



The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

ANNUAL REPORT 2019



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Introduction

Welcome to the Annual Report of the Bar Tribunals and Adjudication Service ('BTAS').

BTAS is the body responsible for administering Disciplinary Tribunals, Fitness to Practise and other Hearings for barristers. It also organises Inns' Conduct Committee Hearings to consider the conduct of applicants to, and students of, the Inns of Court before they are called to the Bar.

This Report is composed of three parts, each prepared on behalf of the key committees that oversee aspects of our work. Additionally a number of case studies are provided to illustrate the nature of the work that BTAS undertakes. The Report forms part of our commitment to openness and accountability in all we do, and is intended to provide a summary of all key developments and data on our activities during the course of 2019. We hope you find it both interesting and informative.

In addition to a small and committed administrative team, well over a hundred individuals assist BTAS with its work, including serving as panellists or clerks at hearings, and acting on committees or working groups. Many of these do so on a pro-bono basis and their contribution is deserving of special recognition.

BTAS is a constituent part of the Council of the Inns of Court ('COIC'), a charity that exists to advance education in the sound administration of the law, including by promoting high standards of advocacy and enforcing professional standards of conduct. COIC supports the work of the four Inns of Court who provide the majority of COIC's funds.

If you would like any further information about BTAS please visit our website at www.tbta.org.uk.

The Strategic Advisory Board's Report

1. The Strategic Advisory Board provides BTAS with independent advice, information and support on its strategic and operational activities and risks.
2. Its membership is composed of lay and legally qualified professionals who are appointed because of their expertise in disciplinary and regulatory work, and includes representatives of both BTAS Disciplinary Pool Members and the Bar Standards Board (BSB). As at 31 December 2019, its membership was as follows:

Clare Dodgson (lay Chair of the SAB)

Vanessa Davies (Director General of the BSB)

Louise Clements (lay Disciplinary Pool panel member)

Robert Walton (legally qualified Disciplinary Pool panel member)

Joan Martin (lay member of the Tribunal Appointments Body)

Ian Clarke QC (Chair of the Inns' Conduct Committee)

Lara Fielden (lay Board member of the BSB)

HHJ Jonathan Carroll (Chair of the Disciplinary Tribunal Service)

James Wakefield (Director of COIC)

3. BTAS and its Pool of panel members are wholly independent of the BSB. Its relationship with the BSB is governed by a Service Agreement which defines the standards and performance expected by one party of the other. Both the SAB and the BSB monitor BTAS' performance against Key Performance Indicators (KPIs), which are set out in the Service Agreement. The SAB is pleased to record at the outset that it is very content with the consistently high standards achieved.

4. The SAB's Report covers hearings delivered by BTAS under the terms of its Service Agreement with the BSB, which are as follows:
 - i. **Disciplinary Tribunals** for barristers facing charges of professional misconduct by the Bar Standards Board. Tribunal Panels are made up of three persons (referred to elsewhere in this report as '3P DT'), or for the most serious cases five persons ('5P DT');
 - ii. **Interim Suspension Panels** ('ISP') which take place when the BSB believes that it is in the public interest that a barrister be immediately suspended in advance of a full hearing;
 - iii. **Fitness to Practise Hearings** ('FTP'), where the BSB has concerns about the capacity of a barrister to act on medical grounds; and,
 - iv. **Appeals against Administrative Sanctions** ('AAAS') imposed by the BSB on barristers for matters which are deemed not serious enough to amount to professional misconduct.

5. Where necessary BTAS also administers hearings to determine directions and interim applications; figures for these hearings are set out in the relevant sections of this report but are not included in the data that forms the basis of the graphs.

Case Study 1:

'A', a barrister, informed his client that he had – as requested - lodged an application in the courts and sought a date for the case to be heard. Over a number of months following this, 'A' sent a series of emails intended to reassure the client about the progress of the case.

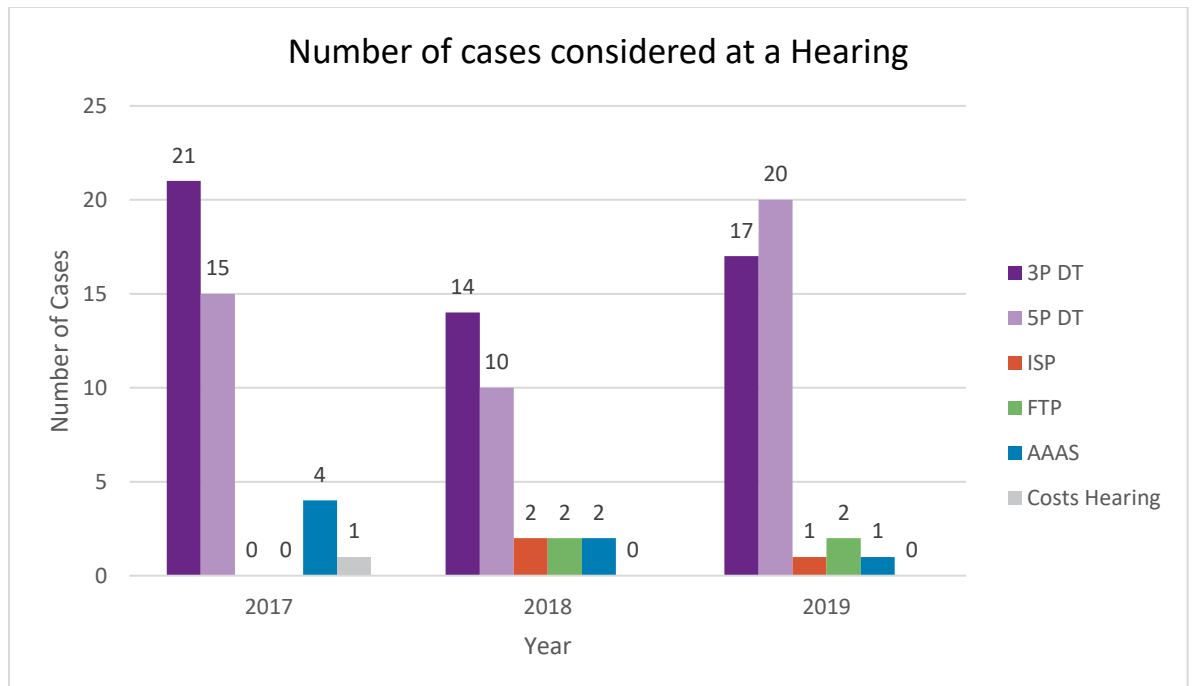
However, 'A' had not, in fact, issued any such proceedings, nor sought a hearing date. The emails 'A' had sent had given his client a misleading impression regarding the progress of the case for over a year.

'A' was charged by the Bar Standards Board with acting dishonestly and in a way that was likely to diminish the trust and confidence which the public places in the profession.

The charges were found proven and the Tribunal imposed a sanction of disbarment.

Number of Cases considered by BTAS Panels in 2019

6. The following chart sets out the total number of Tribunals and Hearings that took place in 2019. Data is also provided for the two previous years for the purposes of comparison:



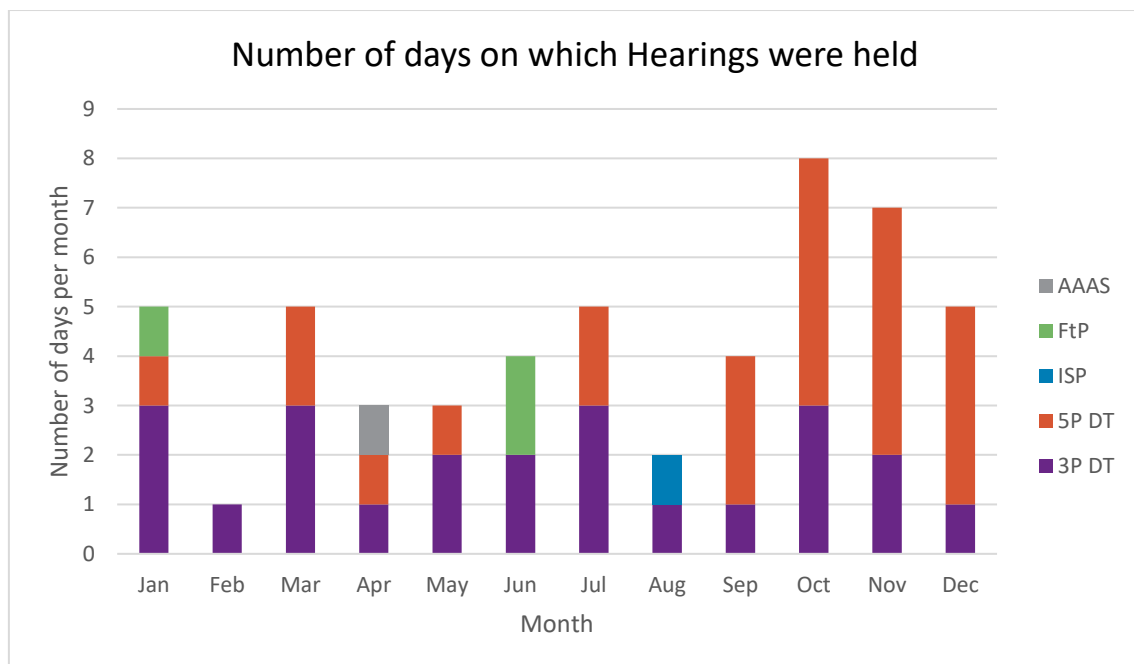
Key: 3P DT: 3-Person Disciplinary Tribunal
 5P DT: 5-Person Disciplinary Tribunal
 ISP: Interim Suspension Panel
 FtP: Fitness to Practise Panel
 AAAS: Appeal against Administrative Sanctions

7. A total of 41 hearings took place at BTAS in 2019, as compared to 30 in 2018 and 41 in 2017. It remains to be seen whether the 2019 figure represents the beginning of an upward trend from a 2018 low point. It should also be noted that in addition to these hearings, BTAS hosted 9 oral directions hearings/ strike out applications.
8. The majority of the increase of 11 hearings from 2018 to 2019 is accounted for by five-person panels, up from 10 hearings to 20 hearings. The decision as to whether a three-person or five-person panel should

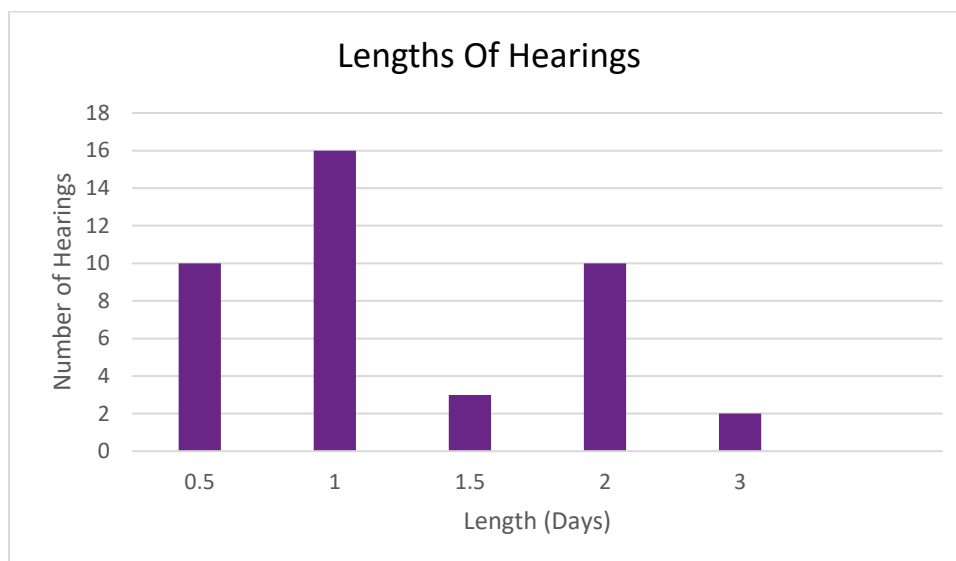
be convened in each case is made by the Bar Standards Board rather than BTAS, and so by implication the BSB must have identified that a greater proportion of its cases in 2019 involved the most serious misconduct and so did require the greater sanctioning powers (including disbarment) that would be available to a five-person panel.

Number of Days on which Hearings were held in 2019

9. While many cases can be concluded within one day, others are more complex and are scheduled to take place over several days; others have to be adjourned and be concluded at another date. The following chart sets out the number of days (broken down by month) on which hearings took place in 2019:



10. In 2019 41 hearings took place on a total of 52 days, representing an average of 1.25 days per case. In 2018 there was a total of 42 hearing days and an average of 1.4 days per case. It is important to bear in mind however that this is an average figure, so the information on the length of individual hearings is as follows:



11. As noted above, in addition to these hearings BTAS hosted 9 oral directions hearings/ strike out applications across 10 days.

Panel Outcomes in 2019

12. The table below sets out information on the outcomes of all Tribunals and other hearings that took place during the course of 2019:

Outcome	3 Person	5 Person	ISP	FtP	AAAS
Appeal Upheld					1
Case Dismissed	3				
Case Dismissed & Returned to BSB	1				
Found Fit to Practise				1	
Reprimanded	2				
Reprimanded & Advised as to future conduct	2				
Fined £1,000	1				
Fined £2,000; Advised as to Future Conduct & Reprimanded	1				
Fined £3,000 & Reprimanded	1				
Fined £7,500	1				
Fined £11,500		1			
Suspended until the conclusion of DT hearing			1		
Undertaking not to practise until conclusion of full hearing				1	
Suspended for 1 Month	1				
Suspended for 2 Months	1				
Suspended for 3 Months	1				
Suspended 4 Months, Fined £1000 & Reprimanded	1				
Suspended for 6 Months	1	1			
Suspended for 10 Months		1			
Suspended for 12 Months		2			
Suspended for 2 Years		1			
Suspended for 2 Years 5 Months		1			
Disbarred		13			
TOTAL	17	20	1	2	1

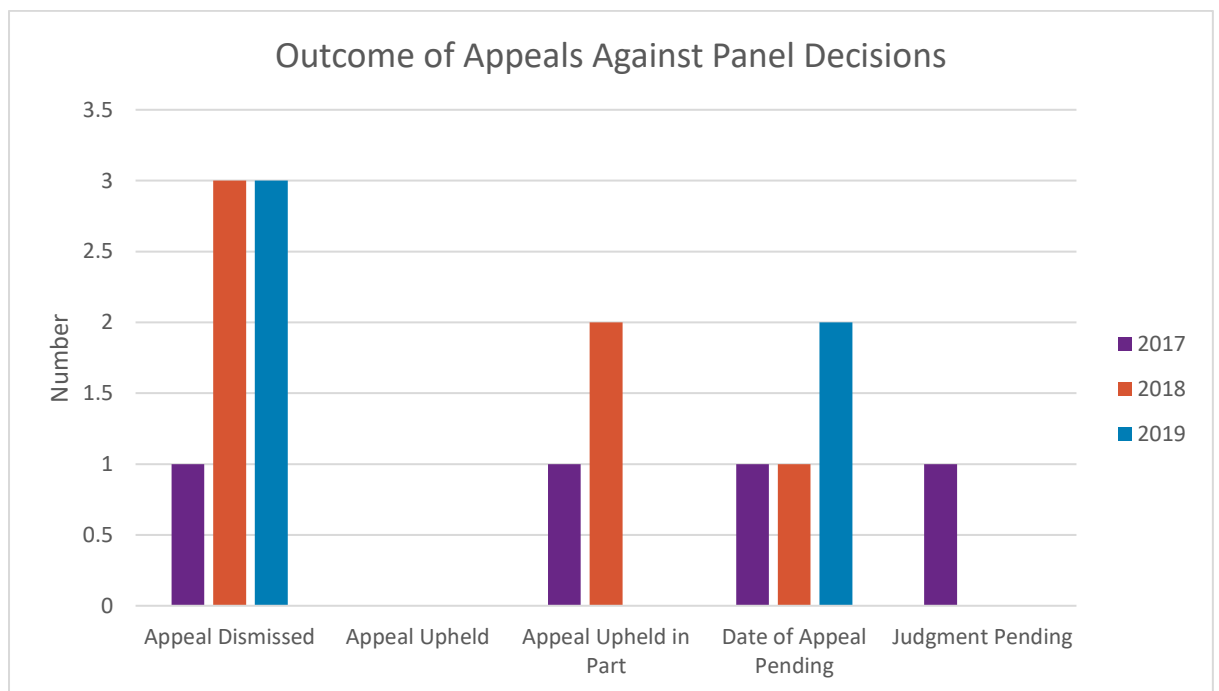
13. In 2019, 13 of the 41 hearings (32%) resulted in the respondent's disbarment. This compares with 10% in 2018, 20% in 2017 and 31% in 2016. However, as only five-person Disciplinary Tribunals can impose a sanction of disbarment, it is appropriate to highlight that this equates to

65% of such hearings resulting in an outcome of disbarment. This compares with 30% in 2018, 53% in 2017 and 53% in 2016. The number of disbarments has moved to a point above the historic average for five-person Disciplinary Tribunals.

14. In addition to Tribunals, the one Appeal Against Administrative Sanctions hearing upheld the appeal. Of the Fitness to Practise hearings one secured an undertaking not to practise until the final hearing and the second found the respondent fit. The one Interim Suspension Panel that took place suspended the respondent until the outcome of the final disciplinary hearing.

Outcomes of appeals in 2019 against the decisions of Disciplinary Tribunals

15. Barristers have the right of appeal in the Administrative Court against the decisions and sanctions imposed by Disciplinary Tribunals. The chart below sets out the outcomes or progress of appeal hearings that were extant in 2019 (although the Tribunals in question may have taken place in previous years). Numbers for the last two years are provided for the purposes of comparison:



16. BTAS carefully considers the outcomes of all appeals, and particularly those where the actions or decisions of a Tribunal may have been called into question, with a view to further improving the training, guidance and resources available to those who serve as members of Disciplinary Tribunals. As at 31 December 2019, of the five appeals in the system during the year, three had been dismissed as they had been withdrawn by consent of the parties and two were waiting for the appeal hearing to take place.

17. Details of appeals relating to the outcomes of BTAS Tribunals appear on the [BTAS website](#).

Case Study 2:

During a meeting 'B', a barrister, shouted at a solicitor in an aggressive manner and briefly prevented them from leaving the room in which the meeting was taking place by holding the door. Immediately after this had taken place, 'B' approached their lay client and informed them that 'B' was withdrawing from the case. This caused the client considerable distress.

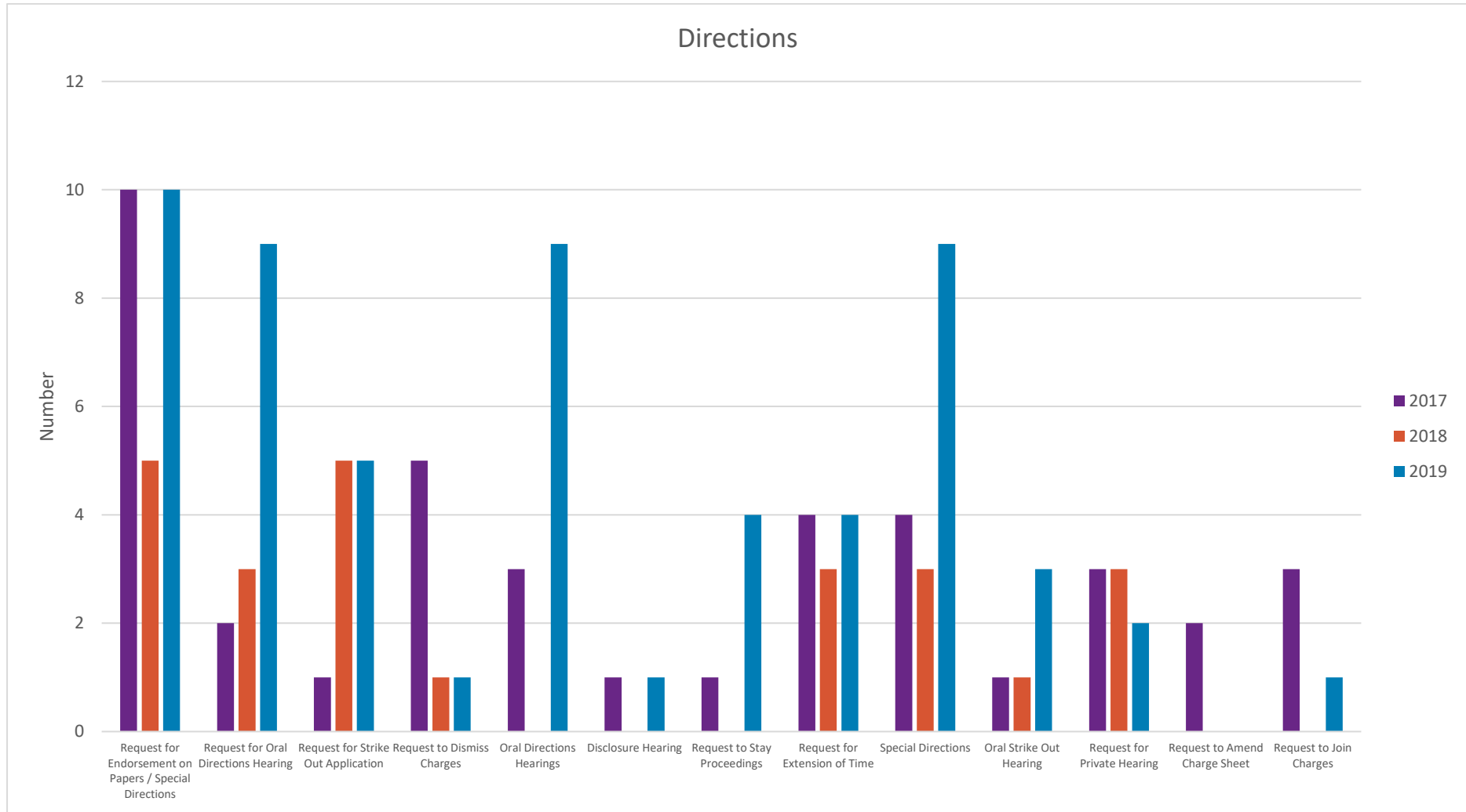
'B' was charged by the Bar Standards Board with acting in a way that was likely to diminish the trust and confidence which the public places in the profession.

'B' admitted the charges, showed genuine remorse and provided details of exceptional mitigating circumstances. The Tribunal reprimanded 'B' and imposed a fine of £750.

Directions

18. In addition to the hearings themselves, BTAS is also responsible for arranging the giving of Directions by appointed Judges or QCs, establishing the procedures and timetable for Hearings to both parties where necessary. More than one Direction may be given in a single matter. The following chart sets out data on the number and type of Directions given in 2019, with figures for the last two years provided for the purposes of comparison:

Directions



Disciplinary Tribunal Panel Costs 2019

19. Lay Panel Members, Clerks, and from April 2019, Barrister Panel Members and QC Chairs were entitled to claim reasonable expenses, and fees, for their attendance at hearings. Full information about the fees and reimbursement of travel and subsistence expenses for Panellists can be found in the Expenses Policy on the BTAS website. In the interests of transparency and openness, information on payments to Members and Clerks of the Panel in 2019 were as follows:

Hearings Costs

Fees to Lay members for attendance at hearings	£21,000
Fees to Clerks for attendance at hearings	£10,420
Fees to Barristers for attendance at hearings	£10,470
Fees to QC Chairs for attendance at hearings	£3,960
Expenses to Lay members for attendance at hearings	£6,909
Expenses to Clerks for attendance at hearings	£2,511
Expenses to Barrister members for attendance at hearings	£4,326
Expenses to QC Chairs for attendance at hearings	£340
Expenses to Judicial Chairs for attendance at hearings	£1,468

20. In addition to these fee and expense payments, BTAS also incurs standard operational expenditure such as staff costs, training costs, rent and IT infrastructure etc. In total BTAS's annual expenditure is approximately £600,000, which is funded in entirety by grants from the Inns of Court.

Policy and Other Developments

21. The main policy development in 2019 was the introduction of the payment of fees for Barristers Panellists and QC Chairs.

22. It is anticipated that the main matters that will need reviewing /developing in 2020 and 2021 will include:

- i. Online/remote hearings;
- ii. Case management systems;
- iii. The BTAS Sanctions Guidance (which has been updated but not subject to a substantial review since 2014).

23. The Chair of the BTAS Strategic Advisory Board completed her second term of office at the end of 2019. Clare has provided excellent leadership and unstinting support to the BTAS team, both staff and committee members for which we record our thanks. Following a successful recruitment exercise in the early part of 2020, Antony Townsend was appointed as the new Chair.

The Inns' Conduct Committee Report

24. The Inns' Conduct Committee (ICC) is the body responsible for considering applications for admission to an Inn of Court where there is any matter which might affect whether the applicant is a 'fit and proper' person to become a practising barrister. It is also responsible for considering disciplinary cases for 'serious matters' involving student members of an Inn of Court and hearing appeals by student members against disciplinary decisions of their Inn with regard to more minor matters.
25. The ICC's role is referred to in the Bar Training Rules (Part 4B of the Bar Standards Board "Handbook") and its procedures are set out in the ICC Rules. The Bar Standards Board regulatory framework changed in 2019 for implemented from 1 January 2020, as outlined further in 'Policy Developments' below.
26. Applicants wishing to join an Inn of Court must disclose information about themselves, as required in their Admission Declaration. This includes information about criminal convictions, bankruptcy proceedings and disciplinary matters. Student members of an Inn are also subject to obligations to disclose matters to their Inn, including as required in their Call Declaration and by the Bar Training Rules. Where a relevant matter is disclosed (or comes to light), the Inns must refer it to the ICC for consideration. An ICC 'Screening Panel' considers whether the matter referred needs to be considered by an ICC 'Hearing Panel'. All ICC Panels include lay and legal members.

Membership of the Inns' Conduct Committee

27.As at 31 December 2019, the membership of the Inns' Conduct Committee was as follows:

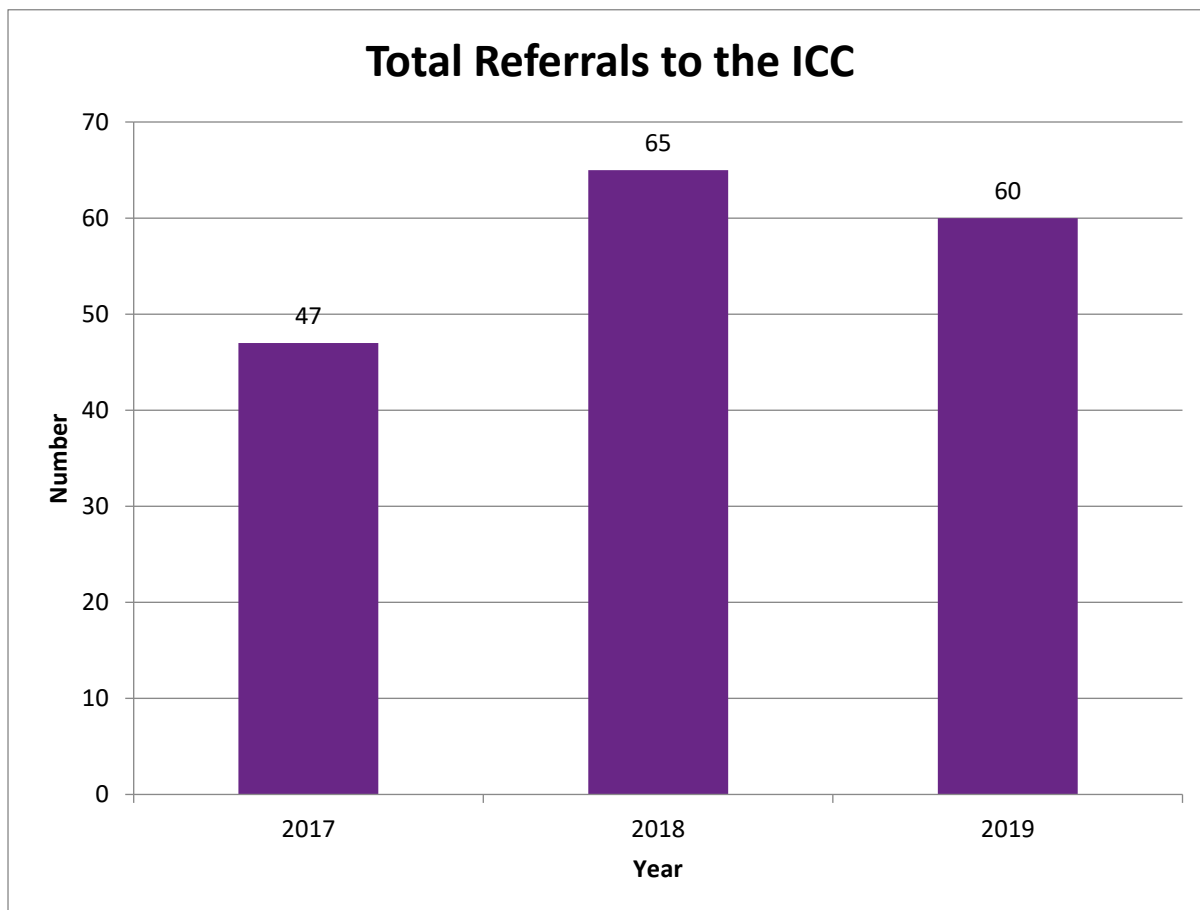
Ian Clarke QC (Chair)
Colin Wilby (Vice-Chair – Lay)
Claire Lindley (Vice Chair – Barrister)
Siobhan Heronn (Barrister member)
Helen Carter-Shaw (Lay member)
Howard Freeman (Lay member)
John Hamilton (Barrister member)
Jennifer Jones (Barrister member)
Catherine Taskis (Barrister member)

28.During 2019 the Inns' Conduct Committee took steps to ensure ongoing consistency and expertise in its membership by staggering the completion of terms of office. One third of ordinary committee members should now complete their terms of office on a rolling basis every 2 years. Since not all appointees will retire from the ICC by reason of their terms naturally expiring (it must be anticipated that some will retire for other reasons at irregular dates) It is hoped that appointments in future will continue to adopt a standard termination date of 30 June in such year as will maintain the structured retirement dates currently in place.

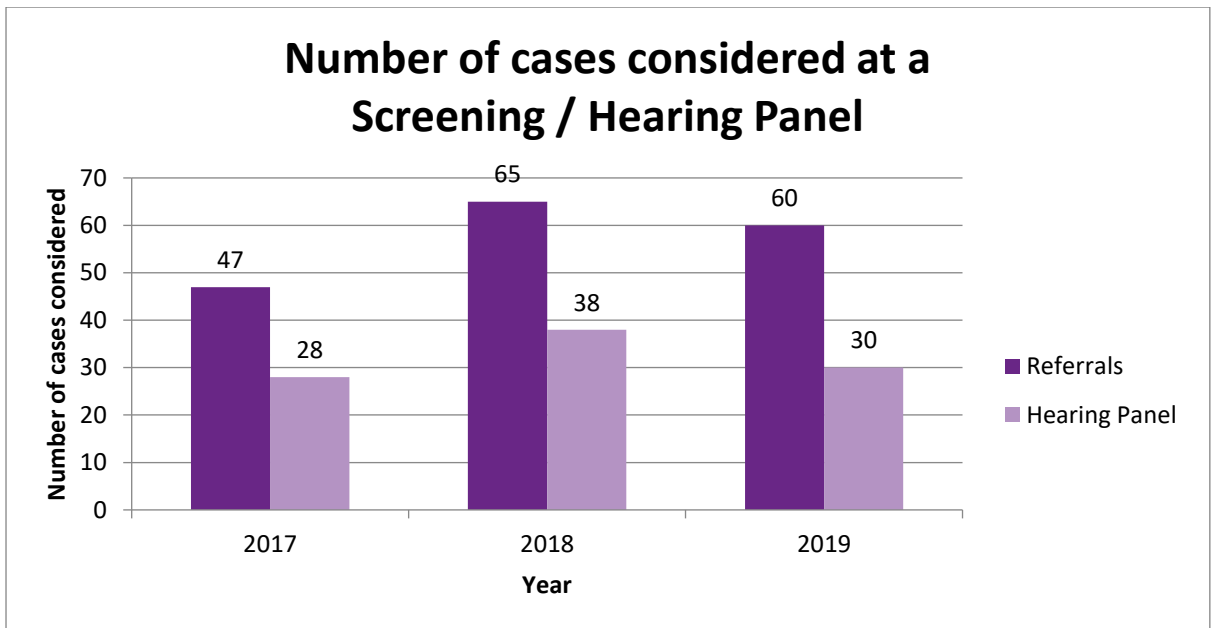
29.The Inn's Conduct Committee would like to record their thanks to Janice Brennan for her contribution to the work of the Committee. Janice resigned from the Committee with effect from 30 June 2019 in order to facilitate the reforms referred to in the previous paragraph.

Referrals to the ICC

30. During 2019, a total of 60 individuals were referred to the ICC by the four Inns of Court:

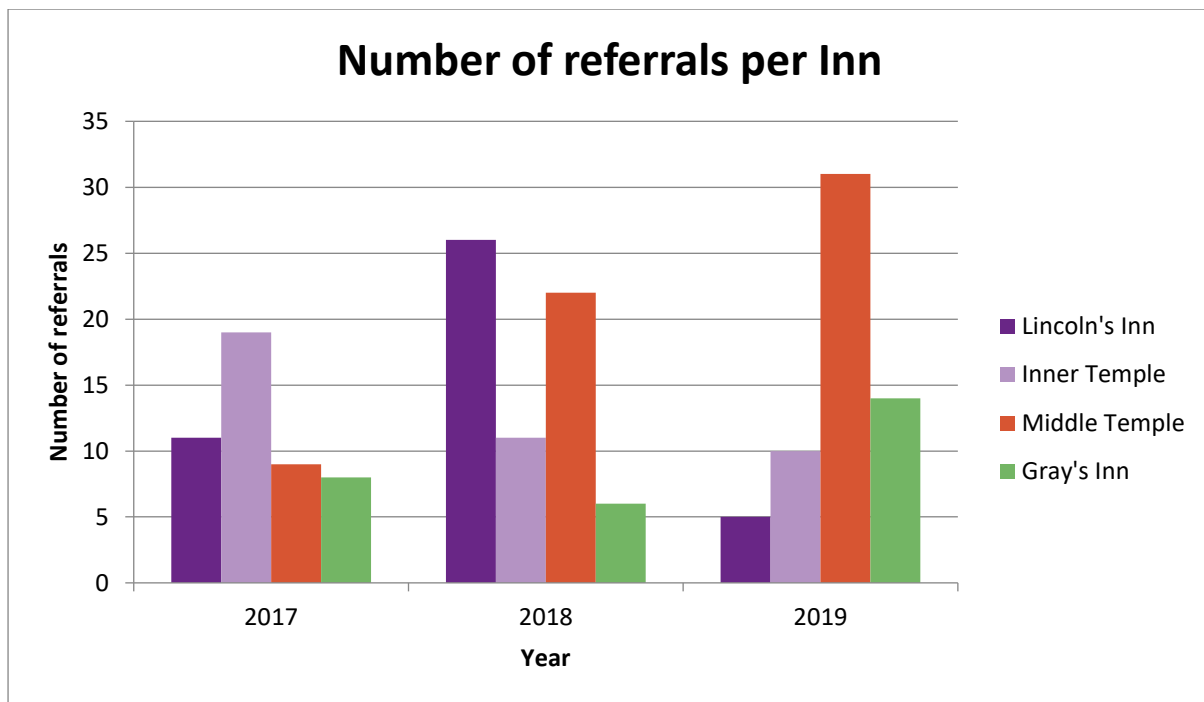


31. This represents a 9% decrease in referrals year-on-year. In 2018, 58% of those cases referred to the ICC were passed on to a Hearing Panel. In 2019 that figure is 50%:



32. Both the number of 2019 referrals and the number of 2019 hearings are broadly in line with 2018. Whilst there is a drop off in both, it is not by a significant amount. The 2019 figures sit between the higher 2018 figures and the lower 2017 figures which suggests there are no noticeable trends up or down over the medium term.

33. The proportion of referrals, according to the Inn of Court that made them, is set out below. There is a noticeable increase in referrals by Middle Temple and a decrease by Lincoln’s Inn:



Case Study 3:

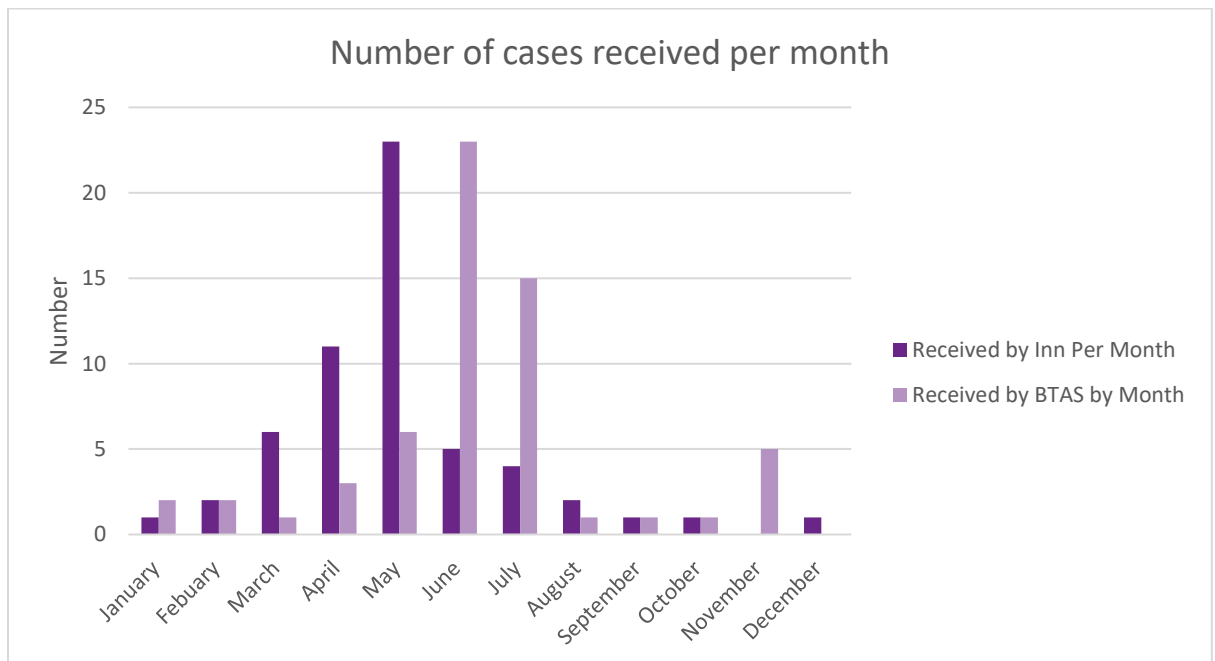
‘C’, a student, had been convicted of criminal offences for a battery committed two years ago (which resulted in a Caution) and found guilty one year ago of two charges of assault by beating.

‘C’ claimed that they had been wrongly convicted and that they had intended to appeal the convictions but had not done so. ‘C’ expressed no remorse, apology or assurance that something like this would not happen again.

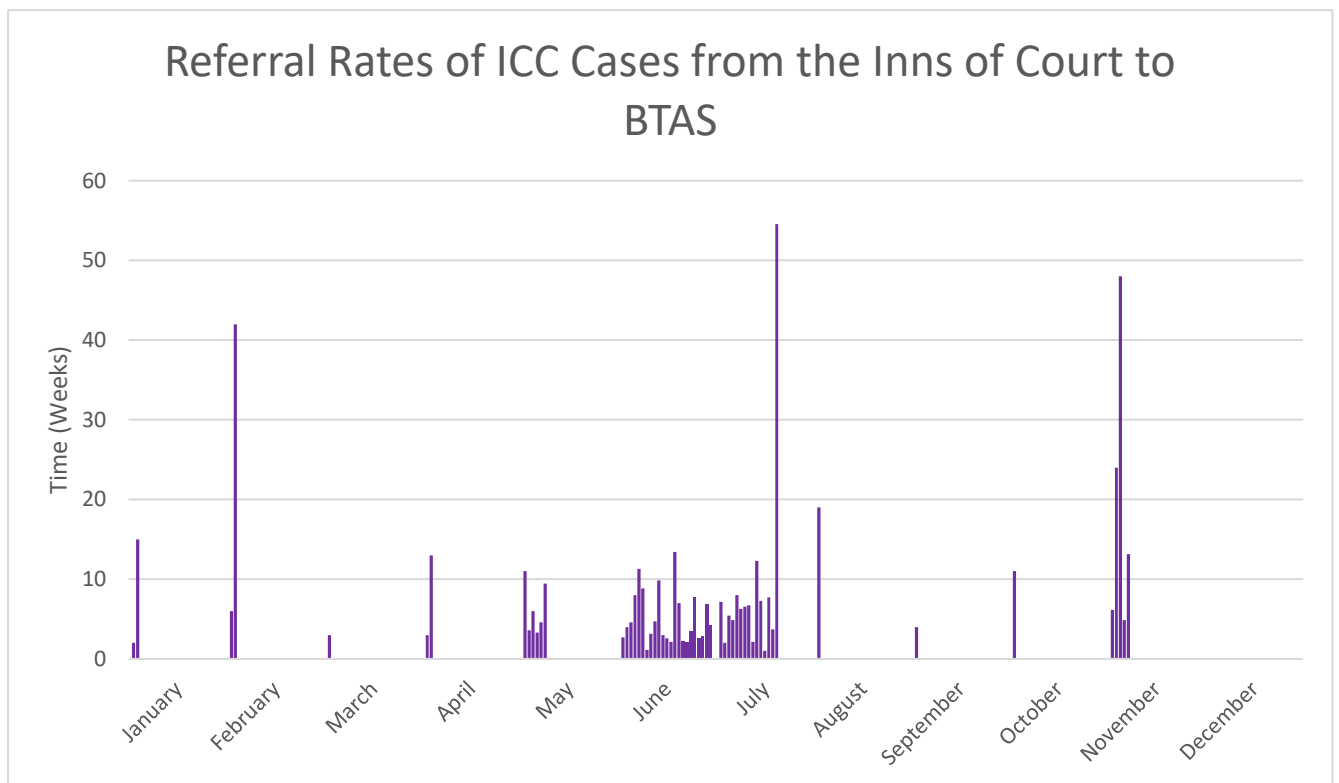
The Panel concluded that a serious matter had been proved against ‘C’, that merited the student being expelled from their Inn.

‘C’ subsequently appealed this decision to the Bar Standards Board. The appeal was dismissed; and the ICC’s decision upheld.

34. The following graph show the number of ICC cases received per month by the Inns of Court, in comparison to when they were subsequently passed on by the Inns to BTAS. As in previous years the Inns experience a peak of activity in April and May, which is then echoed at BTAS in June and July as cases are forwarded to it in time to meet the deadline for students to be Called to the Bar.



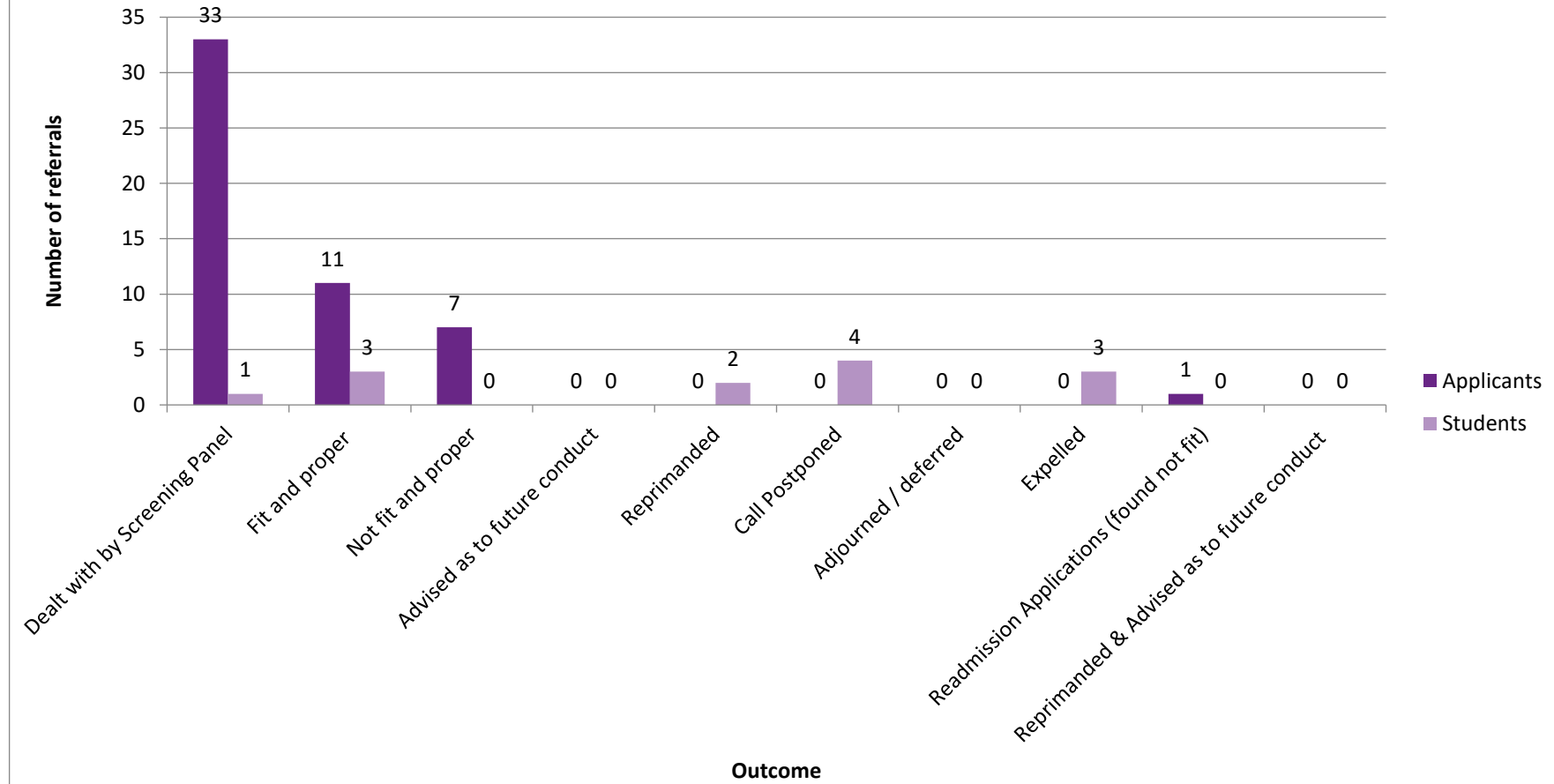
35. The following graph sets out, at the point a case was received by BTAS on the ICC's behalf, how long it had been since the matter had been brought to the Inns' attention:



36. By way of a key for the above graph, each line represents an ICC case received at BTAS, with thicker lines representing a number of cases being received simultaneously. The height of the line indicates the number of weeks it took before a case was referred to BTAS by the Inns. The majority of cases were referred by the Inns within 10 weeks. Notably three cases took in excess of 40 weeks to be referred.

37. Set out below are the detailed outcomes of the cases dealt with by the ICC in 2019. It should be noted that this totals 65 outcomes, as compared to the 60 for the 2019 referrals. This is because a number of matters were referred to BTAS in late 2018 and only received their outcome in 2019:

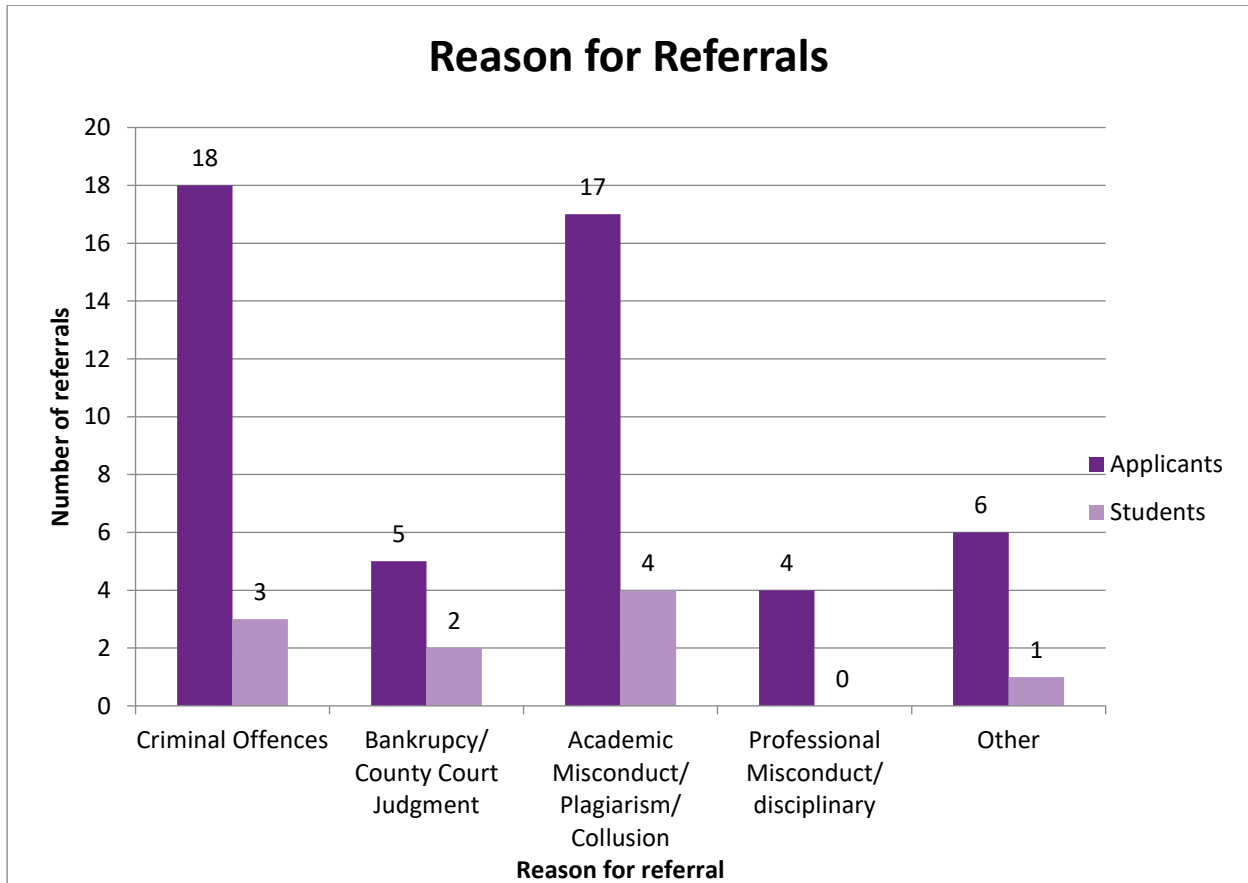
Outcome of Referrals to ICC



- (1) **52** were **applicants** to join an Inn. As to these:
 - (a) The Screening Panel found in **33** instances that a referral to a Hearing Panel was not required in order to determine whether the Applicant was 'fit and proper' to become a practising barrister. Each of these Applicants was returned to the Inn to which they had applied, to be admitted as a member.
 - (b) **19** were referred to an ICC Hearing Panel:
 - (i) **11** individuals were found to be 'fit and proper'. Accordingly, they would be admitted as a member of the Inn to which they had applied.
 - (ii) **7** individuals were found not to be 'fit and proper'. Accordingly, the referring Inn was instructed not to admit them as a member.
 - (iii) **1** individual was found to not be 'fit and proper' to be readmitted as members of an Inn, having previously been disbarred (either voluntarily or following a Disciplinary Tribunal).

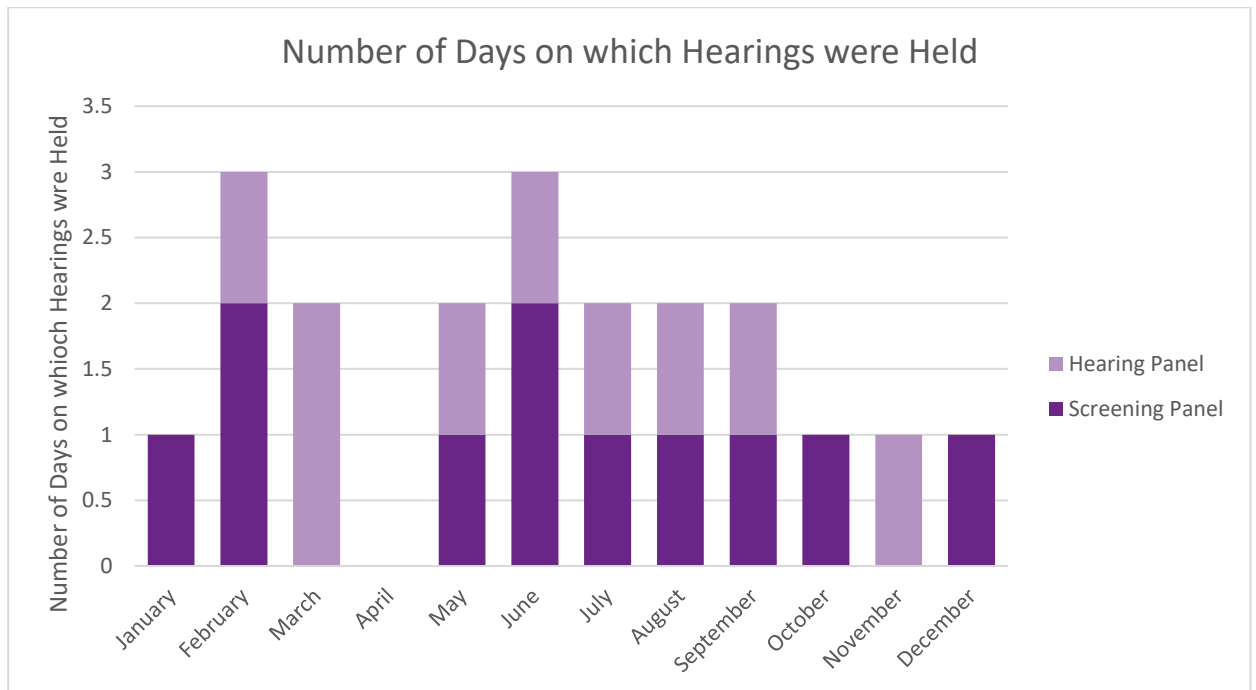
- (2) **13** were student members of an Inn. Of these:
 - (a) In **1** instance, the Screening Panel found that it was not necessary to refer the person to a Hearing Panel. The Inn was so informed.
 - (b) **12** individuals were referred to an ICC Hearing Panel for determination.
 - (i) In **3** instances, the individual was found to be 'fit and proper', and remained a member of their Inn.
 - (ii) In the remaining **7** cases, **2** students were reprimanded and/or advised as to their future conduct, **4** students had their Call to the Bar delayed and **3** students were expelled. One of these was as a result of the ICC's first 'disputed facts' hearing.

39. The Table below gives a break-down of referrals to the ICC by subject-matter, in relation to applicants and students:



40. It is evident that a large proportion of the ICC's time in 2019, as in 2018, was spent considering cases of criminal convictions and academic misconduct. With regard to academic misconduct, it should be understood that many of these cases involved two or even three students colluding on a piece of academic work (which they were meant to complete independently). Such cases would be counted in the above graph according to the number of students involved, rather than the number of incidents themselves.

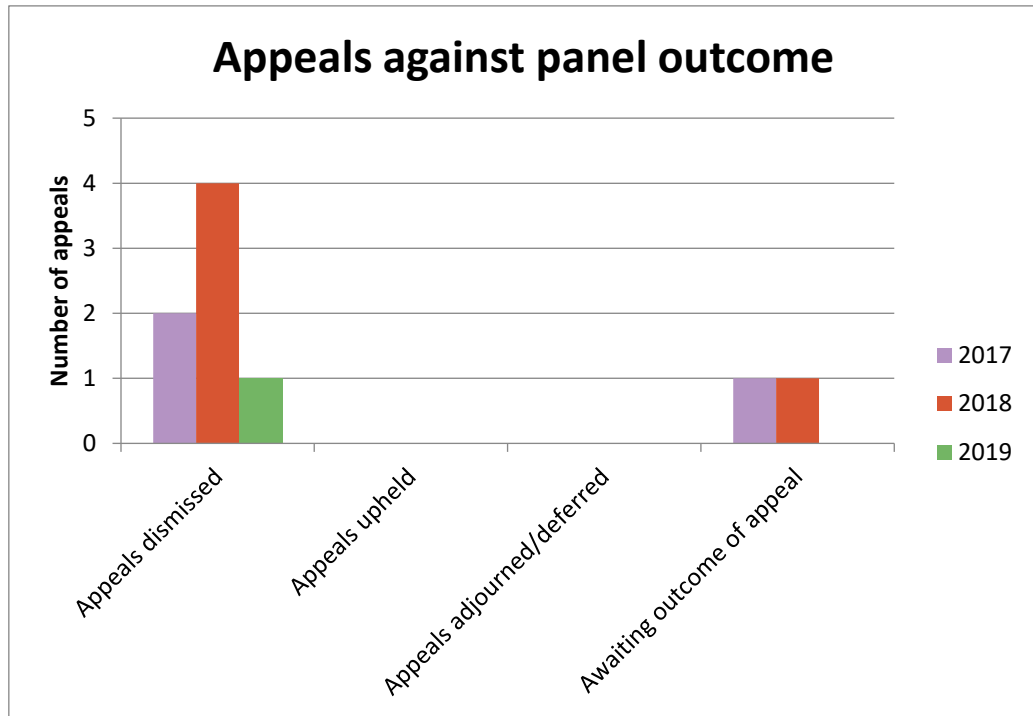
41. The following chart sets out the number of Screening Panels and Hearing Panels which took place each month. Over the course of 2019, there were **11** Screening Panels and **9** Panel Hearings. For efficiency purposes, both Screening Panels and Hearing Panels usually consider more than one individual referral.



Applications for review of ICC decisions

42. An applicant or student who is dissatisfied with the outcome of a referral to the ICC may apply to the BSB for a review of the ICC decision. Applications for review have been dealt with on the basis of consideration of documents submitted to it by the BSB's Authorisations Department.

43. In 2019 one application for review was submitted to the BSB. This compares with five in 2018 and three in 2017. The one 2019 application was dismissed.



Policy Developments

44. During 2019, for implementation on 1 January 2020, the BSB replaced the *'Bar Training Rules'* with *'Bar Qualification Rules'*. In addition it issued *'Guidelines for determining if a person is fit and proper to become a practising barrister'* – which superseded the *'ICC Statement of Principles and Guidelines'*. The new BSB Guidelines broadly adopt the content and format of the old ICC's *Guidelines*. To align with the new BSB Rules and Guidelines the ICC has developed the ICC: *'Practice and Procedure Rules 2020'*; *'Standing Orders 2020'*; *'Disputed Facts Protocol 2020'*; and referral forms.

45. In 2020 it will be necessary to monitor exactly what impact (if any) the above changes will have on the day-to-day operations of the ICC, and what (if any) difference will be experienced by applicants and students of the Inns.

46. It is anticipated that the matters that will need reviewing /developing in 2020 and 2021 will include:

- I. Online/remote hearings;
- II. The ICC website, bringing all ICC resources in to one 'repository';
- III. Processes for reporting ICC outcomes to the BSB along with a 'Self Evaluation Report';
- IV. Scheduling ICC Screening Panel 'windows'.

Case Study 4:

'D', an applicant to an Inn, was referred to an ICC Hearing Panel due to two criminal convictions that took place over ten years ago. The first conviction was for failing to notify a change in circumstances in relation to benefit payments, the second for possessing a controlled drug or substance thought to be a drug with the intent to supply.

'D' explained to the Panel that, following the convictions, they had relocated to start a new life and enrolled at university. 'D' provided excellent testimonials from senior lecturers of the university, which also confirmed 'D's commitment to a voluntary scheme assisting litigants in person with practical advice.

The Panel agreed that 'D' had put the criminal convictions behind them. 'D' understood the full gravity of the offences and had showed remorse and contrition. The Panel were reassured that 'D' was very unlikely to reoffend and concluded that 'D' was a fit and proper person to be admitted to an Inn and become a practising barrister.

The Tribunal Appointments Body's Report

47. The Tribunal Appointments Body ('the TAB') is the independent body responsible for appointing barrister, lay and QC members of the Disciplinary Tribunal Pool; and barristers to act as clerks at hearings. It is also responsible for ensuring that those appointed are fit and proper to act, both at the time they were appointed and throughout the entirety of their term of office.

48. Members and clerks of the Disciplinary Tribunal Pool serve at Hearing Panels for barristers convened to hear Disciplinary Tribunals (both three and five-person Panels), Interim Suspension Panels, Fitness to Practise Hearing Panels and Appeals Against Administrative Sanctions (imposed by the Bar Standards Board). They also hear cases considered in accordance with the Rules of the Inns' Conduct Committee (ICC) to determine whether prospective barristers are fit and proper persons to undertake this role.

49. Towards the end of 2019 Ann Kelly stepped down from the TAB. The TAB would like to record its debt of gratitude for her important contribution to TAB's work. As at 31 December 2019 the membership of the Tribunal Appointments Body was:

Inn	Members
Chair	Lady Justice Simler
Lincoln's Inn Member 1	Margia Mostafa
Lincoln's Inn Member 2	Keith Morton QC
Middle Temple Member 1	Hugh Jackson
Middle Temple Member 2	Brie Stevens-Hoare QC
Inner Temple Member 1	Caroline Willbourne
Inner Temple Member 2	Ian Stern QC

Gray's Inn Member 1	Marie Spenwyn
Gray's Inn Member 2	Tim Ward QC
Lay Representative 1	Joan Martin
Lay Representative 2	Dean Riggall

50. The TAB's 2019 operating costs (fees and expenses for meetings and so on) amounted to £5,492. In addition, 2019 being a year in which a recruitment exercise was undertaken, there were £28,397 of recruitment costs and £17,139 of training and refresher training costs. This is funded by the four Inns of Court as part of their annual grants to the Council of the Inns of Court.

2019 Recruitment Exercise

51. Every third year, 2019 being one of them, the TAB undertakes a recruitment exercise for new Barristers, QC Chairs, Lay members and Clerks. Adverts went out in February and 279 applications were received for a total of 26 roles. All applications were anonymised and double marking was completed by members of TAB in May with an equality and diversity analysis completed before and after 43 candidates were interviewed in June and July. Key statistics include:

- Ethnicity – 19% of all appointees declared non-white British ethnicity;
- Gender – 46% of appointees were female and 46% male. The remainder of the appointees did not declare their gender. Of the five QCs appointed, only one is female. Whilst disappointing, this perhaps reflects the fact that one in five QCs are female;
- Disability – no candidates who declared a disability were appointed. Steps will be taken to better understand the reason for this and a concerted effort will be made to recruit those with a disability at the next recruitment round;
- Schooling – of those appointed 54% attended state school, 35% independent school and 12% did not say;

- Geographical Locations – taken as a whole, the locations of Panellists and Clerks were broadly in line with the national spread of the profession.
- Practice areas – taken as a whole, the Barrister Panellists, QC Panellists and Clerks undertook a broad spectrum of practice areas with no single practice area predominant.

52. It should be noted that, for the most part, those recruited in 2019 did not become eligible to sit on Tribunals during 2019 and are not counted in other statistics contained in this report.

53. During the second half of 2019 and the early part of 2020 all Panellists and Clerks undertook training in structured decision making and unconscious bias and confirmed that they had read/reread all BTAS guidance. In addition, all new Panellists and Clerks observed Tribunals taking place.

Pool Members and Clerks in 2019

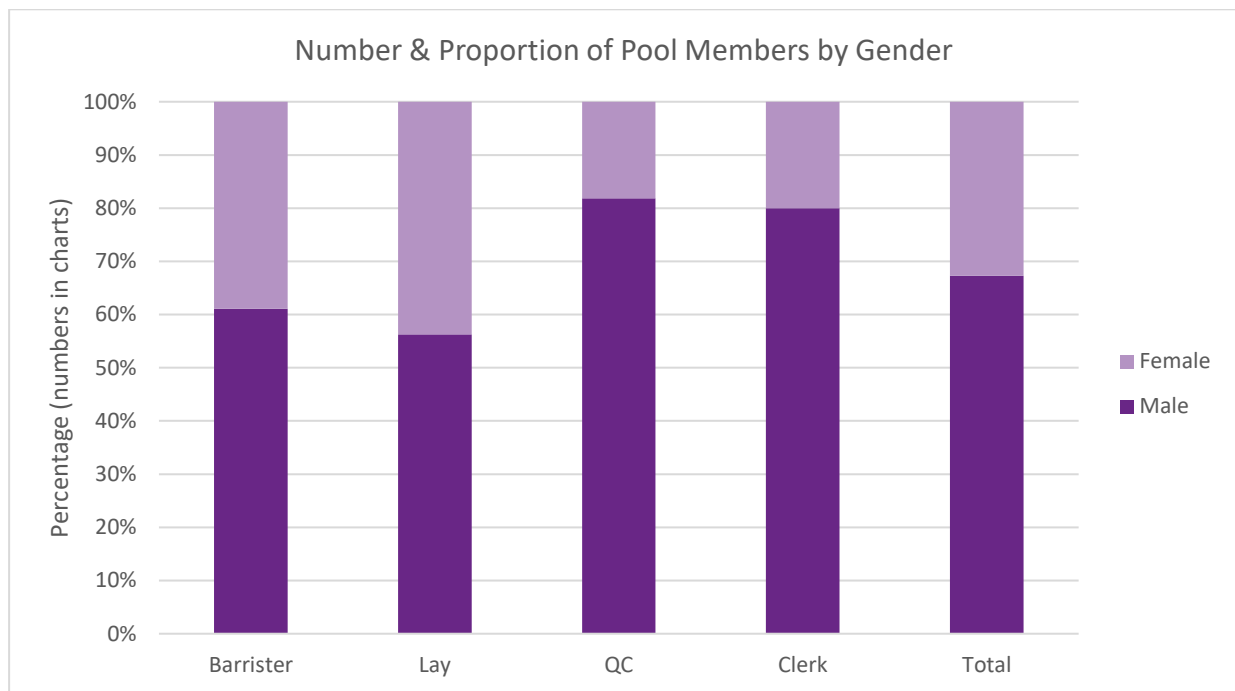
54. As at 31 December 2019, the membership of the Disciplinary Tribunal Pool was as follows:

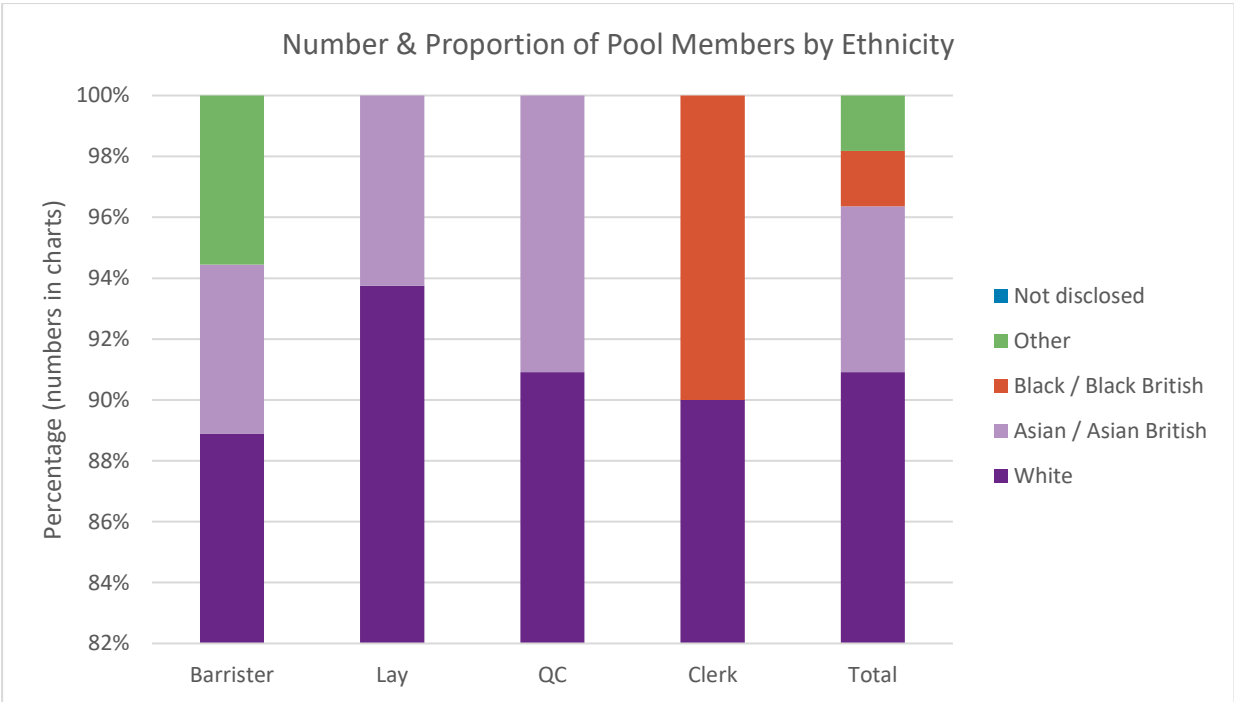
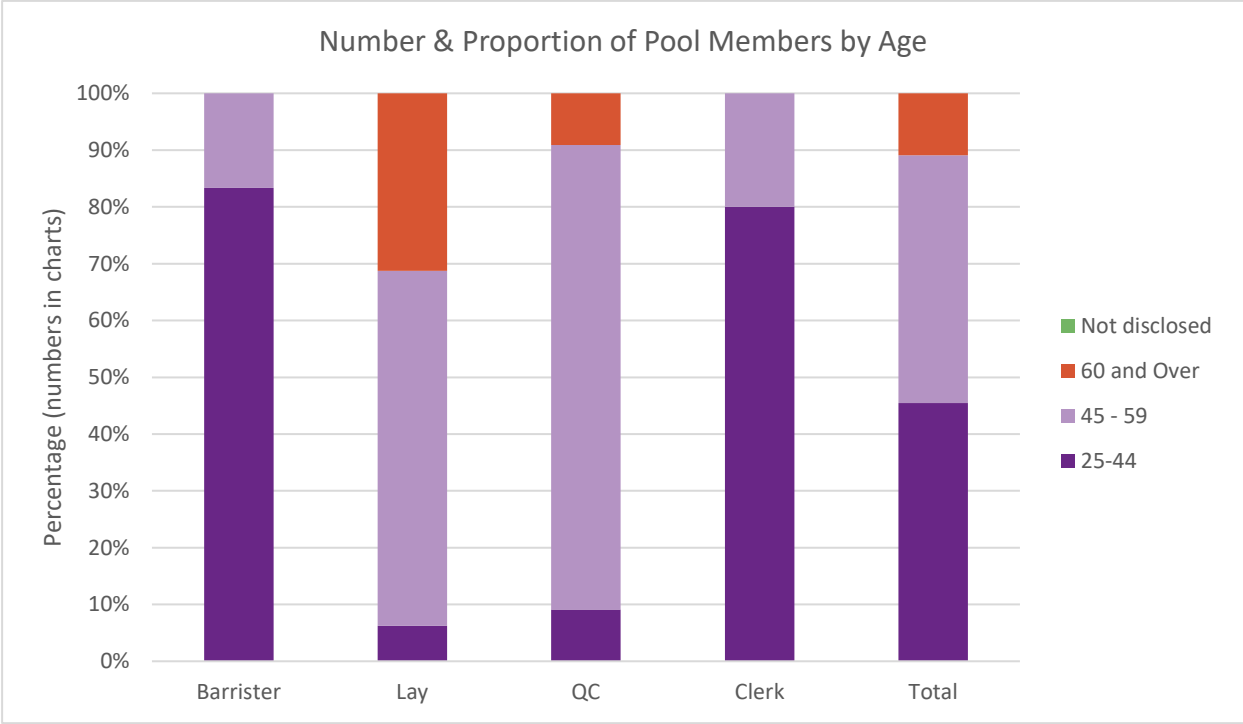
Role	31 December 2019
Barrister	18
Lay	16
QC	11
Clerk	10

55. Full details of the current membership of the Disciplinary Pool are available at <http://www.tbta.org.uk/about-us/who-we-are/panel-members/>.

Composition of the Pool in 2019

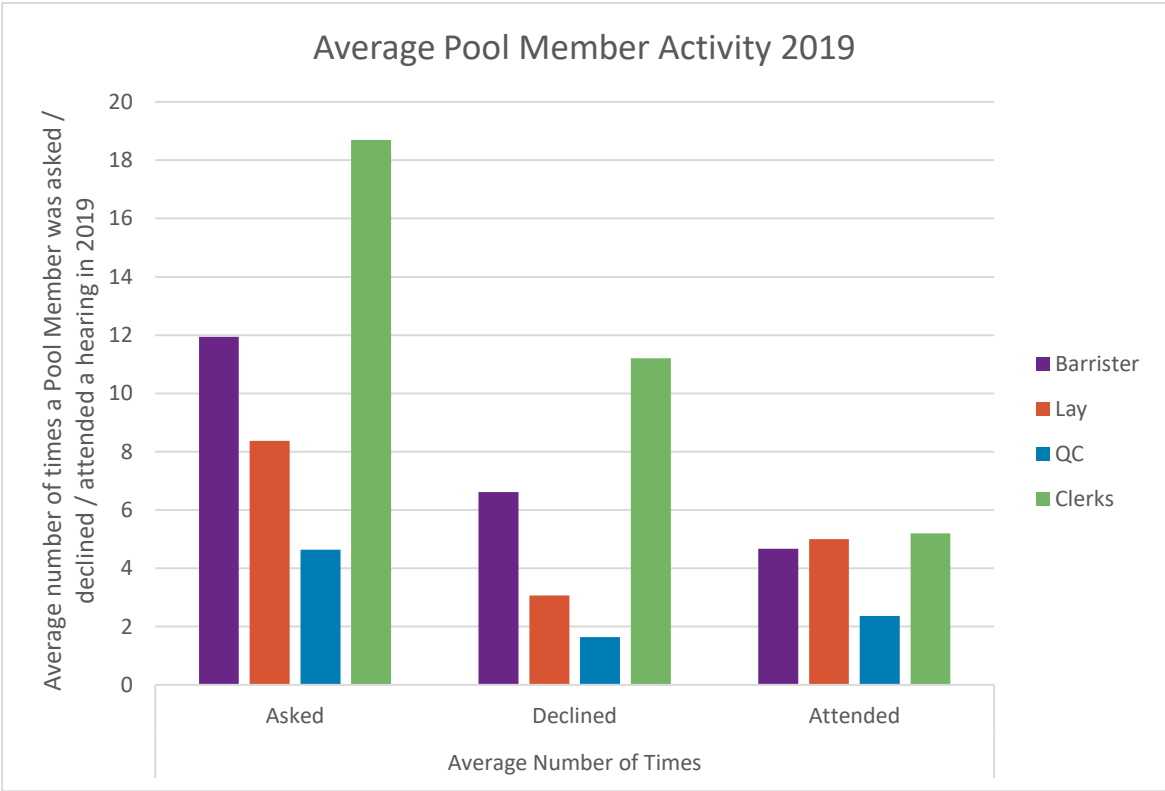
56. The following charts sets out information about the composition of the Pool by gender, ethnicity and age (as at 31 December 2019):





Panellist Activity in 2019

57. During 2019 there were only 41 disciplinary hearings for barristers (not including oral directions and interim applications), and nine days of ICC hearings for prospective barristers. That meant the number of Tribunals on which the average Pool member had the opportunity to serve in the year was inevitably low. This is set out in the chart below:



58. As in previous reports, as well as the number of hearings attended, the chart also sets out the average number of times members were asked to serve on a Tribunal, or declined a request to serve on Tribunals. For the avoidance of any confusion, please note that the number of hearings ‘attended’ is not necessarily the number ‘asked’ minus the number ‘declined’ - inevitably some hearings (which members of the Pool had agreed to attend) were adjourned or did not take place for other reasons.

59. While the TAB's priority is ensuring that the Pool is large enough that sufficient members will always be available to serve on a Tribunal whenever one needs to be convened, it is always mindful that Pool members should if possible sit sufficiently often to maintain familiarity and expertise in the role. The TAB would ideally like to see the average number of hearings attended by a Pool member each year increase to about 5.0. In 2018 this number was 3.0 and in 2019 it was 4.0.