



The Bar Council

### **Solicitors' firms – barristers as partners**

<b>Purpose:</b>	To advise barristers of their professional obligations in relation to this subject
<b>Scope of application:</b>	All practising barristers
<b>Issued by:</b>	The Ethics Committee
<b>Last reviewed:</b>	November 2020
<b>Status and effect:</b>	<b>Please see the notice at end of this document. This is not "guidance" for the purposes of the BSB Handbook I6.4.</b>

**Q. I am an employed barrister working for a firm of solicitors. I have been invited to become a partner. Am I able to do so?**

A. Yes, you are able to become a partner in a firm of solicitors. The BSB Handbook rS16 allows you to supply legal services to the public in the following capacities:

1. As a self-employed barrister, subject to the limitations imposed by Section 3. B3
2. As a BSB entity, subject to the limitations imposed by Section 3. B4
3. As a manager of a "BSB authorised body" or as an "employed barrister (BSB authorised body)", subject to the limitations imposed by Section 3. B5
4. As a manager of an "authorised (non-BSB) body" or as an "employed barrister (authorised non-BSB body)", subject to the limitations imposed by Section 3. B6
5. As an "employed barrister (non-authorised body)", subject to the limitations imposed by Section 3. B7, or

6. As a registered European lawyer in any of the above capacities, in which case the equivalent limitations that would have applied if you were practising as a barrister shall apply to your practice as a registered European lawyer.

The word "manager" is defined in the Handbook in the same way as in s.207 of the Legal Services Act 2007 and includes a member of an LLP and a partner in a partnership.

The precise provisions which apply to barristers practising as managers or employees of authorised (non-BSB) bodies are set out in the BSB Handbook rS35-39. In particular, you must comply with the rules of the Approved Regulator or licensing authority of the authorised (non-BSB) body. For example, if you are a partner in a solicitors' partnership or member of an LLP practising as a firm of solicitors you must comply with the rules of the SRA as its Approved Regulator.

### **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 see [here](#).