**Nick Vineall KC prioritises independence, remuneration, regulation, and diversity at the Bar in the year ahead**

The new Chair of the Bar Nick Vineall KC will deliver his inaugural speech at Middle Temple on Tuesday evening (10 January) setting out his priorities for the year: promoting the independence of advocates; addressing the “unfinished business” of remuneration for publicly funded criminal work; ensuring the appropriate level of regulation of the profession; and taking action to improve diversity at the Bar.

Following the political attacks on members of the Bar in recent years, Mr Vineall will stress the importance of the **independence of the Bar** during his year and warn against moves to add regulatory objectives that blur the line between lawyers and law enforcers. He will say:

“Ours is a small but wonderful profession with a profoundly important constitutional role to play, an importance which becomes obvious if you look at how lawyers are treated in those countries which do not respect the rule of law. As Chair of the Bar I want to articulate clearly the core principles which I believe we all share: that it is critical for the rule of law to maintain a strong and diverse profession of truly independent advocates.

“Our professional role as advocates is, and is only, to advise and represent our clients with integrity and determination as fully as the law permits. We are not a branch of law enforcement. We do not – we are not permitted to – choose our clients on the basis of their causes or what we think of them.

“As an obvious corollary of that cab rank obligation we are not to be associated with our client’s causes simply by virtue of fulfilling our professional obligation to represent and advise without fear or favour.”

On **remuneration at the criminal Bar**, Mr Vineall will warn that systems must be put in place to prevent the lurch from crisis to crisis. He will say:

“With the deal now done the temptation is to heave a sigh of relief and think about other things. But we must remember that the work of the Criminal Legal Aid Advisory Board is only just beginning. There is work still to do on remuneration for section 28 hearings and written work.

“The long-term aim is surely to recognise that a system of regular reviews is needed to give a mechanism by which remuneration for publicly funded criminal fees can – at least more or less – maintain its value in real terms. Unless some such system is put in place we will lurch from crisis to crisis, and every few years the Lord Chancellor will be faced by the disruption which inevitably takes place when the government’s approach is to starve the system of resources until that crisis point is reached.”

He will also echo the words of the Director of Public Prosecutions, Max Hill KC, in calling for CPS fees for prosecutors to “keep in step with defence fees”.

On **regulation**, he will call on the Bar Standards Board (BSB) to improve on its performance saying:

“[T]here is a complete coincidence between the public interest, the interests of our clients, and the interests of the profession that disciplinary matters are dealt with both fairly and promptly.

“But improving performance will require concerted and focussed effort by the BSB in conjunction with looking at ways to streamline the system, in particular to see if unmeritorious complaints can be weeded out at an earlier stage. And I think there is a shared understanding between the BSB and the Bar Council that present levels of performance are not acceptable.”

And he will call on the Government to carry out a review of the Legal Services Board (LSB) in light of its plans to go beyond the role set out by parliament in the Legal Services Act 2007:

“We believe there is a serious and important debate to be had about whether or not it is the job of the LSB to develop a strategy for the entire legal services sector, especially given that – firstly – the LSB’s principal role is oversight of the frontline regulators, and – secondly – that the legal services sector extends well beyond authorised persons.”

On **diversity**, he will underline the importance of retention and progression and call on the profession to take action under the key recommendations of the Bar Council’s Race at the Bar report by collecting and analysing data within chambers and other workplaces. He will say:

“Our professional stock-in-trade is argument based on evidence. We should never be afraid of collecting and analysing data about progression and earnings in chambers or in our practice areas. We need to realise that there may be complex reasons for the differences and patterns we see, so for instance we would need to know how much people work as well as how much they earn before proper comparisons can be made. But none of this should deter us from collecting and analysing the evidence.

“Good sets are already doing this, learning about who is thriving and who needs support.  Sets that do this ensure that everyone has the same opportunities to advance their career.”

The speech will also cover: tackling the court backlogs and the work of the Crown Court Improvement Group; the complex ‘eco-system’ of the Bar; upcoming legislation (Retained EU Law Bill, Bill of Rights Bill, and the proposed new regulatory objective); harassment and bullying; remote working; and pro bono.

**Short biography of Nick Vineall KC**

Nick Vineall KC is Chair of the Bar 2023. He practises from 4 Pump Court in commercial, construction and financial services law, in both litigation and in international arbitration. Until taking up his post as Chair of the Bar Nick was Joint Head of Chambers at 4 Pump Court and sat as a Deputy High Court Judge in the King’s Bench Division, including the TCC and Commercial Court. He chaired the Bar Council Education & Training Committee until 2021 and chaired the Regulatory Review Working Group in 2022. Nick is a Bencher of Middle Temple. In 1994 he was Chair of the Young Bar.