

Amanda Tipples QC  
Chancery Bar Association  
Maitland Chambers  
7 Stone Buildings  
Lincoln's Inn  
London  
WC2A 3SZ

2 October 2017

Dear Amanda,

I write to inform you that Bar Mutual's Terms of Cover are to be amended to provide professional indemnity insurance to self-employed barristers undertaking secondments for limited periods.

The Board of Bar Mutual considered the very helpful submissions prepared by COMBAR and the Chancery Bar Association in relation to the provision of cover to self-employed barristers on secondments (the "July Paper").

Plainly, one of the principles guiding the provision of insurance by Bar Mutual is to respond to the changing needs of the profession. The Board noted that secondments, particularly by the young bar, are increasingly common and the reasons for this are self-evident.

The Board therefore agreed that it should clarify the circumstances in which self-employed barristers on secondments would be insured by Bar Mutual, and the route it identified for achieving this was to amend the definition of Self Employed Barrister in the Terms of Cover to the following (the changes are underlined):

"Self-Employed Barrister A barrister who is a self-employed barrister as defined by the BSB Handbook. A barrister shall also be deemed to be a Self-Employed Barrister for the purposes of these Terms of Cover during any period of secondment provided always that:

- (i) prior to commencement of the secondment, the barrister was a self-employed practising barrister as defined by the BSB Handbook; and
- (ii) the total period of secondment does not exceed six months."

## BAR MUTUAL

This solution is different to that proposed in the July Paper (which recommended extending the definition of Legal Services). But the result is the same and arguably more generous to that suggested in the July Paper as there is no requirement for the barrister to show an intention to return to self-employed practice after the secondment.

The agenda for Bar Mutual's Annual General Meeting on 3 October 2017 includes a special resolution to amend the Memorandum and Articles of Association, which is unrelated to extending cover for secondments. There are also several changes to Bar Mutual's Rules and Terms of Cover, again unrelated to secondments. For convenience though, the intention is for all these changes – including the extension of cover in relation to secondments – to take effect on 4 October 2017.

Yours sincerely



Colin Edelman QC

**Chairman**

**Bar Mutual Indemnity Fund Limited**