The Bar Council

The Bar at the heart of justice

Kirsty Brimelow KC, Chair of the Bar

Speech at the Bar Conference 2026

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Good morning.

On this day in 1889, Jawaharlal Nehru was born. He was called to the Bar of England and Wales in 1912 and began his career walking the corridors of the Allahabad High Court.

When Nehru stepped away from routine civil briefs to fight for human dignity, founding the Indian Civil Liberties Union in 1936 and becoming the first Prime Minister of independent India in August 1947, he did not abandon his legal training—he elevated it. Living under colonial rule, he saw firsthand that statutes and courtrooms alone do not guarantee justice. Justice only lives through the breath of independent advocates and Judges and with the trust and confidence of people.

Justice is not an abstract ideal framed by treaties and laws. Justice is a living promise that must be kept. If it is broken the shards cut deep into trust.

This year is a year of wins and firsts for the Bar Council.

We began the year facing the proposed Single Judge Crown Court Bench Division.

We saw it off by analysis and advocacy – and courage of our barristers in speaking out- demonstrating that Crown Court backlogs would not be reduced by reducing juries. Thank you to you all.

On October 4 the new administration announced that it was dropping the CCBD. There was no appetite to continue with the battle against the Bar.

It was a success for the Bar and for the public whose participation in jury justice we defended.

The arguments continue to retain the right to elect for a jury trial - and for complex fraud - and instead reclassify offences that should not be in the Crown Court into the magistrates' court and implement Sir Brian Leveson's other 130+ efficiency recommendations.

We continue making our case including for the women defendants and Black defendants. They are in the majority for electing jury trials and we continue making our case in support of organisations across the VAWG sector who are sounding their alarm at these proposals.

After all, to quote the Lord Chancellor in the foreword to the government's response to Leveson Part 2, the Independent Review of the Criminal Courts: "At root, the criminal justice system can only operate with the confidence and consent of the public it seeks to serve. "

Public funding for justice has declined by 22.4% in real per person terms from 2009/2010 to 2022/2023. Whilst the government has reversed the trend in 2024, the total Ministry of Justice budget is set no higher than it was 20 years ago. This is despite a 27% larger economy and a 16% larger English and Welsh population in 2025–26 compared with 10 years previously.

What about the courts? Well, they generate an income.

Between 2025 to 2026, the civil courts brought in an income of £621 million – the highest income of all the jurisdictions in the justice system. The family courts brought in £236 million, while immigration and asylum coupled with other fee generating tribunals collectively brought in £11 million.

This money needs to be reinvested in legal aid and our crumbling courts.

We secured one legal aid increase in July 2026 which most benefits our junior Bar. It's the first increase since I was Chair of the Criminal Bar Association.

Another increase is on its way.

However, cases are adjourned due to lack of barristers and the government announcement of up to £34 million increase in legal aid, to assist retention of barristers, remains unrealised and I continued to push for it to be implemented before the year is over. The prosecution also continues not to implement parity in fees in many cases. And we continue to push.

Legal aid belongs alongside health and education as an essential public service.

This year was the start, as you've heard, of taking MPs to courts – criminal and expanding into family - and into robing rooms to speak to barristers.

Thank you Circuits and SBAs, thank you the Criminal Bar Association for you your candour and your determination.

Every day, barristers help people exercise rights, challenge power, resolve disputes and rebuild lives.

That work deserves our pride. It deserves public understanding. And it deserves the resources that allow us to do it properly.

This year I was delighted to lead a first meeting between the Family Law Bar Association and ministers.

Because behind the discussion of fees is violence against women and girls and boys. To halve violence in a decade, the government needs to retain representation by family barristers by investing in legal aid.

A right that someone cannot enforce offers no protection.

We have been encouraged by the work of Criminal Legal Aid Advisory Board which I helped set up on 2022 and it may just be the vehicle to drive to the long-awaited fee

review body. It may just be the vehicle to drive towards the long awaited fee review body.

Legal services contributed £42.6 billion to the UK economy in 2024. Our expertise supports trade, investment and the resolution of disputes across borders. This is recognised by the government with the establishment of the excellent English Law Promotion Panel.

In Japan, Korea, India, Sri Lanka and Vietnam, we have worked with colleagues to develop opportunities for our commercial Bar and international arbitration.

Those relationships also require trust.

There is no firewall between criminal justice failure and commercial justice confidence. In the same way that is often said that a society is judged by how it treats its most vulnerable (a quote attributed to Gandhi, another member of the Bar of England and Wales), a legal system inspires confidence not simply in how it handles the disputes of businesses but also its role in public safety and ensuring fairness to individuals subjected to the coercive powers of the state.

In a similar way, we lawyers from very different disciplines have a lot to learn from each other.

We've seen it in our work on climate literacy, where knowing about climate issues is as essential to a corporate lawyer advising a business client on risks linked to climate change as it is to an environmental litigator taking on a corporate polluter. We also recently celebrated the diverse careers of our employed Bar at our Awards in Gray's Inn.

This year's conference takes this idea further by showing us what we can learn from those outside our own profession—from journalists to conservationists to Opera singers.

During the year our vision has been expansive. In June Mohammed Nasheed, former President of the Maldives, spoke to Bar Council about climate change from small

island states' perspectives. And last month we had the privilege of hosting a conversation with Nobel peace prize laureate and Colombian former president Juan Manuel Santos, alongside Head of Chatham House's Ukraine Forum Orysia Lutsevych OBE, about the historic 2016 peace accord in Colombia with the FARC and how to create and sustain peace. And the role of women within that work.

Protection of lawyers

Whilst the work of barristers is not always appreciated, it becomes dangerous when it is not tolerated. Defending the conditions in which lawyers can work has taken us beyond our borders. In Europe, we have attended and spoken at conferences in Berlin, Paris, Vienna, and Warsaw on ethics and international protections of freedom of expression.

We have consistently spoken out against threats to lawyers and sanctions, intervening in a case in the United States, and we continue to advocate not just for signing of the UK of the Council of Europe's Convention on the Protection of the Profession of Lawyer, but for its ratification and its greater adoption globally.

Bosnia recently became the first country to ratify it. We urge the UK to demonstrate leadership and become the second country.

We continue to support our own barristers here.

And to our future

I returned to my primary school in Chorley, Lancashire and in part it was to encourage you to visit your local state school and work with our Speak for Success teaching. It's also a hugely enjoyable experience. I learnt a lot.

As barristers, we rely on strong speaking and listening skills every day. The ability to communicate confidently, listen effectively and express ideas clearly is essential to children's education and future.

I have judged Young Citizens moots, spoken at the 10,000 Black interns programme, and delivered speeches at dinners in English and Spanish, from the City to the Bar to our Diplomats internationally, to our Barristers Clerks and to our international colleagues, alongside many barristers. Thank you.

And perhaps, children and young people may just be dreaming a little bigger.

Your background, your race, your sex, your disability is not a barrier to a career at the Bar. It is open to all.

This year also has seen the welcome implementation of the first year of the government match-funding pupillage scheme and also the start of a collaboration between the Bar Council and Law Society to address earnings disparity based on gender and race.

I am delighted to have our Young Bar front and centre at this year's conference as well.

Other firsts include our protocols with the BSB and the judiciary to tackle any poor behaviour at the Bar and from the judiciary in this the first year of the Bar Council's Commissioner for Conduct. The protocols protect and empower barristers from bullying and harassment and safeguard wellbeing.

And we have tried to position the Bar Council to provide an accurate legal voice and tackle misinformation in this breathless world of social media.

A week ago, I wrote an explainer that it is routine for judges trying sexual offences cases to direct or caution juries against the risk of any assumptions or stereotypes that they might have about sexual behaviour and how a rape victim behaves or should behave. The appropriateness of these directions was established by the Court of Appeal nearly 20 years ago and has been within the Crown Court Compendium, which guides judges and is constantly updated, since at least 2010. The Law Commission further examined these directions and published its report in July 2025,

concluding that those directions should remain within the discretion of the Judge according to the relevance to the evidence, not in legislation.

Complainants deserve dignity, support and a fair opportunity to give their evidence. Defendants deserve a fair trial. Judges and barristers work to secure both. Pitching victims against barristers who support and enable their evidence to be heard – as was called out by Charlotte Nichols MP and myself earlier in the year - is both damaging and corrosive.

We have focused on children and the question of how to prevent a lifetime in the criminal justice system. The answer is that effective early intervention protects children and protects the people who might otherwise become their victims.

This year, we produced a detailed evidential analysis recommending that the minimum age of criminal responsibility is increased from 10 to 14. It is to prevent the 10/11-year-old becoming the young teenager facing serious offence allegations.

We require government to act on what the evidence tells us about development, vulnerability and the prevention of harm and are encouraged by much of its work. However, the public deserves an informed debate on the minimum age of criminal responsibility.

AI

We have immersed in AI, issuing guidance and joining the global conversation – including those today. However, we also continue to share training, including in advocacy, internationally from Sri Lanka to Nigeria. The skills that make great barristers – judgement, critical thinking, adaptability and connection – are undeniably human ones.

Conclusion

Thank you to our sponsors for supporting today's conference, and to our speakers and everyone contributing. To the Bar Council staff: thank you for the expertise, support and sheer hard work, for your care. We could not have delivered what

we've delivered this year without you. And to my fellow officers, Circuit Leaders, Specialist Bar Associations, Inns, our committees, panels and all who give their time, including you all, today. Bar Council achievements are shared.

As we begin our sessions today, we face new challenges—shifting technologies, pressures on access to justice, and global tests to human rights and the rule of law. The tools of our trade may evolve, but our core duty remains unchanged since Nehru's learning at the Bar over a century ago.

We are not merely technicians of the law. We are its guardians.

And the Bar is at justice's beating heart.

Enjoy the Conference!

Kirsty Brimelow KC

Chair of the Bar Council of England and Wales