



The Bar Council

Minutes Bar Council meeting

Saturday 16 May 2020, Remote Dial-in

Present

Amanda Pinto QC	Chair	APQC
Derek Sweeting QC	Chair Elect	DSQC
Malcolm Cree CBE	Chief Executive	MC
Grant Warnsby	Treasurer	GW
Michael Ellis QC MP	Solicitor General	MEQC
Baroness Tessa Blackstone	Bar Standards Board	BTB
Mark Neale	Bar Standards Board	MN
Naomi Ellenbogen QC	Bar Standards Board	NEQC
Andrew Twigger QC	Legal Services Committee	ATQC
Katherine Duncan	Young Barristers' Committee	KD
Steven Thompson QC	International Committee	STQC
Rhodri Thompson QC	EU Law Committee	RTQC

Present via StarLeaf (in alphabetical order)

Dr Mirza Ahmad; Robin Allen QC; Colin Andress; Kieron Beal QC; William Boyce QC; Ian Brookes-Howells; Alex Carr; Sydney Chawatama; Richard Cole; Ivor Collett; Catherine Collins; Celina Colquhoun; James Corbet Burcher; Melissa Coutinho; Tim Devlin; Sophia Dower; Mark Fenhalls QC; Emily Formby; Neil Garrod; Harry Gates; Caroline Goodwin QC; John Goss; Jonathan Goulding; Barry Harwood; Michael Harwood; Neil Hawes QC; Michael Hayton QC; Isabel Hitching QC; Hazel Hobbs; Harriet Holmes; Sarah Holmes-Willis; Sa'ad Hossain QC; Matthew Howarth; Michael Jennings; Sean Jones QC; Susan Jones; David Joseph; Faith Julian; Joanne Kane; James Kitching; Cyrus Larizadeh QC; Edite Ligere; Lorinda Long; Kate Lumsdon QC; Athena Markides; Gurprit Mattu; Eleanor Mawrey; Louise McCullough; Catherine McGahey QC; Martyn McLeish; Christina Michalos QC; Andrew Morgan; James Mulholland QC; Francesca O'Neill; Grace Ong; Jonathan Orde; Lucinda Orr; Alison Padfield QC; Francesca Perselli; Alison Pickup; Michael Polak; Rehana Popal; Charlotte Pope-Williams; Jonathan Rees QC; Jacqueline Reid; Robert Rhodes QC; Ryan Richter; Lisa Roberts QC; Natasha Shotunde; Joe Smouha QC; Kate Spence; Gordon Stables; Andrew Granville Stafford; Philip Stott; Ben Symons; Leanne Targett-Parker; David

THE BAR COUNCIL

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Taylor; Jacqueline Thomas QC; Linda Turnbull; Nicholas Vineall QC; Emma Walker; Richard Wright QC

In Attendance

Natalie Zara	Head of Governance	NZ
Piran Dhillon-Starkings	Advisor to the Chair	PDS
Carolyn Entwistle	Head of Services to the Bar	CE
Phil Robertson	Director of Policy	PR
Ella Miller	Attorney General's Office	EM

Minutes

Samantha Anderson	Executive Officer	SA
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Apologies were received from

Nick Bacon QC

1. Minutes of the last meeting and matters arising

APQC began the saying that it was good to see everyone, and by thanking the IT for enabling this meeting to go ahead. APQC also welcomed the Solicitor General, in attendance at his first remote Bar Council meeting.

An addition to Point 7 of the minutes, dealing with the changes to the constitution were made, as follows:

During the course of the discussions regarding the proposed changes to Constitution, there was some considerable discussion about the proposed wording for the paragraph on proxies. RRQC pointed out that as the Constitution states that 'the masculine shall include the feminine', the use of 'their' should instead be his'. Members of the Bar Council expressed different opinions and while there was some support for RRQC, the general agreement was that gender-neutral terminology was more appropriate.

Following this amendment, the minutes were approved.

2. Statement by the Chair

As it is a very full meeting, we will be taking it that everyone has seen and digested the papers in advance. After the main business of the meeting has concluded, a Q&A session will be held to help with the election of the Vice-Chair; MFQC and MHQC have received some questions that we asked you all to send in, in advance.

It was reported that Alison Padfield QC has resigned as Chair of the Legal Services Committee and we are sorry to see her leave that post; the Vice Chairs, Andrew Twigger QC and Jacqueline Reid have agreed to co-chair the committee and they were welcomed to their first Bar Council meeting. APaQC was thanked for her contributions to the LSC.

It has been a phenomenal few weeks. On 28 March, we had only just been calling for jury trials to be stopped and this week, some of those trials have restarted in court buildings that have been set out to accommodate social distancing. In the meantime, we have conducted 2 substantial surveys and parts of the Bar have conducted others. In the last two weeks alone, APQC has had 104 diarised meetings (aside from those that aren't added to the calendar formally), often with the government, senior officials and the judiciary, to try to sort out courts and finances.

In relation to courts, the overarching concerns have been the drop off in work, the safety of courts for barristers and the conduct of hearings remotely. Tribute was paid to the mental agility and positive attitude of the Bar in getting to grips with these completely different ways of delivering justice. It is an accolade to you all, the court staff and judiciary that in the space of a few weeks, and in the face of enormous pressure from Covid-19 affecting everyone, that cases were heard at all. The flexibility and drive to make the new systems work, has been remarkable and it is something we should be proud of as a profession.

Civil (particularly the Business and Property courts) and family courts seemed, at least from the outside, to be getting to grips more quickly with setting up remote hearings, however, they have not been without their stresses – we have received reports of the technology failing; extremely long hours being sat; of judges failing to take into account the domestic situations of those who are working from home and whose children are not at school and; of difficulties in taking instructions or operating as a cohesive legal team. However, this new way of operating has been imposed only for a matter of weeks. We are still adapting and recognising problems as well as best ways of working.

There has been a lot of attention on Crown Courts and crime generally – the issue of court safety is universal. In mid-April, APQC was invited to be on Edis J WG on restarting jury trials and through that prism, the practicalities of safe working has clearly been considered in infinite detail, but there was little publishable information available. APQC was endlessly encouraging HMCTS and the judiciary to be more transparent as a lot of worry and unnecessary, inaccurate rumours could have been avoided. Assessments are now available from HMCTS, to whom APQC is grateful, for the amount of thought and the number of agencies involved, in bringing us to this point.

The court lists have been decimated. Block adjournments, guidance regarding remote working being default not being heeded in practice, very few trials being heard – we have been working to ensure that the true picture is painted to the public. This has been in the Justice Select Committee, pressed to the government directly via the Lords and opposition and APQC is particularly grateful to the Attorney General and Solicitor General for their help and support.

We are asking you all to make the case to your own MPs and encourage you to talk to colleagues about this too – it was reported that over 100 letters have been acknowledged so far. It is important that constituents explain the situation, in their own words, to their MP (local MP to their home address), to help us make the case across government, to the

Treasury, more strongly. It is right to say that the government has helped in some ways and we are grateful for what there is, but a lot of it isn't hitting the mark. The Bar will survive, but in a very different way.

With relation to finances, we asked for the threshold of £50k to be revisited; for those eligible for self-employed relief, without the 2018-19 tax return to be included in the scheme; for business rate exemptions to be extended to Chambers and; for help for the publicly funded Bar to be for both individuals and chambers. APQC as well as others in this virtual room and outside of it, continue to press the case, and with your help, we are making headway in various ways.

APQC gave thanks to all of you who are keeping the Bar Council in the loop; it couldn't be more important for us to be in it all together and be as cohesive as possible. The Covid-19 working group email address is an excellent way to get problems in, for us to look into the answers. This is the information that we feed back to the government.

RRQC said he wished to pay tribute to the Chair for coping so admirably with her Stakhanovite workload. He said that the Inner Temple had dealt very quickly with rental deferrals and waivers for chambers in the Inn. Four chambers have been granted a combination of waivers and deferrals, and two sets of chambers' and one further commercial tenant's applications are to be decided. He also stated that the Inner Temple has given £500,000 from the Marshall Hall Trust for grants or loans to pupils and non-qualifying first-year tenants, as well as £100,000 to the Bar Benevolent Association to help other barristers, irrespective of their Inns.

Everyone is grateful to the Inns for their contributions to the BBA; everyone has moved incredibly quickly, and we are also aware and grateful that all of the Inns are supporting pupils and others who fall outside of the assistance that the BBA are able to give.

3. BSB Report

BTB spoke to this item, focussing on the examinations – in the report, the BSB say they are working hard to ensure that those who can't sit their exams in April are still able to do so in the near future. On 13th May, the BSB were able to announce the exams would go ahead in August and the centralised exams for the BPTC and BTC can be done online. Students and transferring qualified lawyers can take the exams, and under assurance that the exam conditions are maintained. Anyone who is doing their BPTC this year, who have been offered a pupillage, will still be able to take up pupillage, even before the results have been published, in November. The exam registration will be available in June. The BSB are pleased to have found a solution that will help students continue with their career.

Many are worried about how many pupillages will still be available and much of this will depend on the extent to which barristers can resume their normal work. As such, this will remain a changing picture. A recent survey of chambers who have taken on pupils has shown that two thirds were proposing not to postpone pupillages and those who were in the process of recruiting were still doing so. Others were still considering their position. We

don't have the details for the practice areas of these pupillages, but we will know more when the Bar Council has their figures from the pupillage gateway.

The BSB's plans remain under review in light of Covid-19 restrictions and we are doing what we can for savings measures.

BTB extended thanks to Aidan Christie QC for his many years as Chair of the PCC and then the Independent Decision-Making Body (IDB) and confirmed that Iain Christie is the new Chair of the IDB, and Cindy Butts is the new Vice-Chair.

NVQC said that although the outcome on the announcement of exams is not perfect as the results won't be out until November, this is a major improvement on the previous position, and we are grateful for this outcome and the collaborative way that it has been done. We are encouraged by it.

In addition, NVQC congratulated the new Chair and Vice-Chair of the IDB and expressed disappointment that neither of them are either a full-time practising barrister or a silk. It is a pity, not because they would be better, but because it is important that the regulator should be involving senior practising members of the profession. A message to us as the Bar Council, is to ensure that from within the profession, the full-time and the independent practise, that enough people apply for important BSB jobs. BTB assured that this would be kept in mind for future appointments that it would be helpful for senior and silk members to be encouraged to apply for such positions.

4. Proposed amendments to the BSB Constitution: for noting

MN confirmed that the changes are in relation to governance, to ensure the BSB complies with the IGRs. They deal with the reappointment of the Chair and other members.

The paper was noted by members.

5. Statement by the Chief Executive

MC commended the Bar Council staff who have been working hard to support the Chair in her extraordinary commitments. APQC added that she could not be better supported by the BC staff, which means that the Bar could also not be more supported; whilst it is a small staff, they are all working extraordinarily hard.

The Covid-19 Working Group has been running for 8 weeks now, with Robin Jackson from the LPMA as Chair and lead. They have been turning questions and problems round into at least partial solutions and providing us with information from the email account as well as the surveys to be able to target action in government and other agencies.

NZ volunteered to be a 'proxy employer' for self-employed barristers to have Covid-19 (drive-through) testing via the Bar Council. There have been a small number of requests of this service and MC reminded members that the facility remains available to members of the Bar or their family, if any are symptomatic.

We have been explaining to both the government and the Treasury how individual barristers take fees, and we are reaching out to lenders to get a full picture of what they offer. All of this information is on the website.

Having examined different platforms and methodologies, we are finding online training to be a major success and we are registering barristers for a range of online courses.

Internally, a major exercise for forecasting finances for 2021 has been underway. So far, we have frozen salaries and recruitment, furloughed staff and we are curtailing business plans. The IGRs are still a major effort and we have no choice but to reach compliance by 23rd July.

MC is liaising with Martyn Chalkley who has full access to CPS and LAA databases, for crime in particular, that we can merge with our own database, to see what is happening with earnings, which is helping make our case to the MoJ and the Treasury.

AC requested for the members of the Covid-19 Working Group (C19WG) to be recirculated – MC confirmed they are from the LPMA and the IBC and include a couple of members of the Bar Council staff. It was clarified that the Covid Testing Hub, employer referral portal, is for self-employed barristers who wish to obtain a drive through appointment. Home tests must be applied for, by barristers themselves, online at Gov.uk. APQC added that the C19WG email address is a phenomenal resource; if there is any issue or concern, that is the route to raise it, so it can then be sent out to those who are best to investigate the answer, from either the Bar Council or beyond. It is organised so we can draw on different areas of expertise. The C19WG is like a funnel, and the distribution list is to all BC staff in the committees, who pick out the work that is relevant for their committee. A lot of the product is on the website and is often distributed in BarTalk or messages from the Chair to the profession.

RR added that the Employed Bar have an email set up for anyone who has any concerns within the employed Bar specifically, confirming that they have received emails from the C19WG emails.

6. Treasurer's Report

GW presented slides during the meeting for members.

It was advised that the draft results for YE 31 March 2020 were pre-audit but were being presented as this was the first opportunity ahead of the AGM in September. The first draft of the P&L shows a net surplus of £1.8m which is a good result for the year. The PCF income shows as £14.8m which is partly reduced because of the LSB payments, so it was actually £15.2m; this is a good increase in the regulatory income and was helped by a higher student induction. Whilst this looks like a healthy surplus, when you view the balance sheet later in the year, while we have a strong reserves position, these are not necessarily in cash which is one of the issues that the Bar has had for a few years. We are looking at the reserves policy.

The BRF is also up on expectation, with £50k above our original budget, which is great news and thanks for extended to everyone who has encouraged payment of this.

The pensions administration has been outsourced - MJ asked why it was outsourced; GW confirmed that it was because the person who had been dealing with it, retired, so it was outsourced to an investment company called Book Investments, and we are not looking at how we can bring that work back in.

GW is hopeful that on audit, there are little changes to the positive result for the year; the final papers will be brought to the AGM, and provided ahead of the meeting, so questions can be provided.

As people will appreciate, and as per the report in the last meeting, in 2020/21, the GCB will see an impact to the profession; the PCF payments have been changes and this will have a knock-on effect to the way we report, which will have to wait until later in the year. At the moment, we are on target with the BRF.

In 2021/22, as a result of Covid-19, and considering that the pandemic is ongoing, we expect the PCF to be significantly reduced, due to a decrease to self-employed barristers' income and this will be reflected with the employed bar income also.

The forecast and the work put in is currently uncertain and we are refining the information as it becomes available. As we get a better understanding of the impact of the pandemic on the profession, we will report it and continue to do so. The GCB have been acting on a number of fronts to reduce expenditure and where we can defer expenditure. Committees are looking at their projects, the BSB are looking at the capital expenditure and we are asking for tis to be done for the next couple of years. Recruitment and staff costs, as well as the use of the furlough scheme have been discussed before and are helping with cash and income generation.

It is still very early days and it is difficult to do at this stage; there is a huge amount of work going on in the background to ensure we can maintain the correct cash structure.

APQC gave thanks to GW.

7. Proposed changes to the Joint Standing Orders in light of the new IGRs: for approval

NZ reminded members of changes have been made to the Constitution in light of the new IGRs, in relation to the joint committees: finance; audit; emoluments and; Chairs'. With these changes, the emoluments committee will be dissolved, the audit committee has a few changes, and the finance committee will see the most changes.

All the affected committees have seen these changes which have subsequently agreed by GMC. In addition to being presented to Bar Council, it will also go to the BSB Board.

All members approved the changes.

8. Proposed changes to the Constitution and Standing Orders – Gender Neutral Language: for approval

APQC told members that this has been brought forward from the last Bar Council meeting as the issue of gender-neutral language was raised at the last meeting with regards to the Constitution and the Standing Orders. Taking a steer from Bar Council, this was looked into by the Bar Council Modernisation Working Group. The proposed changes were presented to GMC in an options paper and it was the unanimous view that the gender-neutral pronoun ('they', 'their') should be adopted throughout and that, consequently, the sentence 'the masculine shall include the feminine' be removed from all governance documentation.

All members approved the change of language.

9. Proposed changes to the Constitution regarding the Bar Council AGM: for approval

Members were made aware that the changes proposed within paper BC07-AGM have been made for practicality; allowing the Inns to decide what they want to do with the notices provided to them and their members. Additionally, the Constitution currently refers to a physical location for the AGM, which this year, may not be possible to do.

TD has organised AGMs for two other organisations in the current situation and found that a virtual AGM has the same effect as a physical one, adding that the Inns of Court should modernise their AGM practices.

LO added that we should encourage the Inns to put the notice of the AGM on their websites, as it would reach a higher number of people than if it is put up on their notice board. NZ said that she would include that in her communication to the Inns about the notice.

All members approved the changes.

10. Legal Services Committee Report

Andrew Twigger QC and Jacqueline Reid have taken over as co-Chairs for the LSC. They were welcomed to their first Bar Council meeting and APQC gave thanks to them both for taking on the role.

ATQC paid tribute to the IT panel in particular, who have produced guidance at short notice. Additionally, ATQC and JR will be looking at what the committee can do about remote hearings in civil and tribunals and family, and whether hearings are being adjourned that could've gone ahead.

FON flagged that there has been a lot of discussion on the impact of Covid-19 on remote working. In particular, she has been listening to the experience of junior members of her chambers, having conversations with civil practitioner colleagues who are between 10-13 years Call. Though there have been improvements in the last couple of weeks in the major courts, there has been a notable failure to get to grips with anything that has been listed for more than 40 minutes and trials are still being adjourned for the foreseeable future. Around

90-100% of one day trials are being adjourned, and these are the bread and butter of most junior barristers. The high value and high court cases are being listed in front of masters; more senior members of the Bar are being less affected than the junior members of the Bar, which leaves them in a precarious position. ATQC thanked FON, adding that this is a concern that DSQC has raised. **ATQC and FON will confer separately on this issue.** APQC confirmed the issue of civil listings has been at the forefront of what has been said to the Treasury, the Chancellor, SPJ and DSPJ, the judiciary, MPs and HMCTS. PIBA and other SBAs, as well as individuals, have been feeding in this information. Their main focus has been on crime and some aspects of family, due to the urgency of the cases.

LT reported that the majority of family cases are being adjourned, often a day or so before. Only a few hearings are proceeding but even then, it is by telephone. This is difficult for parties in care cases, as some parents have learning difficulties or other mental health issues. Therefore it is even more difficult for them to follow what is happening. Video hearings would be much better. All immigration appeal hearings were adjourned full stop. Although we have been told that all Judges have Skype for Business and have received training, hearings are not being listed. We are told that all appeals will be listed for a CMR hearing **ATQC will get in touch with LT on this matter.** APQC added that she has been vocal about this; it has been raised with the President of the Family Division and the MOJ Working Groups are looking into this.

11. Young Barristers' Committee Report

In addition to the report, KD noted that prior to Covid-19, the committee was looking at their 7-year project, to see how we can promote early advancements. The main stream of work on this is from the working group who are looking at 3 years forward. This has been put on hold since Covid-19 but the work is starting back up and the welcome pack is being worked on.

On Covid-19, the committee has been working hard in all areas, to support Bar Council, in particular, court safety, financial protection and the wellbeing of the Bar. KD encouraged junior reps of SBAs and Circuits to get in touch with her offline.

The YBC is trying to position itself as the credible voice of the junior Bar and they are trying to make it clear that the young bar has been a priority of the Bar Council from the beginning.

KD gave thanks to Lesley, the committee executive, and the Vice-Chair, Joanne Kane.

12. International Committee Report

STQC took the report as read and said that the committee has been 'business as usual' as much as possible though some events haven't gone ahead, such as the international conferences. We are uncertain for the future, there are budgetary impacts so natural savings will need to be made. At the same time, it is important not to neglect the international reputation of the Bar and the role we play.

There is admiration for the extraordinary efforts of APQC.

There is concern that the Covid-19 pandemic is being used as a cover, for some draconian rule of law infringements; countries that don't have a good rule of law in the best of times and now there are others that are using this time as an excuse. However, the rule of law cannot be forgotten amongst the concerns that people have. It needs to be clear, at every opportunity, that the rule of law should not be put to the side when other things come to the forefront. There will be a further report on this in September.

APQC added that the Bar Council and its International Committee have written at least three letters or statements on international rule of law since the pandemic hit, either on our own or with other agencies.

DSQC has been involved in co-chairing three international Commonwealth Lawyers Association sessions with, the Caribbean Region Bar, the South East Asian Bar and the African Bar and reported that it is interesting to see how the pandemic is having an effect on legal systems around the world. There are worrying rule of law issues in some of those jurisdictions and it is important that the Bar Council continues its vital international work.

13. EU Law Committee Report

RTQC gave thanks to EF for the diligent work done in Brussels for the report.

As with other areas, there is an enormous amount of work behind the scenes that needs to be brought to the attention of the Bar Council. APQC and RAQC's work as Chair of the Bar is appreciated; APQC went to Brussels in February, the visit was very valuable and appreciated by the institutions that the Chair takes interest. RTQC commended EF on the hard work she has put in to make and build contacts, especially in this time. There are three Vice-Chairs who are all extremely supportive.

Brexit is still in the background and there are worrying reports about the breakdown in negotiations. We are looking at a no-deal again, or difficult negotiations. Hugh Mercer QC is very active with the MOJ, Government and CCBE, as well as Christian on the behalf of the Bar Council. There are a number of organisations in Brussels that we are in contact with.

We have joined the European Law Institute and are now joining the European Services Forum. EF has been in touch with the British Chamber of Commerce and a number of other Brussels bodies.

APQC added that the Bar Council is involved in other organisations, such as the CityUK and BEIS; there are lots of ways in which we are able to try to influence what happens, if not directly, by through other means. It takes a huge amount of effort and we are extremely grateful for all the help in achieving this. The Lord Chancellor's Advisory Committee, which was helping with international law, particularly private international law, has been revived and we are happy that Hugh Mercer QC is likely to be joining that group.

14. Any Other Business

MEQC thanked APQC for her sterling leadership during this unprecedented crisis, adding that it is appreciated at government level. It is impressive and important that the Bar has been able to adapt in these challenging times to the circumstances that we find ourselves in and he said that he is very conscious of the pressures that everyone is under at the moment. MEQC endorses that the most effective way to make an impact is to encourage people to contact their local MP. Thanks were extended to the Inns of Court for what they are doing to support pupils, first year tenants and others who may be 'falling through the gaps'. The whole profession is under enormous pressure and the SG wants to do all he can, with the AG and ministers at the MOJ, to do what they can to support the Bar. MEQC added that the door is always open to the Chair and thanks were given to everyone on the call and the leadership team for the way they have handled the situation.

TD commented that he was a Conservative MP for 10 years adding that whilst he was very glad to hear what the SG had to say, we are finding that the local MPs are being bombarded with social media, so when he tries to speak to his local MP about the profession, the MP is distracted. The Lord Chancellor, The Rt Hon Robert Buckland QC MP, has posted onto his LinkedIn page, proposals for how we can bring courts back in. A suggestion from TD is that we use buildings that aren't currently being used (churches etc) to help with the backlog of criminal trials. These buildings would help with social distancing too. TD asked whether APQC and the SG would take this suggestion forward, especially as he is working on trials that go back to 2017 and are not likely to take place until 2021. APQC answered, saying that in broad terms, other buildings are being considered and that RWQC could provide more information; the LRC is working on a paper of alternative proposals and one of these will be for alternative buildings to be utilised. There is also work being done as part of a judicial working group on the same issue. This will be dependent on whether the government has the budget to fund the use of alternative buildings. MEQC added, the government will be very willing to look at these options and that he and other ministers are conscious of the 'frightening' backlog.

CLQC commented that on the behalf of the FLBA, he had a meeting with the CV and senior managers of HMCTS (those in charge of making practical decisions on the way forward) and has spoken regularly with Susan Acland-Hood who believes that HMCTS are doing their best to achieve a way forward in these difficult times. CLQC has serious concerns on that position as he has seen a risk assessment that has been published, a national risk assessment and it seems clear the delegation of responsibility for assessing the court is given to a senior person on site. The concern is that the individual doesn't have real training on being able to implement the safety checklist that HMCTS is publishing this week. In addition, the risk assessments are not being published online. There is a real issue with public health in family courts and the risk assessments and protocol being put in place are being based on walk-throughs done by Judges and court managers rather than specialists. CLQC reported his concern on behalf of the family Bar, as it is difficult to recommend

barristers to go back into court with positivity. CLQC shares CGQC's views on airflow and the way HMCTS have considered the issue. The safety of members has to come first. CGQC commented that the CBA are on the Edis Committee and there is no question that the granular detail is being looked at and there is an overarching document for the courts to refer to. CGQC has been to three court centres, two of which were trial courts. Whilst at the Crown Court, it was queried whether an assessment on air flow had been conducted and was informed that it had been discussed, but so far had not had access to the risk assessment document that they referred to themselves. The CBA has drafted a short paper to be submitted to HMCTS so they can address it with up to date information on air flow. The CBA are hopeful that this week will see the measures they had addressed, dealt with. The problem will be within older buildings and people congregating together and this is something that HMCTS must deal with.

GS asked whether the government, APQC or CGQC have been giving thought to the longer term? He commented that 7-8 courts are opening up in the near future and social distancing is going to be in place for a long time; this cannot be seen in the courts we have. There is a real urgency for this as we are not hearing anything publicly from the government in the daily messages. APQC confirmed that one of the issues that she is raising with the government is what is going to happen in terms of making more courts available. It is no good letting practitioners fall between the cracks and then expect when the work gets back on track, when buildings are available, that there will be the right numbers to deal with the even greater backlog. The government and the LCJ are rolling out slowly, a three phase approach; a small number of courts to begin with (7 court centres that will be hearing jury trials this week) and anticipate a review with an evaluation to follow of how this has worked, and to then have a greater roll out that will have to take account the issues that have been raised. Thought needs to go into what trials are suitable to be heard right now and it is important that the measures the government are taking are sufficient.

AM, on behalf of FDA CPS members, said that the local court in Thames Valley has two licences for CVP and another would be added on 18 May. If the number of licences continues to be extended and courts have a larger number of licences each, we could conduct far greater levels of day to day business. This could be extended to conducting trials via CVP. It was asked whether the Bar Council could bring pressure to the HMCTS, letting them know that having so few CVP licences is limiting the amount of work that can be done. With relation to health and safety and risk assessments, trial readiness forms need to reflect these considerations; the forms that courts are sending out don't incorporate whether practitioners are able to social distance or that witnesses can get there safely. APQC confirmed that the CPS are involved in this and agreed that it is important that we echo these issues. We need to press for the Trial Readiness Forms to be changed.

APQC reminded members to email their local MPs and encouraged to get those they represent to email their MPs too; we need to advocate to those who say they represent us.

A reminder was also made of the two officer elections for Bar Council – Vice Chair and Treasurer 2021. Thanks were extended to the candidates for their messages.

15. Details of Upcoming Meetings

The next Bar Council meeting will be Tuesday 14 July, via Starleaf, at 5pm.