



Issuing proceedings

Purpose:	To draw barristers' attention to their professional obligations in relation to this subject
Scope of application:	All practising barristers
Issued by:	The Ethics Committee
Last reviewed:	August 2018
Status and effect:	Please see the notice at end of this document. This is not "guidance" for the purposes of the BSB Handbook I6.4.

Q. Our clerks have been asked by solicitors to issue proceedings in the High Court. All the papers have been prepared by the solicitor and they will provide the fee. It is simply more convenient for us to provide this service. Can we do so?

A. This is likely to involve the conduct of litigation. As such, you may not do this as a self-employed barrister unless you have applied for, and been granted, a litigation extension to your practising certificate. If you cannot do this, then your clerks cannot do it either.

You also cannot receive, control or handle client money except through a third party payment service approved by the BSB, such as BARCO (see rC73). Only barristers practising as managers of an authorised (non-BSB) body may do this.

Important Notice

This document has been prepared by the Bar Council to assist barristers on matters of professional conduct and ethics. **It is not "guidance" for the purposes of the BSB Handbook I6.4, and neither the BSB nor a disciplinary tribunal nor the Legal Ombudsman is bound by any views or advice expressed in it.** It does not comprise – and cannot be relied on as giving – legal advice. It has been prepared in good faith, but neither the Bar Council nor any of the individuals responsible for or involved in its preparation accept any responsibility or liability for anything done in reliance on it. For fuller information as to the status and effect of this document, please refer to the professional practice and ethics section of the Bar Council's website [here](#).