

Minutes of the Bar Council meeting held on Saturday 13 November 2010 at the Bar Council offices

Present:

Rt. Hon. Dominic Grieve QC MP - Attorney General
Nick Green QC - Chairman
Peter Lodder QC - Vice-Chairman
Andrew Mitchell QC - Treasurer
David Hobart - Chief Executive

1. Apologies

Apologies for absence were received from Jalil Asif QC, Michael Bowsher QC, Malcolm Davies-White QC, James Dingemans QC, Michael Driscoll QC, Susan Grocott QC, Nicholas Lavender QC, Michael Soole QC, Keir Starmer QC, Charles Hale, Rex Howling, Fiona Jackson, Hefin Rees, Shonali Routray, Shahram Shargy and Christiane Valansot.

2. Approval of the minutes

The Minutes of the Bar Council meeting on 2 Oct 2010 were approved.

3. Matters arising

No matters arose.

4. Bar Council members 2010

The meeting noted the list of Bar Council Members at Annex B to the Agenda.

5. Statement by the Chairman

The Chairman looked forward to the December Bar Council meeting at which he would have the pleasure of introducing and listening to Peter Lodder QC's Inaugural address. In the meantime, he paid tribute to the work of Richard Marks QC and Winston Roddick QC as Circuit Leaders, and he congratulated their successors, Rick Pratt QC and Greg Bull QC, respectively.

This was an opportunity not to address the issues of the day, but rather to recall some of the highlights and impressions over the past 11 months. This might serve as a warning to Peter Lodder QC and Michael Todd QC.

The starting point however was back in November 2008 at the Amity Dinner in Inner Temple, shortly after he had been elected as Vice-Chairman. It was clear to him now that his election had been greeted with considerable concern by the CBA, whose Chairman, euphemistically speaking, had words about the facts of life at the Criminal Bar. Having been "Lodderised" - a most unpleasant experience - he was now certain that the profession was in safe hands for next year.

2009 had been a year of working with Desmond Browne QC, with its regular summons to a 7am breakfast at Paul's bakery. Such was his preparation for the job. Starting a year as Chairman was akin to stepping on to an airport moving walkway and discovering how fast it accelerated away. Diary appointments grew rapidly to 30 or 40 a week, and a 90 to 100-hour week became routine. He gave 6 or 7 speeches or presentations a week, and weekends were much like weekdays. On a few occasions he had gone 28 days or more without a day off. He ended the year decrepit, with no practice or prospects, and imbued with more knowledge about legal aid than he ever thought possible - or desirable or healthy. And he was broke.

However, it was a fascinating year not to be missed for anything. The Chairman@barcouncil.org.uk email address is used by members of the public. The Chairman is a public figure, and to some he is seemingly sane. In January he received a 27-page email from a woman who demanded he investigate a person who she described as "a balloonist, an arctic explorer, a barrister and a sex-pest". The email went into lurid, excruciating and toe-curling detail, and the by-now disgusted Chairman stopped reading on page 26. The next email came from "Horny Henry" - probably a court official - who chronicled the horizontal goings-on of certain judges. Henry invited the Chairman to apply some short sharp correctional discipline. But it was not just the over-stimulated who wrote in. A member of the public recently blamed the Chairman that a barrister in Hong Kong had participated in a legislative process with which he disagreed. The Chairman and his PA, Sandra Sidey, were showered with a torrent of abusive emails in which the Chairman was described perceptively as a "Euro time wasting bullshit purveyor". Others were more obsequious. "Your Excellency" came from foreign students who had failed Bar exams; likewise "Esteemed Chair". But in a recent email sent to Ken Clarke QC MP, the Chairman was an "arrogant tosser who should be defrocked".

Food had a certain homogeneity at the many functions. On three nights in a week in April, goat's cheese terrine, a wedge of beef, and strawberry dessert was washed down by Chilean merlot. Only the speakers differed that week: Sir John Scarlet (of MI5 and dodgy dossier repute) on HMS Belfast; a North East Circuit dinner in Newcastle; and the Chairman himself as the after dinner speaker at New College Oxford.

Culinary low and high spots were a 11-course banquet lunch - seemingly comprised of selections of duck, from beak to web and everything in between - in 90° F Hangzhou, jet lagged at 11 am . An even lower spot was a budget-busting Thomas Cook chicken sandwich on a 12-hour flight to Vancouver. There was some truth in Desmond Browne QC's observation that the Chairman is more dined against than dined. The high spot was lunch in Sydney Harbour with Desmond and the Chairs of the Irish, Scottish and Hong Kong Bars, after bunking off from a conference session at which Stephen Hockman QC was the speaker.

A number of hugely satisfying aspects of the job stand out. Being a judge in the Edinburgh Final of the Bar Mock Trial competition was a real joy. The enthusiasm in the Court of Session of the school students, and the real skill and excitement they brought in examination-in-chief and cross examination, was a pleasure.

The Chairman had attended many quirky events. One such was at Runnymede, with speeches to commemorate the nearly 800th anniversary of Magna Carta. Speeches from the MR; the Lord Chancellor (partially drowned out by a low-flying jet); and Justice Minister Lord McNally wearing a Baron's robe and green wellies. Lord Neuberger as master of ceremonies brilliantly staged the speeches so they finished appropriately at 12.15 pm on the dot. Speeches were followed by drinks at the Royal Holloway Chapel. Outside, students were protesting against the cuts, and they managed to set off the fire alarm, thereby demonstrating the citizen's right to protest. Lunch saw the Chairman seated between Mrs Franklin J Roosevelt Jnr, representing the family that championed the 'US Magna Carta', and the Dean of Canterbury Cathedral. From the sublime Runnymede to the Solicitors' Association of Higher Court Advocates for dinner the same evening.

The Chairman's visits to Chambers across the UK had been another highlight. He had had the chance to ask impertinent questions in over 100 sets, and it had been fascinating to get willing replies. He had probably seen more of the Bar in all its glory than any other barrister, and it was encouraging to find the Bar vibrant, of high quality, committed and in robust good health. Notwithstanding the present travails, he was resolutely optimistic that a fleetier of foot profession will evolve. If costs were kept under control, the profession would be increasingly attractive to clients.

The General Election in May was a watershed in relations with Government. Regardless of one's political persuasion, the previous government had been jaded and unresponsive. The new administration had a zeal and a mission. Critically for the Bar, the government was often accessible and listening. We could not expect to win every battle, but our voice would be heard and our good points would carry weight. That would be essential to increase the prospects of the profession, and justice generally, getting through the next few years.

The Chairman could not end without conveying his huge gratitude to the many people who had helped him in 2010. As Chairman he was very dependent upon getting objective advice, and he had received much wise counsel from people ranging from Circuit Leaders to young tenants and pupils. Out of the many, a few had consistently been there to provide welcome guidance. Paul Mendelle QC and Chris Kinch QC on criminal issues. Lucy Theis QC on family. Stephen Cobb QC, as Chairman of the FLBA had been a font of common sense, and had a detailed grasp of the ins and outs of LSC contracting.

One person deserving extra special mention was Andrew Mitchell QC. As Treasurer he owned the most intractable issues: the PCF and the pension problems were just two. As Chair of the Finance and Audit Committee he had been involved in many of the significant regulatory issues of the day. It was of course the job of the Treasurer to be beaten up by just about anybody and everybody, and he had played this part with good humour, enthusiasm and energy. The Chairman expressed his personal thanks for this contribution. He wanted also to thank Kim Hollis QC for her terrific organisation of the recent 25th Bar Conference, which had been a great success. Honourable mentions were due to Nick Lavender QC and Andrew Walker for their tremendous work this year on constitutional issues. The Chairman noted that Sir Ivan Lawrence QC had not stood for election in 2011, but this was probably no more than a year of rest. The Bar Council simply would not be the same without him. For those that knew Ivan and for those that did not, his autobiography was a jolly good read, with self-deprecating humour and replete with anecdotes; only £17.99, but with a Member Services Card it was £19.50 from Richard Atkins.

Support from the Bar Council staff had been fantastic. The Chairman's Executive Assistant, Ariel Ricci, basically ran the show with her helper in crime, Sandra Sidey. Mark Hatcher's now-legendary parliamentary skills had been irreplaceable, and Natasha Foy had provided sterling help. The irrepressible Chief Executive had revelled in the intractable PCF and pension topics, and Oliver Delany had quietly got on with efficiently managing the Bar Council. A larger number of other members of staff routinely went a very long way beyond the call of contractual duty, putting in long hours, weekends, and, most importantly, showing an enthusiasm and zeal for their work and for the profession. The International team of Christian Wisskirchen, Sarah Richardson and Rukaiya Bhegani; Paul Mosson and Toby Craig; and the BSB team of Mandie Lavin (who sadly would leave us shortly) and Amanda Thompson were just a very few. Belle Turner and Nichola Higgins of the Young Barristers' Committee (YBC) had provided unstinting help, and Nichola would be a superb Chairman of the YBC in 2011.

Last but certainly not least, the Chairman offered unqualified support and thanks to Baroness Ruth Deech and Sir Geoffrey Nice QC at the BSB. Our joint working

relationship was the envy of the Law Society and the SRA. The Bar Council could have total confidence in the BSB getting on with the job of regulating the profession.

The December Bar Council meeting would be the 2011 Inaugural meeting for Peter Lodder QC to chair. The 2010 Chairman would merely introduce the event. However he would remain tied to the desk until 31 December. There was still a lot of work to get through, and a detailed handover for the next few weeks.

The Chairman had enjoyed 2010 hugely. It might sound trite but it had been a real privilege to work for and with the Bar Council. He would not have missed it for the world, and he thanked all the Bar Council members.

6. BSB report

Before giving a BSB update on behalf of Baroness Deech, Sir Geoffrey Nice QC expressed his sadness at the very recent death of his Pupil Master, Michael Lewis QC. Though one might look askance, or even enviously, nowadays at a pupillage that had included snooker in the National Liberal Club and occasional visits to the Conservative Club in Norwich, Sir Geoffrey had learned many valuable lessons. In particular, he recalled the advice never to back down in front of a judge who was wrong.

The Bar Council and the BSB were lucky to have Baroness Deech. This deserved some explanation. First, she commanded the respect of her Board and its staff. She was by nature conservative (with a small c), in the sense that she was not enthused by change for the apparent sake of it. Her work embodied the values of the Bar, and she was an enthusiastic supporter of the profession's virtues. But second, it would be a mistake to take her support for granted. It would be the latest round of regulatory consultations and roadshows that would shape the future of the Bar, and it was discouraging to note the Bar's apparent indifference to the likely changes. There could be no assurance that every member of the BSB would accept that the Bar as an independent profession was a good thing, in the public interest. The BSB would be deciding on some critical issues, such as the future of the cab rank rule in the context of an entity, and the handling of clients' money. It was vital for the profession to make a fulsome contribution to these imminent changes.

A round up of recent BSB issues included a robust dialogue on the place of consumer affairs in regulatory activities. The BSB's ambitions for a pre-BPTC aptitude test would save much wasted time and money for aspirant barristers. The current pilot study had been completed already by 909 of the 2000 necessary, and the plan was on track. The BSB was delighted to have attracted the high calibre Vanessa Davies as the next Director BSB, and Sir Geoffrey spoke admiringly about the four new BSB members selected from a quality field. The selection of two lay and two

professional members would mean a slower move towards a lay majority on the Board, but that could not be achieved by sacrificing the 'best person for the job' principle. The BSB would soon have its lay majority.

7. Pensions

The Treasurer reminded the meeting of his earlier commitment to bring a fully costed set of options to the Bar Council for consideration. This had proved to be an infinitely more complex task than anyone had expected, and would require the assistance of a new working group led by Richard Salter QC, and including Michael Todd QC, Ingrid Simler QC and Melissa Coutinho. The group would consider every aspect of future DB provision, ranging from continuation to closure, and would report its conclusions to the Bar Council ahead of final determination by the Finance and Audit Committee (FAC), and the Scheme Trustees. The Treasurer was the Chair of the FAC, so the working group would permit him to step back from the preparatory work. It would be helpful to have some detailed work from fresh eyes, with a final decision to be based on the best possible analysis. The Treasurer invited the Bar Council to endorse the new working group.

The Treasurer repeated the merits of this new approach, and then reminded the meeting that we must not be distracted from resolving the past service liabilities problem. Richard Salter QC mentioned that he had received some preliminary papers from the Chief Executive, and that more could be expected. Tricia Howse was pleased with the formation of the working group, which she saw as helpful in resolving the range of competing interests. She noted the Treasurer's intention to defer the final decision, and asked for Bar Council members to be given access to more of the relevant material. Esme Chandler did not share the Treasurer's belief that the past service liabilities was an issue to be fixed. If in due course it transpired that the pension levies had overachieved, she argued that practitioners should get a refund. The Treasurer was clear that the first and second pension levies would be insufficient to meet the likely triennial valuation deficit of £5.2m, as at 1 Oct 2009 conditions. The Bar Council was committed to reducing the deficit, at a time when the Trustees were correctly assuring themselves about the Bar Council's covenant. We were not prepared to perpetuate the deficit to become a burden on the future profession. He hoped that by 2012 the deficit would have been reduced. Richard Salter QC believed that the working group would put to the Bar Council the maximum amount of material relevant to the final decision. The Chairman noted that subject to some confidentiality, the data should be made available.

Tim Devlin was interested to know how well the Bar Council's broader financial picture had developed over the Treasurer's 3-year term of office, thus far. Would the PCF actually fall? The Treasurer observed that the Bar Council's financial management had been good, but that there were always demands for new

expenditure. For example, work on entity regulation was essential, and would require new money. Although the pension deficit should be expected to decline, we should expect to spend more on entity regulation and the Advocacy Training Council. Tim Devlin advised the Treasurer that at the end of the pension recovery process it would be wise to budget for a one year fall in the PCF before the demands for new expenditure drove it up again. The Treasurer agreed this was a good point, and drew attention to the decision to fund entity regulation from Reserves, rather than from the PCF. The Chairman reaffirmed that entity regulation and the Advocacy Training Council must be funded for the future of the Bar. The Treasurer reminded the meeting that an organisation of the size and nature of the Bar Council should hold realisable reserves amounting to four to six months' expenditure. Ken Craig was keen to see the Bar Council express its support for the new approach to determining future pension provision for the Secretariat. The Bar Council approved unanimously the new approach set out by the Treasurer.

8. Amendment to Standing Orders

The Chairman rehearsed the arguments for revitalising the GMC, and drew attention to the need to include all six Circuit Leaders in the future membership. The majority of the proposed changes, such as all six Circuit Leaders, the inclusion of the Chairman of the Member Services Board, and the offsetting reduction from six to four Bar Council representatives on the GMC, attracted no substantive comment. However, there was some concern that the proposals for the employed Bar representation were ambiguous, inasmuch as the text of the existing Standing Orders could be construed to include either both joint-Chairmen, and one vice-Chairman, of the Employed Bar Committee, or just one joint-Chairmen and one vice-Chairman. Hence, the starting point for the proposed change was uncertain. The argument in favour of the former construction was the need to reflect the broadest possible spread of employed Bar practice. The Chairman agreed that the final text of the change to Standing Orders would be confirmed with the joint-Chairmen of the EBC, and circulated to the January 2011 Bar Council meeting with the minutes of this Bar Council meeting.

ActionChief Executive.

9. Bar Directory

The Chairman of the Member Services Board, Richard Atkins, reminded the meeting that the Bar Council had invited the Board to consider whether the Bar Directory should include all Members of the Bar or only those who pay the voluntary MSF. The Board had concluded that the future Directory should be a complete Directory of the Members of the Bar, whether or not they pay the voluntary fee. The Board believed that any financial risk from a potential fall in MSF revenue to the Bar Council was outweighed by the arguments for including all barristers in the

Directory. Sir Ivan Lawrence QC questioned whether the present exclusion of non-MSF payers was a sanction against non-payment of the MSF. Richard Atkins stressed the voluntary nature of the MSF, and emphasised the expected improvement in the range of member services for MSF payers that would be realised by our new link with Xexec.

The Chairman felt that there was no right answer to the question faced by the Bar Council, and he invited the Bar Council to vote on the issue. The Bar Council decided to add to the Directory those practitioners who did not pay the MSF.

10. Young Barristers' Committee Report

The Chairman of the Young Barristers' Committee (YBC), Belle Turner, ran through the highlights of 2010, starting with the word of the year - ProcureCo - that had shaped so much of the year's work. The YBC had run its own ProcureCo education programme, seminars, contributions to the numerous events organised by the Inns of Court and the SBAs, and the YBC Conference itself. In particular, the YBC had concentrated on ensuring that young practitioners would not be disadvantaged by the new business models and the possibility of block contracting. The YBC remained fearful of, and opposed to, any concessions by the Bar Council in its opposition towards One Case One Fee (OCOF). They believed that OCOF would create huge problems for access to justice, and they wanted Bar Council reassurance about its stance against OCOF.

The early months of 2010 included intensive campaigning against legal aid cuts. Belle's son Jonny appeared for his second lobbying performance at the Westminster Policy Forum, renewing his acquaintance with the then-legal aid minister, Lord Bach, and demonstrating the practical difficulties of fees cuts on women practitioners. The YBC organised a joint YBC/CBA meeting in June, attended by over 200 practitioners, to debate the next round of criminal fee cuts. We hoped that the Attorney General understood the impact if fees were to be cut further.

Gillian Dollamore left the bar Council in mid-2010, after supporting the YBC for many years. She had been a formidable committee secretary, thoroughly devoted to the cause. The YBC could count themselves fortunate that their new secretary, Chris Hood, had carried on seamlessly with such excellent support.

2010 had been a quadrennial year for the YBC, with both the Anglo-Dutch Exchange and the International Weekend in the same year. London lawyers hosted 70 delegates from Amsterdam, Rotterdam and the Hague, and all were blessed by the active support of Helena Kennedy and Lord Walker for the event. The support of the senior judiciary was evident elsewhere for the London Young Lawyers' International Exchange, bringing to London delegates from Hong Kong, the USA and Canada, as

well as Europe. Lord Rogers from the Supreme Court played a key role in the Exchange. Further afield, the YBC had been represented at a number of international conferences, assisting the Chairman of the Bar where possible. Possibly the most important international event had been setting up the new buddy scheme for young lawyers in Zimbabwe, and it was good news that Nichola Higgins and David Nicholls (the incoming Vice-Chairman of the YBC) would take the scheme forward in 2011.

The August recess coincided with the PCF online consultation process, which led to an overwhelming response from the Young Bar about the serious impact of the proposals. The future of the Young Bar was the theme for the Young Bar Conference, at which the Lord Chief Justice and Dame Hazel Genn QC were keynote speakers. A number of workshops addressed topics ranging from forensic pathology to a review of civil litigation costs with Jackson LJ. The YBC contributed also to the main Bar Conference in November, and throughout the year to the various stages of the Bar Mock Trial competition.

Belle Turner concluded by thanking her Committee members, and the members of the Bar Council. She asked the Bar Council to continue to do more to make it easier for her successor, Nichola Higgins. Finally she thanked Nick Green QC for the wonderful example he had set throughout her year, a year of which she was very proud.

11. Law Reform Committee report

Maura McGowan QC spoke on behalf of the Law Reform Committee (LRC), whose Chairman, Stephen Worthington QC, was unable to attend the meeting. The LRC had existed since 1946, and was unique amongst the legal professions in raising the profile of law reform and in influencing the drafting of legislation. The Committee had some 30 members with a wide range of skills, and had responded in 2010 to some 20 consultation papers from Government; the detailed list of papers is attached at Annex A.

The Committee worked closely with the SBAs, particularly the CBA, and imported additional skills if necessary. Responses were put on to the Bar Council website.

A Counsel magazine article had sought suggestions for further areas of law reform, but this had attracted only four suggestions. She urged Members to proselytise the work of the Committee, and she asked that they advertise some forthcoming events. First, the Annual Law Reform lecture on 'Reforming the Criminal Trial' would be given by Lord Justice Moses on 23 November. Second, there would be a FLBA/ LRC debate in the New Year, with the prospect of further debates with other SBAs. Third, the annual LRC essay competition had attracted a very healthy 65 entries this year,

each of which would be marked by three people before shortlisting, and the eventual choice of winner by the Chairman and Vice-Chairs of the LRC.

Maura McGowan QC concluded with the thanks of the LRC to Jan Bye, their Executive Secretary, whose contribution to the smooth running of the LRC was central.

The Chairman reinforced some of these themes. The reputation of the LRC was evident from Government's assumption that the work was neutral in the public interest. This was a valuable contribution to the Bar's reputation. This year there had been an unprecedented range of responses to Green Papers on crime, prisons, scope of legal aid, CFAs and costs. The Bar had offered to help Government in its massive task, not with the intention of arguing the Bar's cause, but more to head off the inevitable unintended consequences. For some time to come, we would be responding to often unwelcome Government initiatives, such as the expected criminal tender in 2012. For family law, the status quo might hold in 2011, and be extended to 2013, but then 2014 would be a critical year for family law practitioners.

12. Any other business

The Chairman spoke of the great progress that had been made on the development of the CPS Panel, on which the Bar Council had consulted the profession. The relative positions of the CPS and the self-employed Bar looked to be sustainable, and he noted the 74% by volume of Crown Court activity that would go to the self-employed Bar. The financial consequences of the new balance had yet to be worked through, and he expected that Professor Martin Chalkley would play a part in this. Stuart Brown QC asked whether there would be an extension to the Bar Council consultation on the CPS proposals, and the Chairman confirmed that if required this would happen. Post-meeting note: the Bar Council consultation closed formally on 24 November, but comments were taken informally in preparation for the wrap-up meeting on 9 December.

In the context of the National Pro Bono Week, the Vice-Chairman Elect, Michael Todd QC, bemoaned the general lack of awareness of the Pro Bono costs order power in LSA 2007, which permitted the Court to make a costs award to the Access to Justice Foundation. Andrew Walker had been the first practitioner to persuade the Court to grant £20,000 to the Foundation. Michael Todd QC asked Members to spread the word amongst their constituencies, if only to seek to reduce the number of litigants in person appearing in court. Stephen Leslie QC suggested that an eye-catching email to the profession might serve a useful purpose.

The Vice-Chairman Elect thanked Members for his successful election. Be they civil or criminal practitioners, employed or self-employed, or London-based or on the

Circuits, he wanted to meet as many practitioners as possible. This would be a two-way street, so he encouraged barristers to introduce themselves whenever the opportunity arose over the next year.

The Vice-Chairman, Peter Lodder QC, reminded the meeting that this was the final substantive Bar Council meeting under the chairmanship of Nick Green QC, and it was his pleasant duty to say a few words about Nick and his Chairmanship.

Nick was described in Chambers and Partners Directory as having "a keen legal mind, excellent commercial sense and a real thirst for interesting and difficult cases."

He set about this brief with passion and commitment. Within weeks of taking office he had covered most of the country. Few members of the Bar had not witnessed the Chairman as he powered into individual chambers, through towns and cities, around each Circuit and through government departments, devouring problems as they had been thrown at him, growing bigger and more muscular as he burst the bounds of professional conservatism and parried the concerns of dinosaurs and luddites.

The Bar's own incredible hulk was aptly named Green.

Immediately after the Bar Conference the previous Saturday evening, boundless energy took him off to Mauritius to argue against their government. Commitments here meant he had to fly via Paris: 36 hours in the air, for two hours in court. Back on Tuesday morning he was in the Bar Council offices by lunchtime. Wednesday began with an early morning meeting, and ended with a speech at the Alliance for Lawyers at Risk, and then another before the Amity Dinner with the Law Society. He was one of the final two barristers to leave the dinner; the Vice-Chairman was the other. In the Bar Council by 8am on Thursday, trading acronyms with the officers of PIBA: CFA, CLAF, ATE etc (apologies to Sir Ivan for the difficult abbreviations). Thursday night was a chambers visit followed by a dinner. At 9am Friday off to Runnymede with the Lord Chancellor, MR and others to ensure that Magna Carta continued to be cherished. Friday evening, he was back to London to speak at the Solicitors' Association of Higher Court Advocates (SAHCA) annual dinner. And after Saturday's Bar Council meeting he would speak at the SAHCA conference.

In addition to this enormous drive and vigour he was of course ferociously clever, and the Bar Council had enjoyed the profound benefit of his intellectual leadership. Nick had had the inspiration to convene a symposium in June on the future of the Bar, for which he produced his own magnum opus. 85 pages of thoughtful and incisive analysis to provide the Bar with seminal ideas for a generation of development.

The words "Procure Co" would forever be associated with this Chairman, although he had been heard to regret the title. Knowing something of other passions in his life, perhaps Epicure Co would have been more appealing to him. Not for nothing is he the country's top competition lawyer.

All impressive stuff, but where had it all gone wrong? How had he become involved in drugs? Were there any early signs?

A google search revealed a report in that most respected of journals, The Sun, in May 2008: CLING FILM NUT'S ASSAULT RAP

Which, under a photo of clingfilm, read "A man with a fetish for clingfilm yesterday admitted sexual assault after kissing two women without their consent. Nicholas Green, 47, grabbed the victims aged 49 and 46 - and told one she should wear plastic clothing. Green also posed as BT and AA workers to urge girls to wear plastic raincoats and once suggested wrapping a woman's car in polythene, a court heard. Green, of Newton Abbott, was given a two-year community order at Exeter Crown Court."

Curious, but that seemed to lead more to his interest in alternatives to custody. The answer came in a poem penned by Tom Addam QC, an insider at Brick Court Chambers:

Oh Nicholas Green, oh Nicholas Green,
Fuddled and muddled by substance unseen,
What can have possessed you to go to the press
And advocate drug use? I think we can guess;

Your room's full of Rizlas, your desk full of crack,
There's coke in your briefcase, along with some smack,
Your Halsbury's Laws hide the Panama Gold
And there's skunk in your journals - it's all ready-rolled.

At last I can see how this Euro stuff works,
How you think up these points that make judges look berks;
You sit there with Vaughan and you both drop some E's,
Mark Brealey brings acid, Mark Hoskins brings speed;

By two in the morning you're all at your peak -
You've thought up some argument - novel - unique -
Conventional thought is thus given the slip,
For droit européen is one great trip.

And with these things in mind, some small gifts to Nick Green QC had been selected.

13. Date of next meeting

The next meeting will be the Inaugural meeting for the 2011 Bar Council, and will be held at 17:30 on 2 December 2010 in the Bar Council offices.

DAVID HOBART

Chief Executive

Email ~ chiefexec@barcouncil.org.uk

Annexes:

A. Law Reform Committee 2010 consultation responses

B. Abbreviations.