

Mission Statement

“Getting the pride back” – the new Leader of the SEC,
Kerim Fuad QC

I am proud to have been elected your Leader. It is a wonderful Circuit and I hope that I serve you well. It is a real privilege. I will never fail through want of trying on your behalf.

My main goal is to make this profession better for everyone, from first six pupils to the seasoned campaigners.

We have all sacrificed and sweated so much to become a barrister and we are right to wear the badge with pride. It is a profession not a job. It must remain independent. It is an internationally recognised and respected institution for good reason.

Some have suggested that I need to be more realistic about what I can achieve in my term. I never have much liked being told what I can do and accomplish, for we should all aspire to improve our profession as much as we feasibly can, to push the boundaries, so it is as good as it can possibly be.

Pride in our profession of course doesn't not pay our mortgages. So my first aim is to ensure that the new AGFS scheme that so many have put such great work into over the past months, is implemented, hopefully by the summer of 2017.

It is long overdue. For example the ignominy of us all not being paid for the second day of a Crown Court trial still rankles each time I do a trial. I can only try and imagine how painful that free day is to the junior Bar whose trials often last only 2/3 days. Imagine telling your plumber that the three day job he/she is doing will involve a whole day of their labour absolutely free. Quite extraordinary. Let us banish that to the past.

Rewarding those who do the work in trials is surely not an unreasonable concept. Payment based on complexity makes sense.

I welcome the MOJ's engagement with the Bar. Restoring payment for PTPHs, Sentences and those (never a quick) Mentions. Proper payment for ineffective trials (that you spent the whole weekend working on which are ineffective through no fault of your own). It all fair and reasonable and will benefit the junior Bar most.

It is also time for some stability over fees. We all need to know where we stand, planning our futures and not have the cruel uncertainty of further fee erosion. I am quietly confident that "page counts" will soon cease to be the main subject of discussion in courts. Arguing over the service of material as evidence is so time consuming for all.

I hope that we send the end of warned lists. It is inefficient and unsettling for witnesses and for the young bar largely unworkable.

I aim to try and reengage, even awaken parts of the profession for the first time. I hope to create a supportive **community**. In many ways we are in it together. We are one Bar and must remain so to be strong.

I am Leader of not just the Criminal Bar in the South East, but all Bars under that huge umbrella; the Family Bar, the Civil and Commercial Bar. There are SBAS but we must all communicate and support each other as best we can. I have already had positive communications to this end.

I will be visiting Commercial/Civil Heads of Chambers and inviting them to participate even more fully in the South East community. That may mean inviting a modest donation to the Circuit, so please beware of my visit from now.

Leadership often comes from within, do not sit back and expect the profession to look after you without you yourself contributing something towards it. I find it a profession that often rewards hard work. Some selfless work for others makes you a better and more instructable barrister.

I would like every single barrister to ask themselves;

How can I help my chambers more? Can I volunteer to stand on my chambers' management committee, or even just offer to do a simple task for chambers, to reduce the burden for someone else? Can I become a pupil supervisor? Can I volunteer to teach advocacy at my Inn? Can I contribute a bit of my time to my local Bar Mess?

Every Head of Chambers and Bar Mess Chair will bite your hand off and be grateful for your help, so if each of you did something it will make it better for everyone. I will visit each court in the region and expect to hear sensible concerns or positive ideas that I can seek to implement. Moaning about things without suggesting a viable solution is so pointless (and emotionally draining for you) Rest assured I will do all I can to implement a good idea, however big or small and give you credit for the idea.

Wellbeing and realistic expectations

I will ask of the Judiciary, who have largely been supportive of the Bar, to have a truer understanding of the practical dilemmas we face trying to make the system work. Unreasonable court sitting times (And yes of course a court must accommodate finishing a vulnerable witnesses' evidence which is wholly reasonable) but sitting often 9.30am to 4.45pm is the enemy of general productivity in other cases that need preparation, and the right to (some sort of) family life. So often defendants in custody simply do not get produced that early at court as much as Judges will it. So much time valuable time is wasted with unrealistic listing.

One must not forget that barristers have responsibilities to as many as 15/30 other "live" cases at any given time. They each need increasing onerous amounts of work done (largely unpaid) to ensure those other trials are effective,

and comply with the Criminal Procedure Rules. Other clients need to be seen in conference, many are in custody.

We must make better use of all the courts' prison conference links so that barristers can have a conference with clients in the course of trials, before or even after court. This was something that the Recorder of London, Nick Hilliard QC is so right to further.

Sitting extra long court hours of course is not just anti social, it impinges on the efficiency of all the other cases for which we have direct responsibility in the system. It is a skewed mentality.

Those with young children or who are carers surely must have the reassurance at the start of the day that the court will rise by 4.30pm at the latest if they are to honour and respect commitments.

The new progressive Wellbeing initiative recently set up must be observed. I expect to see the results of a truer understanding of the role of the Barrister. Expecting the Bar mid trial to email and send skeletons into the early hours of the night is unreasonable (unpaid) and unhealthy.

The good work the BCM (Better Case Management) committees have been working on continues. One of the goals is to eradicate non trial hearings. If we all cooperate there should only be one PTPH, and then if contested the trial itself.

Advocates waste too much precious time often travelling great distances (at increasing expenses) to attend a hearing (usually for free), when the hearing could just as easily have been achieved by email or telephone, freeing up that advocate that day to do more productive (and even paid) work on other cases. Gone must be the days of cases being listed “just for mention.”

I am determined to get the BCM digital system working better, to iron out the teething problems and get it as good as it can be. I have been helping on this with a strong committee (including HHJ Chris Kinch QC and HHJ Martin Edmunds) on a National and Local level for many months.

We have set up a survey tool to collate all problems we face so that they can be addressed. Progress is being made. We need to modernise and hopefully make life easier for all barristers, and clerks.

I will set up and make transparent specific roles on my committee so that members of the Bar know clearly who to go to with particular issues.

My door will of course always be open.

I will be setting up better social media promotion of your Circuit. Facebook, Twitter and “Linked in” are wonderful and crucially free ways of us all communicating better.

I will ensure the SEC has constant lines of communication with the other Circuits. So very often the problems we face are shared equally by them. Together we are stronger.

Not long ago we were worried whether the Bar would survive.

I do not want us merely to “survive”, I want us to have a fulfilling career and be paid reasonably for our long hours and dedication to the integrity of the best legal system in the world.

We must keep the Bar’s standards as high as possible. That is what makes us so desirable and such an asset to the lay person.

I recall not that long ago the Procureco model was being mooted to us as the way forward. The only problem with it is that it doesn’t work. The model of the Bar and chambers does, and it has worked for hundreds of years. If it ain’t broke don’t fix it. We provide quality and at such good value, some would say we are in fact cheap for the range of experience and abilities we bring to cases. An independent Bar is vital. We are damned good at what we do, so be proud of it.

Andrew Langdon QC

I am delighted and welcome Andrew Langdon QC as our new Chairman of the Bar. He is one of us. He prosecutes and defends. He knows precisely what is involved in the day to day life of a barrister. I co-defended with him for several months earlier this year so speak with authority on his suitability, approachability and wisdom.

I know that he will do all he can to support us. He will build on the good work done by Chantal- Aimee Doerries

QC to make the Bar Council more relevant and transparent to us all.

Max Hill QC – our outgoing Leader

Lastly I am just one of many barristers indebted to Max Hill QC. He has worked tirelessly for us all. A man of quality and integrity. He has been a fine Leader, true friend to me and of all the barristers he has served with such strength. I can only hope that I can promote and protect all that he has installed.

We are indebted to you, Max.

Please help me to make our profession better for all of you. My door is open.

Kerim Fuad QC
Church Court Chambers
Leader of the South Eastern Circuit