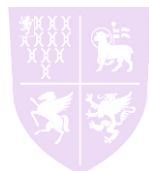




The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

ANNUAL REPORT 2023



Contents

Introduction	3
The Strategic Advisory Board’s Report.....	4
The Disciplinary Tribunals	6
Number of Cases considered by BTAS Panels in 2023	7
Number of Days on which Hearings were held in 2023.....	8
Panel Outcomes in 2023	10
Outcomes of appeals in 2023 against the decisions of Disciplinary Tribunals	12
BTAS Costs 2023.....	13
The Inns’ Conduct Committee Report.....	14
Memorandum of Understanding with the Bar Standards Board	14
Membership of the Inns’ Conduct Committee	16
Referrals to the ICC: data and trends.....	17
Applications for review of ICC decisions & Complaints – Check data and with BSB	23
Developments/Action Points and Plans.....	24
The Tribunal Appointments Body’s Report	26
TAB Costs	27
Pool Members and Clerks in 2023	27
Composition of the Pool in 2023	28
Panellist Activity in 2023	29
Recruitment Exercise 2024/2025.....	30
TAB issues in 2023.....	30

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 Chairs of committees that oversee aspects of our work. 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 2023.

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.tbts.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 2023, its membership was as follows:

Antony Townsend (Lay Chair of the SAB)

Desiree Artesi (legally qualified Disciplinary Pool panel member)

HHJ Jonathan Carroll (Chair of the Disciplinary Tribunal Service)

Lyndsey de Mestre KC (Chair of the Inns' Conduct Committee)

Emir Feisal (Lay BSB board member)

Louise Fisher (Lay member of the TAB)

Stephanie McIntosh (Lay Disciplinary Pool panel member)

Mark Neale (Director General of the BSB)

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. SAB receives regular reports on the performance of all the tribunals administered by BTAS.
4. During 2023 SAB's and BTAS's priority was to advance the two main outstanding matters from 2022, that is case progression and taking part in the BSB review of the disciplinary/enforcement process, with the objective of reducing delays and further improving the efficiency and effectiveness of

the system. This is in response to concerns that the process starting with a complaint to the BSB and culminating in a hearing by BTAS takes too long.

5. In 2023 the BSB appointed Fieldfisher to undertake the review of the disciplinary/enforcement process. During 2023 and into 2024 BTAS fully engaged with that review including attending meetings with Fieldfisher, providing case progression data and analysis of that data, facilitating surveys of BTAS panellist members, proposing improvements to the system and so on. In April 2024 Fieldfisher produced a report for the BSB. BTAS supported, encouraged and welcomed the recommendations in the report that related to BTAS. The recommendations broadly divided into three categories:
 - A. Enhancements to case management that do not require a rule change;
 - B. Review of rule changes needed to further enhance case management;
 - C. Review of wider governance matters.
6. BTAS, in anticipation of the Fieldfisher report, began implementing changes from the beginning of 2024. For example, it: set up a Case Management Group that devised a 'readiness for hearing questionnaire' which is to be piloted in September 2024; has created lists of rules changes that BTAS would like to propose to the BSB (who have ownership of the rules); has reviewed and adjusted the terms of reference of both the Strategic Advisory Board and the Case Management Group to enhance effective oversight.
7. The Strategic Advisory Board would like to mention in particular the BTAS Administrator, Margaret Hilson. Margaret stepped down from her role in the summer of 2023 after many years of excellent service. All at BTAS wish Margaret well for the future and welcome the new BTAS Registrar, Ailís Lockhart and new BTAS Administrator, Maris Dellow.

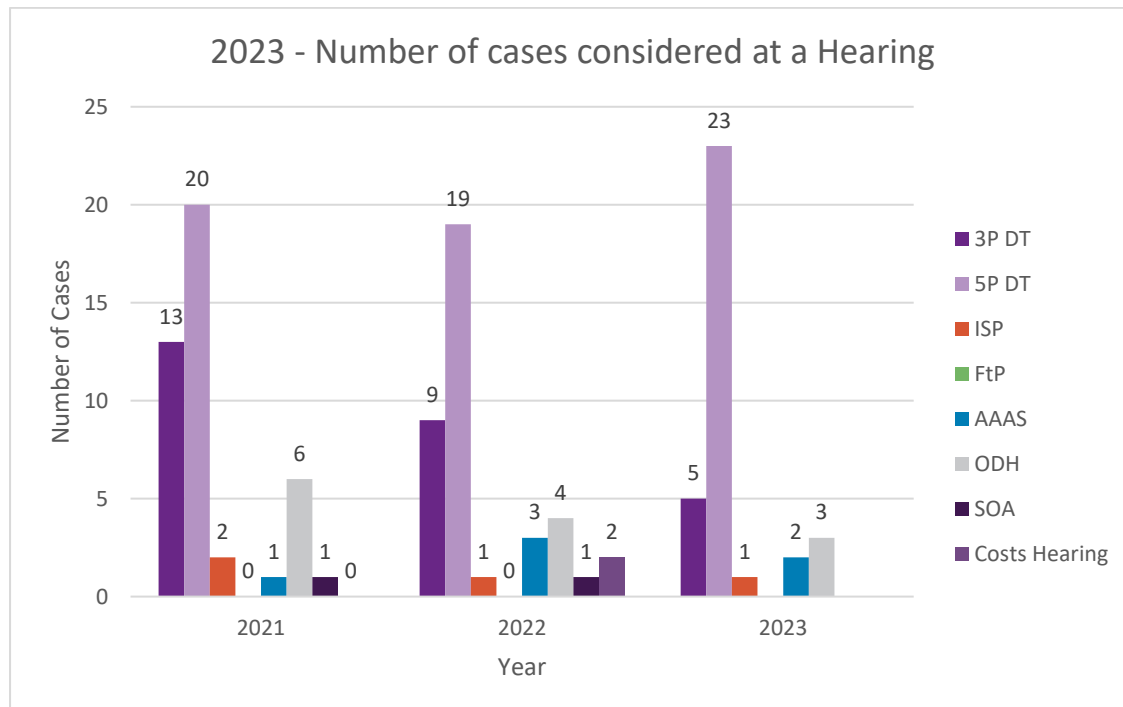
The Disciplinary Tribunals

8. The SAB's Report covers hearings delivered by BTAS under the terms of its Service Agreement with the BSB. The categories of hearings are as follows:
 - i. **Disciplinary Tribunals** for barristers facing charges of professional misconduct brought 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.

9. 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.

Number of Cases considered by BTAS Panels in 2023

10. The following chart sets out the total number of Tribunals and Hearings that took place in 2023. 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
 ODH: Oral Directions Hearing
 SOA: Strike Out Application
 Cost: Costs hearing

11. A total of 34 hearings took place at BTAS in 2023 over 50 days, as compared to 39 in 2022 and 43 in 2021.

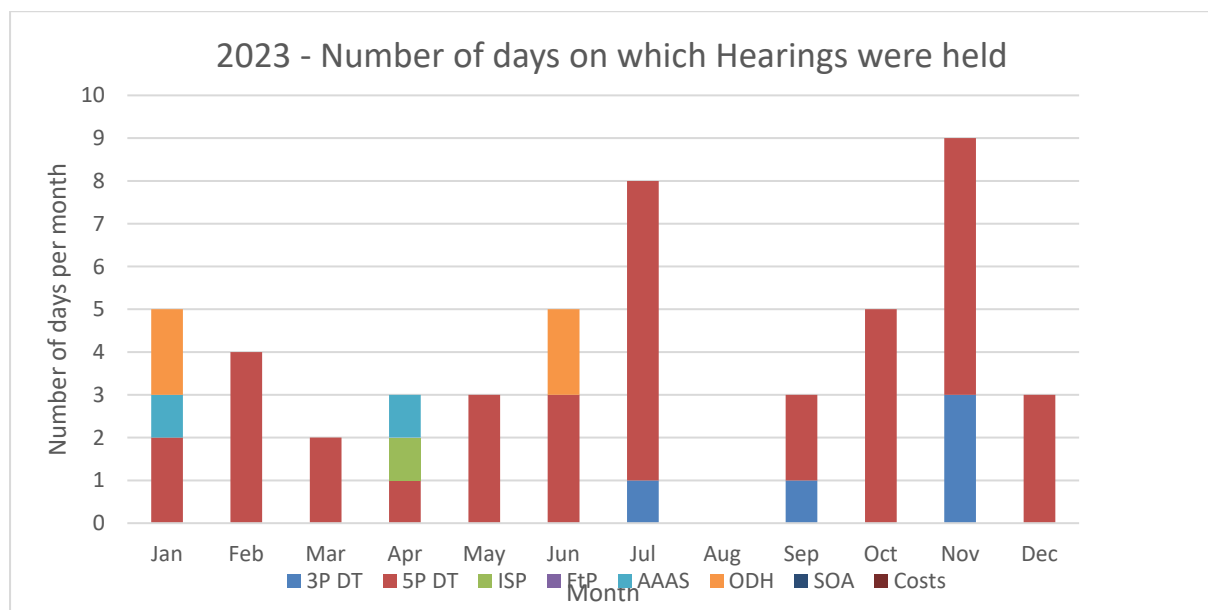
12. 14 cases were initially listed but adjourned before opening for the reasons below. 9 hearings adjourned part heard, 6 of these were adjourned part

heard and concluded within 2023, 3 adjourned part heard and will conclude in 2024.

Health of respondent	4
Train strikes	1
Judge availability	3
Respondent required more time	3
Respondent witness availability	1
Respondent representative availability	1
Respondent availability	1

Number of Days on which Hearings were held in 2023

13. While many cases can be concluded within one day, others are more complex and are scheduled to take place over several days; others must 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 2023:



14. There is an average of 4.2 days per month of activity. 86% of BTAS' activity was for Disciplinary Tribunals.

15. During 2023 BTAS moved away from remote hearings (which had been heavily relied on in the pandemic) and started completing more hearings in person. Remote hearings continued for a variety of reasons including the respondent being overseas or because of train strikes.

23 – In person

11 – Remote

16. COIC has set aside funds for 2024 for BTAS to consider enhancing the provision of remote access equipment and electronic document handling.

17. In 2023 34 hearings took place on a total of 50 days, which represents an average of 1.5 days per hearing. In 2022 the average was 1.65 days per hearing. The average length per each hearing type is set out below

3P DT	1.4 day
5P DT	1.6 days
ISP	1 day
AAS	1 day
ODH	1 days

18. Information on the length of individual hearing types is set out below.

	No. of days				
	1 day	2 days	3 days	4 days	5 days
3P DT	4		1		
5P DT	17	2	1	2	1
ISP	1				
AAS	2				
ODH	3				
	27	2	2	2	1

79%	6%	6%	6%	3%
-----	----	----	----	----

Panel Outcomes in 2023

19. The table below sets out information on the outcomes of all final Tribunal hearings that took place during 2023. A number of matters were part heard or awaiting the outcome as at 31 December 2023.

Decision made	Costs	Hearing type
Disbarment		
Disbarred	£4,041.96 to be paid to BSB	5P DT
Disbarred	£3,120 to be paid to BSB	5P DT
Disbarred	£4,770 to be paid to BSB	5P DT
Disbarred	£1,560 to be paid to BSB	5P DT
Disbarred	No costs	5P DT
Disbarred	Costs TBC	5P DT
Disbarred	£250 to be paid to BSB	5P DT
Disbarred and Suspended for 6 Months and Reprimanded	£2,128.50 to be paid to BSB	5P DT
Disbarred and reprimanded	No costs	5P DT
Disbarred and suspended for 24 months	£1,740 to be paid to BSB	5P DT
Disbarred and suspended for 30 months	£3,662.71 to be paid to BSB	5P DT
Suspension		
Suspended for 12 Months	£5,000 to be paid to BSB	5P DT
Suspended for 2 Years and 6 Months. Fined £3000. Should not be allowed to have a Pupil in the future.	£7,800 to be paid to BSB	5P DT
Suspended for 6 months and fined £1,000	£2,670 to be paid to BSB	5P DT
Suspended for 6 months	£1,250 to be paid to BSB	5P DT
Fine		
Fined £5,500	£1,560 to be paid to BSB	3P DT
Fined £250 and reprimanded	£1,750 to be paid to BSB	3P DT
Fined £2,500	£4,200 to be paid to BSB	3P DT

Reprimand		
Reprimanded	No costs	3P DT
Reprimanded	No costs	5P DT
Reprimanded	£2,670 to be paid to BSB	5P DT
Reprimanded	£2,100 to be paid to BSB	5P DT
Reprimanded and Orders prohibiting accepting or carrying out public access instructions (totalling 6 months)	£100 to be paid to BSB	5P DT
Other		
BSB not to provide a Practising Certificate	No costs	3P DT
Case Dismissed	No costs	5P DT
Administrative Sanction appeals		
Appeal dismissed	N/A	AAS
Appeal upheld	N/A	AAS
ISP outcomes		
ISP Suspension	N/A	ISP
Adjourned part heard		
Adjourned part heard (October 2023)	N/A	5P DT
Adjourned part heard (November 2023)	N/A	5P DT
Adjourned part heard (December 2023)	N/A	5P DT

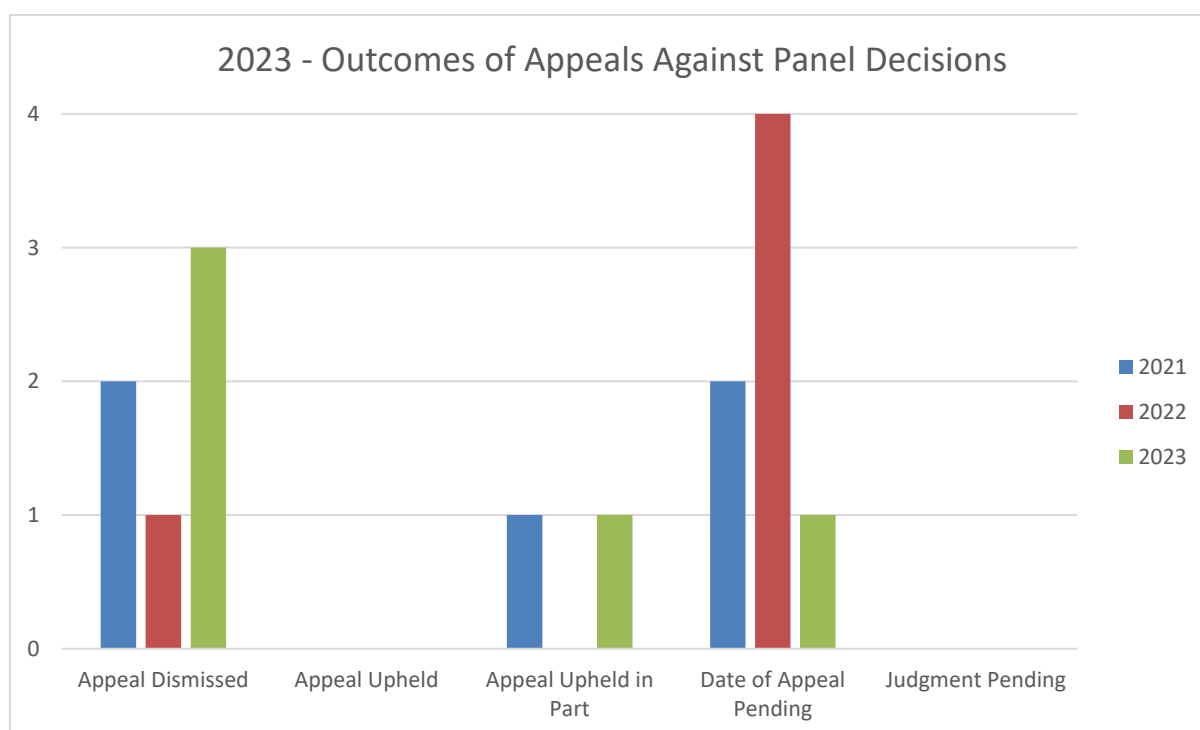
20. Only a 5 person Disciplinary Tribunal Panel can impose a sanction of disbarment and suspension over 12 months. In 2023 55% of 5 person-panel outcomes were disbarment. This compares with 43% in 2022. Three 5 person panels were adjourned part heard as of 31 December 2023 and have been listed to conclude in 2024.

21. 43% of Hearings were completed within 6 months of directions being effective.

22. The average length from effective directions to a final decision was 7.4 months and the median was 5.6 months.

Outcomes of appeals in 2023 against the decisions of Disciplinary Tribunals

23. 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 2023 (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:



24. 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 improving the training, guidance and resources available to those who serve as members of Disciplinary Tribunals. As of 31 December 2023, of the appeals in the system during the year, one was upheld in part, three were dismissed and one had yet to be heard. As to the one upheld in part on appeal it was found that it was right for the Tribunal to impose a sanction of suspension; however that suspension was varied

from 12 months to 6 months on the basis that more weight should have been given to some of the mitigating factors.

BTAS Costs 2023

25. Panel Members and Clerks were entitled to claim reasonable expenses, and fees, for their attendance at hearings and training. 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. The combined fees and expenses paid for the various types of hearings were as follows:

Disciplinary Tribunals (including interim applications)	£63,229
Appeals Against Administrative Sanction	£1,879
Inns Conduct Committee Hearings	£10,660

26. In addition to these fee and expense payments, BTAS also incurs standard operational expenditure such as staff costs, committee costs, training costs, rent and IT infrastructure etc. In total BTAS's annual expenditure was approximately £450,000, which was slightly lower than its expenditure in 2022.

The Inns' Conduct Committee Report

1. The Inns' Conduct Committee (ICC) is the body responsible for considering applications for admission to and Call by 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 involving student members of an Inn of Court which call in to question whether the student is fit and proper to practise and hearing appeals by student members against disciplinary decisions of their Inn with regard to more minor matters.
2. 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 undertake a Disclosure and Barring Service check and 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.

Memorandum of Understanding with the Bar Standards Board

3. In 2019 the Bar Standards Board entered into a Memorandum of Understanding (MOU) with the Council of the Inns of Court, specifically in relation to the operation of the ICC, and the Inns. The MOU sets out the roles and responsibilities of the parties in relation to qualification as a Barrister in England and Wales. It provides the parties with assurance that only those who are fit and proper are called to the Bar and that the related work is completed in accordance with the BSB's four principles of Bar training which are: accessibility, flexibility, affordability and high standards:

4. **Accessibility** – The ICC’s services are accessible to students and applicants wherever they are in the world, with hearings taking place in person, unless there is a particular need for a remote hearing. Hearings are less formal (though not informal) than disciplinary tribunals, with panels taking their time to guide applicants and students through the process. Those appearing before a panel are given clear information as to how to prepare and what to expect on the day. The ICC, as part of BTAS, has policies covering reasonable adjustments and vulnerable witnesses. Panel members and staff receive equality and diversity training.
5. **Flexibility** – The ICC seeks to make its operations as convenient for applicants and students as possible with a view to completing proceedings within the timeframes required for Inn admission or Call. Screening Panels and Hearing Panels take place across the year.
6. **Affordability** – The ICC, which is funded by the Inns, is delivered at no charge to applicants or students. All those appearing before a hearing panel are given information regarding ‘Advocate’ which is an organisation that provides free representation – though most people represent themselves.
7. **High Standards/Quality Assurance** – The quality of the service provided is ensured in a number of ways by:
 - the production of this report which sets out data regarding referrals, hearings, outcomes and trends;
 - oversight and reviews undertaken by the Inns Conduct Committee which is made up (as with panels) of a mixture of members of the Bar and lay members and in turn oversight by the BTAS Strategic Advisory Board;
 - the provision of training to all BTAS panellists with those training needs being overseen by the Tribunal Appointments Body;
 - careful recruitment and selection of panellists by the Tribunal Appointments Body (who receive training in recruitment and selection);
 - the provision of rules and guidance documents to ensure fair processes and consistent outcomes, such documents being

produced in collaboration with the BSB and in conformity with BSB regulations;

- the provision of appeal and complaints processes.

Membership of the Inns' Conduct Committee

8. As at 31 December 2023, the membership of the Inns' Conduct Committee was as follows:

Lyndsey de Mestre KC (Chair) – Appointed in 2023

Colin Wilby (Vice Chair – Lay)

Jonathan Glasson KC (Barrister member) – Appointed in 2023

Tom Cosgrove KC (Barrister member) – Appointed in 2023

Siobhan Heron (Barrister member) – Reappointed in 2023

Tracy Stephenson (Lay member) – Appointed in 2023

9. Three new members began their appointment on 1 March 2024:

Janine Green (Lay member)

Naomi Ryan (Barrister member)

Stephen McNamara (Barrister member)

10. An issue came to light during 2023 with the reappointment of three ICC members which necessitated the appointment of three new members in early 2024. The ICC members were not current BTAS panel members at the time of their reappointment, as required by the ICC rules. BTAS sought legal advice which was that, despite the defective reappointments, any decisions made by panels on which these members sat were valid. BTAS notified the six students who had received negative outcomes from such panels. BTAS has revised its systems for ensuring that all BTAS committee members terms of office are valid; it was the introduction of this new system that brought the issue to the fore.

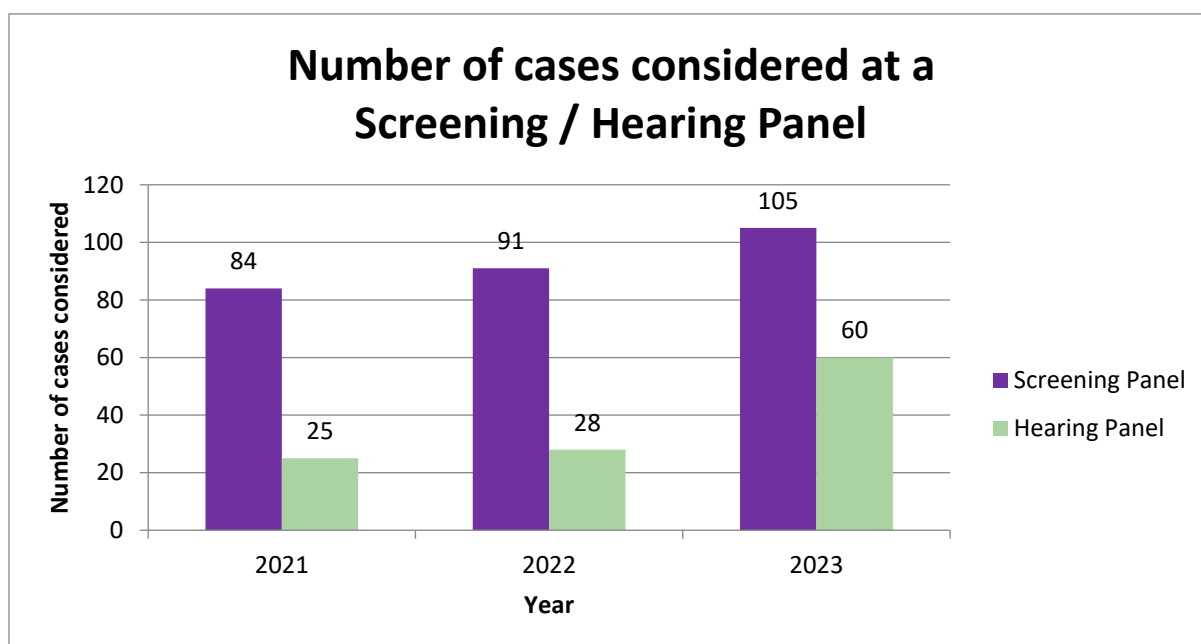
Referrals to the ICC: data and trends

11. During 2023, a total of 113 individuals were referred to the ICC by the four Inns of Court.

Year	Referrals received	Increase on year before	
2021	84	↑	25%
2022	91	↑	8%
2023	113	↑	24%

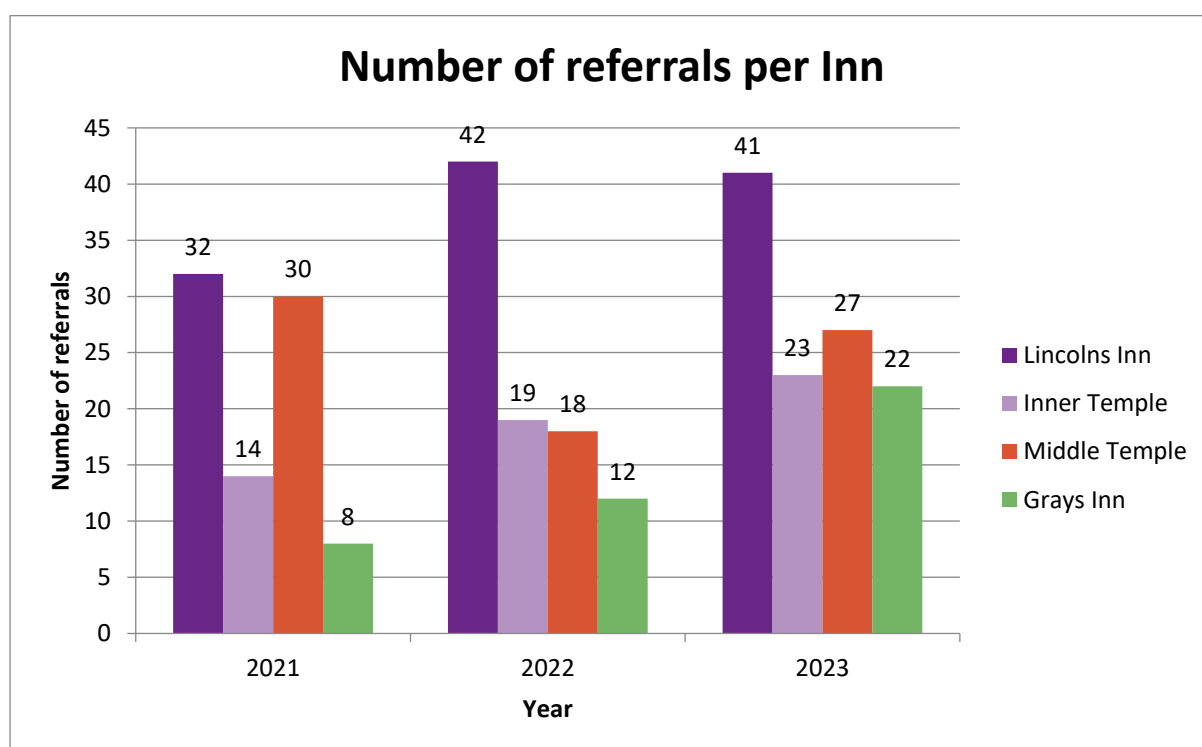
12. As can be seen from the table above, there continues to be an increase in the number of referrals. This, in part, reflects the fact that there is a continuing, though not wholly consistent, growth in student membership over recent years.

13. 105 cases were considered at a Screening Panel in 2023, 8 cases were referred in December 2023 and will be considered at a Screening Panel in 2024. 60 cases were referred to a Hearing Panel, a rate of 57%, compared with 31% in 2022. This higher rate of referral is much closer to the rates of referral to hearing panels in 2019 and 2020, which were 58% and 50% respectively.

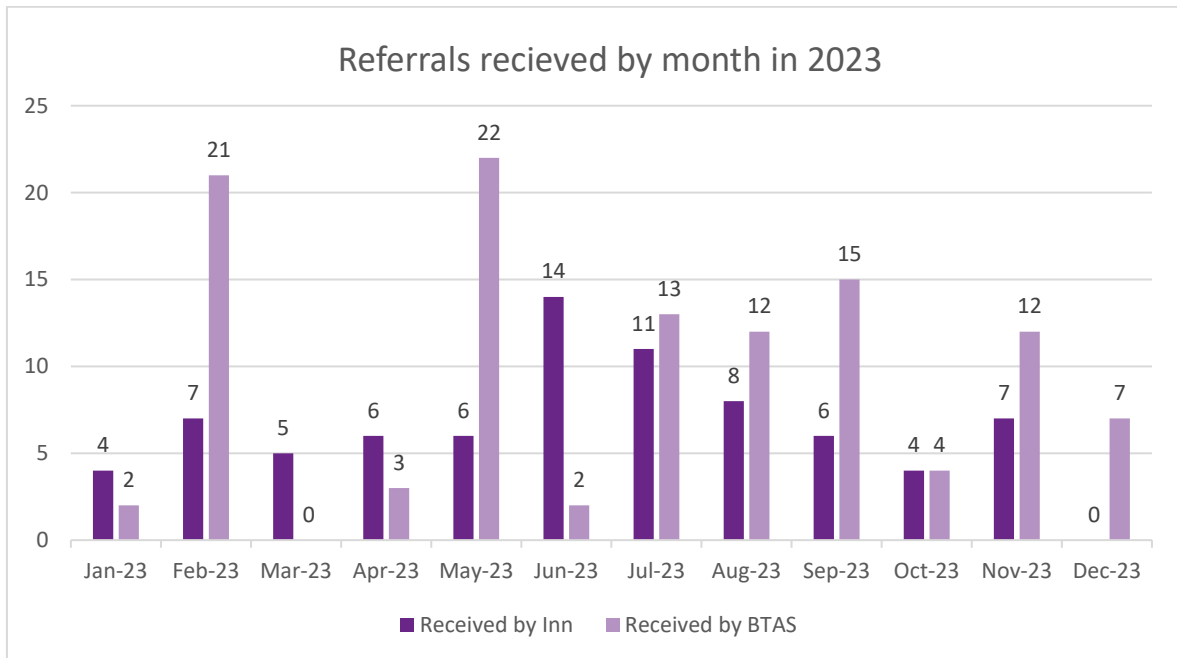


14. The number of referrals, according to the Inn of Court that made them, is set out in the table below. The proportion of the referrals made by each Inn is very broadly, though not exactly, proportionate to the number of admission applications received by each Inn:

- Lincoln’s Inn had 42% of admissions and 36% of referrals;
- Inner Temple had 16% of admissions and 20% of referrals;
- Middle Temple had 29% of admissions and 25% of referrals;
- Gray’s Inn had 13% of admissions and 19% of referrals.



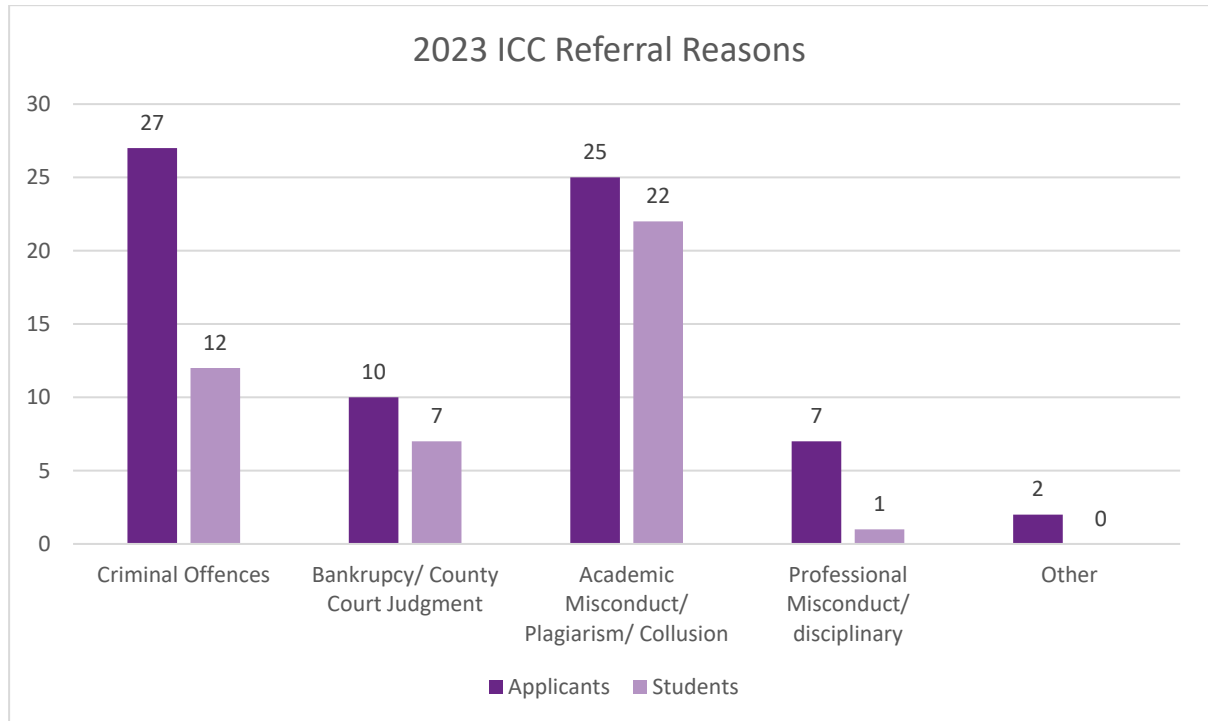
15. The following graph shows the number of ICC cases received per month by the Inns of Court (according to the referral forms they complete), in comparison to when they were subsequently passed on by the Inns to BTAS.



16. Set out below are the detailed outcomes of the **113** cases referred to the ICC in 2023.

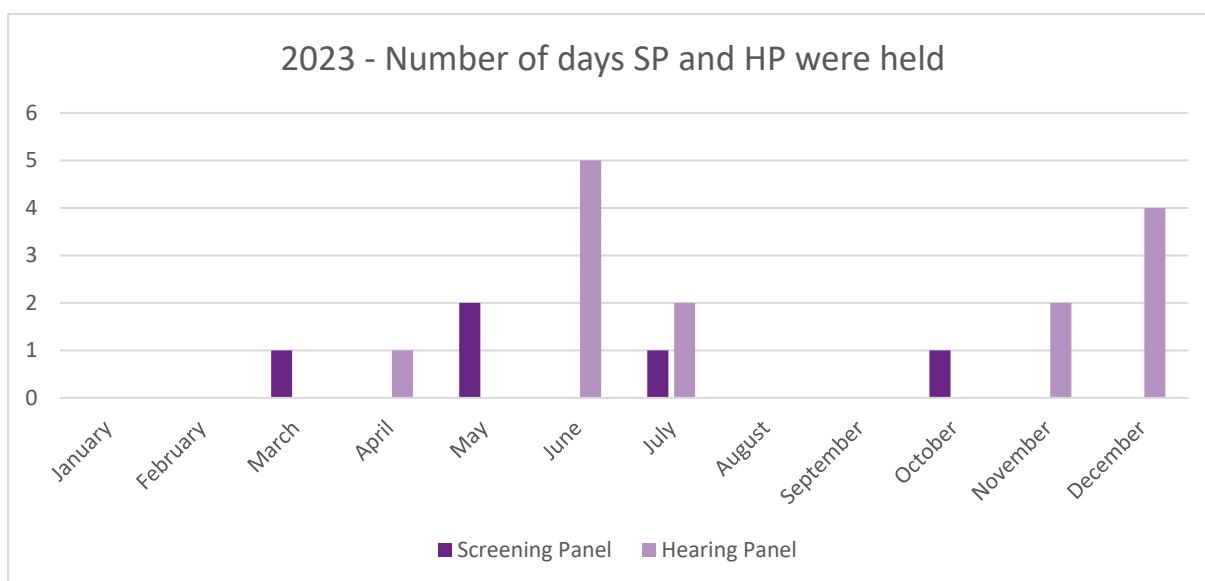
SP = Screening Panel HP = Hearing Panel	Student	Applicants	Totals
SP decided Fit and Proper	10	32	42
SP adjourned for more information	1	2	3
SP yet to consider	2	6	8
HP decided Fit and Proper	10	18	28
HP decided Not Fit and Proper	7	4	11
HP decided Call Deferred	4	N/A	4
HP Reprimanded	1	0	1
HP adjourned for more information	0	2	2
HP Application withdrawn	0	3	3
HP To be in 2024	7	4	11
	42	71	113

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



18. It is evident that a large proportion of the ICC's time in 2023, as in previous years, was spent considering cases of academic misconduct and criminal convictions.

19. The following chart sets out the number of Screening Panels and Hearing Panels that took place each month. Over the course of 2023, there were Screening Panels on 5 days and Hearing Panels on 14 days. For efficiency, both Screening Panels and Hearing Panels often consider more than one individual referral.



Applications for review of ICC decisions

20. 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 the BSB's Authorisations Department.

21. In 2023, two matter were referred to the BSB. In both instances the BSB affirmed the decisions of the ICC.

Complaints

22. BTAS has a 'Service Complaints Policy' which sets out how and when complaints can be made regarding all aspects of the service including the

ICC. No complaints were received in 2023.

Developments/Action Points and Plans

23. During 2023 and 2024 the ICC planned/s to work through the following development points:

- **In Person Hearings** – During the pandemic the default position was that all Panels and Hearings should take place online save where a request was granted that it should be in person. During 2023 the ICC decided to revert to the historic position that all hearings should be in person, save where a request is granted for an online hearing.
- **Guidance and Guidelines** – In early 2023 the ICC Chair and BTAS Registrar met with the BSB to ask them to consider a list of development points including:
 - move the burden of proof from the Inns to the applicant in applications for Call (to align with applications for admission). Once this is done the ICC will review its ‘Disputed Facts Protocol’;
 - consider the introduction of guidance on dealing with ‘low level’ misconduct;
 - review the BSB ‘Fit and Proper Guidelines’ to ensure that it aligns to the new BTAS Sanctions Guidance and to develop the guidelines on health, readmission and exclusion from another profession.

Unfortunately, due to capacity issues at the BSB, these matters have not progressed. In early 2024 the ICC Chair wrote to the Director General of the BSB expressing concern about the lack of progress. The BSB responded that matters would be progressed, with the burden of proof matter a priority.

- **Recruitment of new ICC members.** A new Chair, Lyndsey de Mestre KC, and Vice Chair, Jonathan Glasson KC, were recruited in early 2023 and three new committee members were recruited in early 2024.

- **Develop 'Turnitin' Guidance.** New guidance on the interpretation and use of 'Turnitin' reports will be developed in early 2024.
- **Regular Scheduling of Screening Panels.** In 2024 the ICC will move from scheduling Screening Panels on an ad hoc basis to scheduling for the whole year and informing the Inns of those dates so that they can work towards them.

The Tribunal Appointments Body's Report

1. The Tribunal Appointments Body ('the TAB') is the independent body responsible for appointing barrister, lay and KC 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.
2. Panel 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). Panel members 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.
3. As at 31 December 2023 the membership of the Tribunal Appointments Body was:

Lady Justice Simler (Chair)

Keith Morton KC (Lincoln's Inn member)

Brie Stevens-Hoare KC (Middle Temple member)

Ruby Sayed (Inner Temple member)

Marie Spewyn (Gray's Inn member)

Christopher Kennedy KC (Gray's Inn member)

Rachel Effney (Lay representative)

Louise Fisher (Lay representative)

Nick Paladina (Lay representative)

Dean Riggall (Lay representative)

TAB Costs

4. In 2023 TAB only incurred nominal costs. Across 2024 and 2025 TAB will incur costs in excess of £50,000, as in 2025 the triannual Panellist and Clerk recruitment and training exercise will take place.

Pool Members and Clerks in 2023

5. As at 31 December 2023, the total membership of the Disciplinary Tribunal Pool was 51 Panel members and 7 Clerks.

Role	31 December 2023
Barrister	27
Lay	15
KC	9
Clerk	7

6. Full details of the current membership of the Disciplinary Pool can be found [here](#).

Composition of the Pool in 2023

7. The following charts below sets out information about the composition of the Pool by sex, ethnicity and age (as of 31 December 2023):

	Male	Female
Lay	6	9
Barrister	13	14
Silk	7	2
	26	25
	51%	49%

	Age			
	18-24	25-44	45-59	60 and over
Lay	0	1	10	4
Barrister	0	17	10	0
Silk	0	1	6	2
	0	19	26	6
	0%	37%	51%	12%

	Ethnicity					
	White	Mixed	Asian or Asian British	Black or Black British	Chinese or Chinese British	Other
Lay	14	0	1	0	0	0
Barrister	15	1	4	2	0	5
Silk	9	0	0	0	0	0
	38	1	5	2	0	5
	75%	2%	10%	4%	0%	10%

8. It is of particular note that:

- Gender – whilst 49% of members were female, only 2 out of the 9 KC members were female.
- Ethnicity – Up to 25% of members declaring an ethnicity other than white.

Panellist Activity in 2023

9. During 2023 there were 28 disciplinary hearings for barristers (not including oral directions, interim applications and costs hearings), and 14 days of ICC hearings for prospective barristers. That meant the number of hearings on which the Pool members had the opportunity to serve in the year was 179 (made of 5 x 3 person panels, 28 x 5 person panels (not including judicial chairs) and 14 ICC 3 person panels). This equates to an average opportunity to sit on 3.5 panels per year.

10. 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 has historically sought for there to be 5 opportunities of panellists to sit a year. In 2020 this number was 4.0, in 2021 4.1 and in 2022 3.9 and, as stated above, in 2023 this was 3.5. The TAB will need to take this into account when deciding how many panellists to recruit in 2025.

Recruitment Exercise 2024/2025

11. As mentioned above, the TAB undertakes a recruitment exercise every third year. Preparation for the next exercise will begin in 2024 with recruitment and training of panellists taking place in 2025. In broad terms the plan is as follows:
 - a. Summer 2024 – refresh the membership of the Tribunal Appointments Body;
 - b. Autumn 2024 – TAB to review the lessons learned from the 2023 exercise and devise the 2025 exercise. It is already recognised that TAB should provide information, guidance and webinars on how best to complete the application form and undertake the interviews;
 - c. Early 2025 – train the TAB members in the selection process and in matters such as unconscious bias;
 - d. February 2025 – advertise;
 - e. April 2025 – shortlisting and interviews;
 - f. Autumn 2025 – training of new panellists and refresher training for existing panellists.

TAB issues in 2023

12. There was only one issue that required the attention of the TAB Chair in 2023. As outlined more fully in the ICC report above, it became apparent that 3 members of the ICC were not current BTAS panel members at the time of their reappointment as they should have been. The TAB Chair was consulted throughout the process of reviewing and resolving this situation.