law Reform

October 5th, 2023