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1st March 2007

Dear Sir

Entertainment of Solicitors and Others by the Bar: Gifts to Solicitors

- 1 This is a joint response by the Bar Pro Bono Unit ('BPBU') and the Free Representation Unit ('FRU') in response to the paper issued by the standards committee of the Bar Standards Board entitled "Entertainment of Solicitors and Others by the Bar; Gifts to Solicitors".
- 2 We are grateful for the opportunity to submit comments on this paper.
- 3 As charities heavily dependant on the support of the bar, and of the wider legal profession, we have a particular interest. We receive funding from a number of sources, including the Bar Council, the Inns of Court, many sets of chambers and individual barristers, as well as firms of solicitors and others. Part of that funding arises from fundraising events, and some of those events would be within the scope of the possible restrictions contemplated by your paper:-
 - (1) Sets of chambers sometimes organise fundraising events in which they entertain solicitors and others, with the proceeds going to the BPBU or FRU or both. For example, a recent event The Times carried a broadly accurate, and sympathetic, report on 30th January of an event hosted by a set. The set hosted a quiz night, at which firms of solicitors took tables and paid £200 per table. The set paid for food and drink in a wine bar. The Times reported an enjoyable evening; the BPBU and FRU each received cheques of £1,500 shortly afterwards.
 - (2) Charities sometimes organise fundraising events. Such events are invariably expensive, so that the charity can make a profit even if it is unable to obtain sponsorship for the costs. For example, a smart dinner might well cost no more than £60 to put on, even in a special location, but tickets may well be priced at £100, so that there is a guaranteed profit of £40 per head. Whilst this simple example suffices for the purpose of illustration, the economics of such events are in fact more complex, and the sums of money can be twice these, or occasionally more.

- 4 Events of this sort are a useful part of our armoury. Fundraising will always be a struggle, even for a well-regarded charity as both the BPBU and FRU fortunately are. The wider the variety of fundraising initiatives available to us, the less hard it is to achieve our funding needs. There is a particular difficulty in raising core funding: new and exciting projects are far more likely to attract the support of grant-making bodies than paying the rent of the premises, the salary of the administrative staff or the hire of the photocopier. It is for covering the infrastructure costs that fundraising events have a special place.
- 5 When barristers attend fundraising events, some will use it as an opportunity for business entertainment. Example (1) above is an obvious case, but example (2) will often be taken as an opportunity for business entertainment rather than social entertainment.
- 6 We suspect that it would not be necessary to ring-fence charity fundraising events in order to safeguard this particular form of fundraising. We believe that reasonable entertaining should not be the subject of restriction, and we suspect that the public perception of what is reasonable is more generous in the case of charity fundraising events than it is otherwise.
- 7 In any event, we ask that any restrictions which may be imposed do not prevent fundraising events from taking place, whether the events are organised by the barristers, sets of chambers or the charities themselves.

Yours faithfully



Clive W Tulloch

Chief Executive, Free Representation Unit

For and on behalf of the Bar Pro Bono Unit and the Free Representation Unit

cc Robin Knowles Esq, CBE, QC, Bar Pro Bono Unit
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