



CHIEF EXECUTIVE

LEGAL SERVICES
31 OCT 2013
BOARD

Mr Chris Kenny
Chief Executive
Legal Services Board
Victoria House
Southampton Row
London WC1B 4AD

30 October 2013

Dear Chris

**Proposed statement of censure under Section 35 of the Legal Services Act 2007
issued to the Bar Council**

Thank you for your letter and enclosures of 17 October. I am replying on behalf of the Bar Council as Approved Regulator, with the agreement of the Bar Standards Board (BSB).

We note the decision of the Legal Services Board (LSB) at its meeting on 15 October formally to make the findings set out in the Report you enclosed, and the LSB's conclusion that the Bar Council's actions were unreasonable. We also note that the LSB proposes to publish a statement censuring the Bar Council; that it will make a final decision on whether to confirm the censure having considered representations; and that it remains open to considering informal resolution.

I confirm that the Bar Council and the BSB wish to resolve this matter informally.

I confirm that the Bar Council and the BSB accept what we understand to be the findings set out in the report as follows.

- The Bar Council failed to act at all times in a way which was compatible with the principle of regulatory independence.

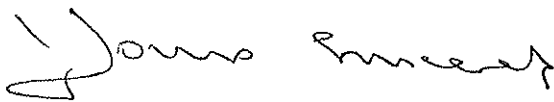
THE BAR COUNCIL
www.barcouncil.org.uk

- The Bar Council failed to ensure that the exercise of regulatory functions was, so far as reasonable practical, independent of any representative function.
- The Bar Council's acts and omissions had, or were likely to have, an adverse impact on protecting and promoting the public interest by undermining the principle of independent regulation.
- The Bar Council's acts and omissions did not, and were not likely to, have an adverse impact on supporting the constitutional principle of the rule of law.
- The investigation found no evidence that the Bar Council or the BSB deliberately attempted to deceive the LSB.

We undertake to make this acceptance clear in any discussion of the investigation with third parties.

We also accept the required undertakings and timetable for implementation as set out in Annex B to your letter.

I hope that this gives you all that you need to put the LSB in a position to resolve this matter.



Stephen Crowne
Chief Executive