



The Bar Tribunals
& Adjudication
Service

The Council of the Inns of Court

The Inns' Conduct Committee: Practice and Procedure Rules 2020

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The Bar Tribunals & Adjudication Service

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PART I - PURPOSE AND OBJECTIVE

1. These Rules, which shall be referred to as the ICC Practice and Procedure Rules 2020, provide the terms under which the Inns' Conduct Committee will operate in carrying out the function as set out in paragraph 3 (a) – (c).
2. These Rules are drafted with reference to, and should be read in conjunction with, the *Guidelines for Determining if a Person is Fit and Proper to Become a Practising Barrister* (hereafter referred to as the Guidelines) set out by the Bar Standards Board, in accordance with rQ6.2 of the Bar Qualification Rules which are contained in the Bar Standards Board Handbook ("the Handbook"), in Part 4, Section B.
3. The function of the Inns' Conduct Committee is:
 - (a) To determine any question whether an Applicant for admission to an Inn is a fit and proper person to practise as a barrister;
 - (b) To determine whether, in the case of a Student Member (hereafter referred to as Student), that individual is a fit and proper person to practise as a barrister and, what sanction is appropriate to impose if that individual's conduct calls into question whether they are a fit and proper person;
 - (c) To hear and finally determine appeals from determinations by a Student's Inn of minor internal disciplinary matters against that Studentand shall, when doing so, have regard to the Guidelines as agreed between the Bar Standards Board and the four Inns of Court.
4. To be eligible for admission to an Inn or Call to the Bar, a person must be a fit and proper person to become a practising barrister.
5. The Inns' Conduct Committee recognises that it is the intention of the four Inns of Court that membership of the Inns should reflect the diversity of society. The Inns' Conduct Committee and all the Inns have a responsibility to apply the principles of this statement in their dealings with others both internally and externally. There is a commitment to the elimination of unlawful or unfair discrimination on the grounds of sex, race, gender reassignment, age, disability, sexual orientation, marital status, responsibility for dependants, religion or belief. The Inns Conduct Committee and the four Inns of Court operate in accordance with reasonable adjustments policies which ensure fair and equal access to services for all existing and potential members.

PART II – DEFINITIONS

6. In these Rules, the following terms have the following meanings:

“Admission to an Inn”, “Admission Declaration”, “Bankruptcy Order”, “Criminal Offence”, “Call Declaration”, “Call” or “Call to the Bar”, “pending Criminal Proceedings”, “Directors Disqualification Order”, “Inn”, and “Council of the Inns of Court” (“COIC”), are as defined in Part 6 of the Handbook.

“Applicant” means any person seeking admission to an Inn of Court and shall include persons granted exemptions from training requirements under Part B2 of the Bar Qualification Rules and former members of an Inn seeking readmission.

“BTAS” means the Bar Tribunals and Adjudication Service.

“BTAS Panel” means the panel of persons appointed to serve on disciplinary tribunals under Part 5 of the Handbook.

“Chair of the Inns’ Conduct Committee” shall mean the Chair appointed under Rule 7(a) or in the event of the post being vacant or the Chair being unable or unwilling to discharge the role through absence, illness or otherwise, either of the Vice-Chairs in accordance with Rule 15 below.

“Fit and proper person to become a practising barrister” means a person who is expected to be capable of upholding the Core Duties set out in the Handbook which underpin the behaviour expected of barristers.

“The Guidelines” means the Guidelines for determining if a person is Fit and Proper to become a barrister published by the BSB from time to time.

“Handbook” means the Bar Standards Board’s Handbook, as published and amended from time to time.

“Hearing Panel” is a panel that hears matters that are to be determined by the Inns’ Conduct Committee, made up of persons appointed in accordance with these Rules from the Inns’ Conduct Committee and/or from the BTAS Panel.

“Panel Chair” means the Chair of a Hearing Panel appointed under Rule 26.

“the President” shall mean the President of COIC.

“Screening Panel” is a panel of persons which considers whether referrals to the Inns’ Conduct Committee should be referred to a Hearing Panel for determination or returned to the referring Inn and is constituted in accordance with Rule 16 or the Chair of the Inns’ Conduct Committee when acting pursuant to Rule 17.

“Student” means a person who has been admitted to an Inn and remains a member of the Inn but has not been called to the Bar.

The “Tribunals Appointment Body” is a body appointed by COIC in order (amongst other duties) to (i) vet the applications of those people who wish to be members of the BTAS Panel and (ii) certify that those they select to the BTAS Panel are fit and properly qualified to conduct the business for which they have been selected.

PART III – MEMBERSHIP AND INTERNAL PROCEDURES OF THE INNS’ CONDUCT COMMITTEE

Membership of the Inns’ Conduct Committee

7. The Inns’ Conduct Committee shall have the following members:
 - (a) a Chair, selected by the Tribunals Appointments Body and appointed by the President;
 - (b) Two Vice-Chairs (one barrister and one lay representative), selected by the Tribunals Appointments Body and appointed by the President;
 - (c) Four barrister members, one selected by each of the Inns from those appointed by the Tribunals Appointments Body to membership of the BTAS Panel; and
 - (d) Two lay members, selected by the Tribunals Appointment Body from amongst those appointed by the Tribunals Appointments Body to membership of the BTAS Panel.

8. No person shall
 - (a) be a member of the Inns’ Conduct Committee if they are a member of the Bar Council or of any of its committees or a member of the Bar Standards Board or of any of its committees;

- (b) cease to be a member of the Inns' Conduct Committee simply by reason of ceasing (by the passage of time) to be a member of the BTAS Panel.
- 9. Each member of the Inns' Conduct Committee (other than the Chair and Vice Chairs) shall serve for a term of up to 4 years expiring in every case on 30 June in any year and shall thereafter be eligible for re-appointment for a further period of up to 4 years expiring in every case on 30 June in any year subject (at the date of the commencement of the further period) to their continuing appointment by the Tribunals Appointments Body to membership of the BTAS Panel.
- 10. The Chair and Vice-Chairs shall serve for up to 4 years from the date on which s/he takes office and shall thereafter be eligible for re-nomination for a further term of up to 4 years, without reference to any previous membership of the Inns' Conduct Committee. Membership of the BTAS Panel is not a requirement for a person to be appointed or re-appointed as Chair or Vice-Chair of the Inns' Conduct Committee.
- 11. The Bar Tribunal and Adjudication Service shall make arrangements for secretariat support to be provided to the Inns' Conduct Committee and any panels appointed for the purpose of these Rules.

Internal Operation of the Inns' Conduct Committee

- 12. The Inns' Conduct Committee may meet as a full committee to consider matters of general policy or process. It may from time to time make, amend, rescind or suspend
 - (a) standing orders for the better management and discharge of its functions under these Rules
 - (b) any protocol or practice direction to regulate or facilitate the determination of any matters referred to it and/or the discharge of its functions under Parts IV – VIII of these Rulesprovided that nothing therein shall conflict with these Rules or the Guidelines, which shall prevail.
- 13. The Inns' Conduct Committee will report in writing annually to the BSB and COIC on its performance.
- 14. The Inns' Conduct Committee may delegate the discharge of its powers and functions in relation to:

- (a) whether an Applicant or a Student is a fit and proper person to be a practising barrister to a Hearing Panel constituted of persons selected by the Chair of the Inns' Conduct Committee from amongst the members of the Inns' Conduct Committee and/or members of the BTAS Panel;
- (b) appeals by a Student from a decision of an Inn under its internal disciplinary procedure to a Hearing Panel constituted of persons selected by the Chair of the Inns' Conduct Committee from amongst the members of the Inns' Conduct Committee and/or members of the BTAS Panel.

For the avoidance of doubt and notwithstanding any delegation, the Inns' Conduct Committee shall retain and be able to exercise full authority to discharge its role and functions under the ICC Practice and Procedure Rules [2020] and generally.

- 15. In the event of the post of Chair being vacant or the Chair being unable or unwilling to discharge the role (whether through absence, illness or otherwise), either of the Vice-Chairs may discharge the function of Chair with the consent of the other Vice-Chair.

PART IV – CONDUCT HEARINGS

Screening Panel Proceedings

- 16. The handling by the Inns' Conduct Committee of any case involving an Applicant/Student referred to it by an Inn shall be determined by a Screening Panel who will consider documentation from the Inn about the Applicant/Student. The Screening Panel shall comprise the Chair or Vice Chair of the Inns' Conduct Committee and one other committee member such that a Screening Panel shall consist of one barrister and one lay representative, with support provided by a member of the BTAS Administrative team or an individual appointed by BTAS to discharge the administrative function. The members of the Screening Panel will generally conduct their business by meeting in person but may, at the discretion of the Chair or Vice Chair of the Inns' Conduct Committee (as the case may be), do so by telephone or email.
- 17. In cases of urgency, the Chair of the Inns' Conduct Committee (with support provided by a member of the BTAS Administrative team or an individual appointed by BTAS to discharge the administrative function) may act alone and exercise all of the powers of a Screening Panel constituted under Rule 16 above save that if the Chair of the Inns' Conduct Committee is not satisfied that there is material under Rule 19 to justify

referral to a Hearing Panel, the Chair of the Inns' Conduct Committee must refer the matter to a Screening Panel convened and constituted in accordance with Rule 16.

18. The Screening Panel may give such directions as it sees fit in connection with any matter and may, in particular, direct, at any stage, that the relevant Inn and/or Applicant/Student provide any information in relation to a case at the Screening Panel's request. This information should normally be provided in writing within 14 days. Should an Applicant/Student be unwilling or unable, without good cause, to provide this further information, the Screening Panel and any subsequent Hearing Panel may make any reasonable inferences.
19. If, having regard to the Guidelines and generally, the Screening Panel is satisfied, on consideration of all information provided to it in relation to either an Applicant or a Student that:
 - (a) there is material that suggests that the Applicant/Student is not a fit and proper person to become a barrister or may not be a fit and proper person to become a barrister; or
 - (b) there is material that gives rise to any question as to whether the Applicant/Student is a fit and proper person to become a barrister that requires further consideration;the Screening Panel shall refer the question of whether the Applicant/Student is a fit and proper person to a Hearing Panel for determination.
20. If, having regard to the Guidelines and generally, the Screening Panel is not satisfied, on consideration of all information provided to it in relation to either an Applicant or a Student that there is material which requires the matter to be referred to a Hearing Panel, the Screening Panel shall notify the referring Inn and, in the case of an Applicant, direct the Inn to admit that individual.
21. If not referring a matter to a Hearing Panel, the Screening Panel shall state (in summary form) the reasons for its decision not to refer to a Hearing Panel. These reasons will be provided by BTAS to the referring Inn.
22. Once the Screening Panel's decision has been communicated to the referring Inn, the Inn must confirm to the Inns' Conduct Committee, in writing, that the decision has been received and that any action required of it has been completed.

23. The Chair of the Inns' Conduct Committee may, following a referral to a Hearing Panel by a Screening Panel make any further directions in any matter or vary or discharge any directions made by the Screening Panel in any matter if it appears necessary or desirable so to do.
24. Proceedings before a Screening Panel shall be in private save that for the purposes of training and observation only, members of the Inns' Conduct Committee may attend a Screening Panel.

Appointment of a Panel to Hear a Case

25. Any case involving an Applicant/Student referred by the Screening Panel for hearing shall be heard and determined by a Hearing Panel appointed by the Chair of the Inns' Conduct Committee.
26. The Panel shall comprise three members, only one of whom shall be a lay member. The Chair of the Inns' Conduct Committee will designate a Panel Chair from amongst those three members.

Notification of arrangements for a Hearing

27. As soon as practicable after a referral to a Hearing Panel for hearing, a letter of notification that the matter is to be heard and determined by a Hearing Panel shall be sent or otherwise provided to the Applicant/Student by (a) the BTAS Administrator by registered post or recorded delivery, with a copy sent by email, to the Applicant/Student at the last known address notified to the Inn or (b) by such other method(s) as may be directed. The letter of notification shall:
 - (a) Identify the date, time and venue of the hearing (which shall be convened as soon as practicable);
 - (b) notify the Applicant/Student of any directions made by the Screening Panel or otherwise;
 - (c) Inform the Applicant/Student of his or her right to submit a written request (with reasons) for the hearing to be adjourned. Such request shall normally be made within seven days of receipt of the notification letter or the Applicant/Student will be deemed to have waived the right to ask for an adjournment;

- (d) Contain details of the referral, setting out the grounds and reasons as to why the Inn has referred the matter in question;
- (e) Inform the Applicant/Student whether the referring Inn will be represented;
- (f) Inform the Applicant/Student of the membership of the Hearing Panel and of the Applicant/Student's right to give written notice (with reasons) objecting to one or more of the proposed members of the Hearing Panel. Such notice shall be given within seven days of receipt of the notification letter or the Applicant/Student will be deemed to have waived the right to object;
- (g) Inform the Applicant/Student that s/he will within the period specified in the notification letter be supplied with copies of the documents that are to be provided to the Hearing Panel;
- (h) Inform the Applicant/Student that s/he may within such reasonable time as may be specified deliver a written answer, explanation or other representation to the Hearing Panel in advance of the hearing;
- (i) Inform the Applicant/Student of his or her entitlement to attend the Hearing and right to be heard by the Hearing Panel;
- (j) Inform the Applicant/Student of his or her right to appoint a representative or, in the case of Students only, to request the appointment of a representative;
- (k) Inform:
 - i. the Applicant/Student (unless the case involves an Applicant for Readmission) that the hearing will take place in private, unless they request in writing that all or part of the hearing should be in public under Rule 30(b);
 - ii. the Applicant for Readmission that the hearing will take place in public;unless, in either case, a direction is made by the Chair under Rule 31 that all or part of the hearing should be in private;
- (l) Require the Applicant/Student to inform the BTAS Administrator whether s/he intends to attend the hearing and to be represented at the hearing;

- (m) Inform the Applicant/Student of the Hearing Panel's right to proceed with the hearing in his or her absence and that, should they fail to attend without good cause, the Hearing Panel may make any reasonable inferences; and
- (n) Inform the Applicant/Student of his or her right to review the decision and the timescales for doing so.
- (o) Include a copy of these Rules and the Guidelines.

Objections to Panel Membership & Requests for Adjournments

- 28. Where the Inns' Conduct Committee has received a written notification:
 - (a) of objection to the membership of a Hearing Panel made under Rule 27(f), the Chair of the Inns' Conduct Committee shall take the relevant decision,
 - (b) of a request for a hearing to be adjourned made under Rule 27(c), the Chair of the Inns' Conduct Committee, or the Panel Chair shall take the relevant decision,and the reasons for such decision shall be recorded in writing and provided to the Applicant/Student and the referring Inn.

Conduct of the Hearing

- 29. Without limiting the powers conferred elsewhere in these Rules, at any time after the Hearing Panel has been constituted, the Hearing Panel or the Panel Chair may direct that the relevant Inn and/or a Student or Applicant provide any information in relation to a case. This information should normally be provided in writing within 14 days, unless specified otherwise by the Panel Chair. Should a Student or Applicant be unwilling or unable, without good cause, to provide this further information, the Hearing Panel may make any reasonable inferences.
- 30. The hearing shall:
 - (a) subject to paragraphs (b) and (c) of this Rule, be in private;
 - (b) be in public if the Applicant/Student so requests;
 - (c) if the matter concerns an Applicant for readmission to an Inn following a period of disbarment, the hearing shall be in public.

31. Notwithstanding Rules 30(b) and (c), the Panel Chair may decide that the public shall be excluded from the whole or any part of the hearing where it appears desirable to do so in the interests of justice or for any other special reason provided always the particular reason for the private hearing (in whole or in part) outweighs the interest in holding a public hearing.
32. Subject to the Hearing Panel's approval and for the purposes of training and observation only, members of the Inns' Conduct Committee, BTAS Panel Members and TAB appointed persons may attend Hearing Panel hearings.
33. Should an Applicant/Student fail to attend, the hearing may proceed in their absence.
34. A BTAS Administrator or an individual appointed by BTAS will be in attendance at the hearing, except for during deliberation unless the Hearing Panel request assistance in relation to the Inns' Conduct Committee policy or process.
35. Subject to Rule 45, proceedings at the hearing shall be at the discretion of the Panel Chair, but the Hearing Panel shall act in accordance with the principles of natural justice and have regard to the Guidelines. The Panel Chair may, before or at the hearing, give all directions as may reasonably be necessary for the fair and orderly disposal of the referral.
36. The Hearing Panel shall not be bound by any enactment or rule of law relating to the admissibility of evidence in proceedings before any court.
37. The Hearing Panel shall treat:
 - (a) a criminal conviction of the Applicant/Student, which has not been set aside on appeal or otherwise, as sufficient evidence of the commission of the offence in question; and
 - (b) a finding of misconduct by a regulatory/professional/educational body exercising a regulatory, disciplinary or educational jurisdiction as sufficient evidence of the commission of the offence in question;but may give such weight to that offence or misconduct as it considers reasonable in all the circumstances.

38. The use of video conferencing facilities, where possible, can be granted by the Screening Panel, or the Chair of the Inns' Conduct Committee or Panel Chair should the Student or Applicant agree to the use of this equipment.
39. Where a Hearing Panel is to determine whether an Applicant is a fit and proper person to become a practising barrister:
 - (a) It is for the Applicant to show, to the satisfaction of the Hearing Panel, that they are a fit and proper person to become a practising barrister; and
 - (b) The standard of proof required is that the Hearing Panel should be satisfied on a balance of probability ("more likely than not").
40. Where a Hearing Panel is to determine whether a Student is a fit and proper person to become a practising barrister:
 - (a) It is for the Inn to show, to the satisfaction of the Panel, that the Student is not a fit and proper person to become a practising barrister; and
 - (b) The standard of proof required is that the Hearing Panel should be satisfied on a balance of probability ("more likely than not").
41. The hearing before a Hearing Panel shall ordinarily be the subject of audio recording in order (if necessary) that a transcription may be prepared. However, in the event that audio recording is not possible, the Hearing Panel may, if the Panel Chair so directs, proceed provided that adequate provision is made for noting the matters raised and evidence adduced before the Hearing Panel.
42. Where a Student has requested representation under Rule 27(j) above, the Inns' Conduct Committee shall require the referring Inn to provide the Student with an appropriate "Advocate" (formerly the Bar Pro Bono Unit) application form for representation and shall offer to transmit any completed form to Advocate on the Student's behalf.
43. Evidence may be received by the Hearing Panel in accordance with Annex 2 to the Guidelines and by oral statement, written statement, or statutory declaration. The Hearing Panel will also give appropriate weight on consideration to character, academic or other references. Written statements (but not character, academic or other references) should conclude with a signature of the individual making the statement and a statement by the maker that he or she believes the contents of the statement to be true.

44. Members of the Hearing Panel shall have the right at each stage of the hearing to ask questions of the referring Inn's representative (where applicable) and/or the Applicant/Student and/or (where applicable) his or her representative.
45. Subject to the discretion of the Panel Chair, the order of proceedings shall be as follows:
 - (a) The Panel Chair introduces the Hearing Panel, explains the process and why the matter has been referred as well as referring to the Rules under which the matter is to be determined. The Panel Chair will identify the documents that the Hearing Panel members have been provided with.
 - (b) The Applicant/Student will be asked for any comments in relation to the reason for referral.
 - (c) The Hearing Panel will ask any relevant questions of the Applicant/Student.
 - (d) The Applicant/Student is then given the opportunity to raise any relevant matters not previously covered.
 - (e) Private deliberations take place.
 - (f) The Hearing Panel reconvene to ask further questions (if any), to announce their decision, to reserve their decision or to adjourn the matter to enable the production of further evidence/documents.
 - (g) Where appropriate, the Hearing Panel will explain the Applicant/Student's right to have the decision reviewed and the timelines for doing so.
46. The Panel Chair may adapt the order of proceedings. Any reasonable adaptation does not invalidate any decision.
47. Where the Inn is represented, once the Panel Chair has explained the process the Inn will be asked to present their case with any questions from the Hearing Panel following. The Applicant/Student will be asked to present their case and for any comments in relation to the Inn's case and the Hearing Panel will ask any relevant questions of the Applicant/Student. Both the Inn and the Applicant/Student, respectively, may make any closing remarks before the Hearing Panel deliberates.
48. In the event that on or immediately before the day of the hearing, and due to exceptional and unforeseen circumstances, the Hearing Panel is unable to convene in

person, the Hearing Panel may, after consultation and once they are satisfied that there will be no injustice, proceed to conduct their business by phone/ email/ video conference facility.

Adjournments

49. In any case where the Hearing Panel considers that further information is required for the fair disposal of the matter, or due to any request from the Applicant/Student, the Panel Chair may adjourn the hearing for such a period as is appropriate or necessary.
50. In exceptional circumstances where a further adjournment is deemed necessary, the Panel Chair may adjourn the hearing for such further period as is appropriate or necessary.

General

51. The Chair of the Inns' Conduct Committee may exercise all or any of the powers and discretions given by these Rules to the Panel Chair except those falling to be exercised by the Panel Chair during the course of a hearing before a Hearing Panel.

Decision of the Panel

52. In reaching its decision, the Hearing Panel will have regard to the Guidelines, all other applicable matters and to the circumstances of the case in general.
53. Within 14 days of the conclusion of the proceedings and on behalf of the Inns' Conduct Committee, the Hearing Panel will produce a written report setting out its findings, the reasons for those findings and its decision. A failure to provide the report within 14 days shall not (of itself) affect the validity of the decision. As soon as it is available, the written report will be sent to the Applicant/Student, the Inn which made the referral, the other Inns, the BSB and (where appropriate) the Student's vocational component (previously known as BPTC) provider. The written report of hearings held in private shall not otherwise be made public.
54. The written report of hearings held in public (under Rule 30) shall be made public, excepting any or all parts of the Hearing that the Panel Chair directed be held in private under Rule 31.

55. All written reports shall be retained by BTAS. The names of those Students who are expelled may be published on the Inn's website irrespective of whether the hearing was held in public or private.
56. Once an Inns' Conduct Committee decision has been communicated to the referring Inn, the Inn must confirm to the Inns' Conduct Committee, in writing, that the decision has been received and that any action required of them has been completed.
57. If members of the Hearing Panel are not in agreement as to the finding(s) or the appropriate sanction, the decision of the Panel shall be by a simple majority.
58. In accordance with paragraph 15 of the Guidelines, a person whose application for admission to an Inn has been rejected on the ground that that person is not a fit and proper person to become a practising barrister or who has been expelled from an Inn may not apply for admission to an Inn unless a period of at least five years (or such other period as the Bar Standards Board may determine in the particular case) has elapsed from the date of such rejection or expulsion.

Review of the decision of the Inns' Conduct Committee

59. If, in accordance with Section B4 of the Bar Standards Board Handbook, the Inns' Conduct Committee decides that the Applicant/Student is not a fit and proper person to become a practising barrister and/or imposes any sanction, the Applicant/Student shall when sent the written notice of the Inns' Conduct Committee decision be informed in writing that a review of the decision under B4 of the Handbook may be requested, provided that a request is made in writing to the Bar Standards Board within one month of the date when notice of the Inns' Conduct Committee decision is given.

PART V - ADMISSION TO AN INN

Referral by an Inn to the Inns' Conduct Committee

60. To ensure consistency and transparency in decision making, an Inn of Court will refer to the Inns' Conduct Committee for determination the question of whether an Applicant is a fit and proper person to become a practising barrister and as such eligible for admission to an Inn if:

- (a) The Applicant has been convicted of a Criminal Offence (or is the subject of pending Criminal Proceedings); or
 - (b) The Applicant has been convicted of a disciplinary offence by a professional or regulatory body (or is the subject of pending proceedings for such an offence); or
 - (c) The Applicant has been bankrupt or the subject of a Directors Disqualification Order or has entered into an individual voluntary arrangement with creditors; or
 - (d) The Applicant has previously been refused admission to or expelled from an Inn; or
 - (e) There is any other circumstance which in the opinion of the Inn calls into question the Applicant's fitness to become a practising barrister.
61. In referring an Applicant for admission to the Inns' Conduct Committee, an Inn, at its discretion, may appoint a representative to present the Inn's case at any hearing.
62. The Inns' Conduct Committee will determine whether a referred Applicant is a fit and proper person to become a practising barrister and should be admitted to an Inn of this Court by reference to the Guidelines and these rules.

PART VI – CONDUCT OF STUDENT OF AN INN

Referral by an Inn to the Inns' Conduct Committee

63. To ensure consistency and transparency in decision making, an Inn of Court will refer any matters relating to the conduct of a Student of the Inn to the Inns' Conduct Committee for determination if there is material which may call into question whether the Student is a fit and proper person to become a practising barrister. If it is decided by an Inn that the Student's conduct is such that it does not call into question whether the Student is a fit and proper person to become a practising barrister, the Inn will deal with the matter under its internal disciplinary procedures.
64. A Student in relation to whom a conduct matter is being considered under Part V of these Rules by either the Inn to which the Student belongs or the Inns' Conduct Committee, will be held in membership of the Inn until the conclusion of the matter.
65. In referring a Student to the Inns' Conduct Committee, an Inn, at its discretion, may appoint a representative to present the Inn's case at any hearing.

66. The Inns' Conduct Committee will determine whether the Student is a fit and proper person to become a practising barrister by reference to the Guidelines and these Rules.
67. If the Inns' Conduct Committee finds it proved that the Student is not a fit and proper person to become a practising barrister, it may:
- (a) order that the Student's Call to the Bar be refused or postponed for a specified period;
 - (b) direct that the Student be expelled from the Inn (in which case the Inn must expel the Student);
- and, in addition, in may:
- (c) advise the Student as to future conduct; and/or
 - (d) reprimand the Student;
68. If the Inns' Conduct Committee finds that the Student is a fit and proper person to become a practising barrister, it may (having regard to its findings) nevertheless:
- (a) advise the Student as to future conduct; and/or
 - (b) reprimand the Student.

PART VII – REVIEW OF AN INN DECISION BY THE INNS' CONDUCT COMMITTEE

Appeal Request by a Student for a Review of a decision under an Inn's internal disciplinary procedures

69. The Inns' Conduct Committee will consider requests from Students for a review of a decision of an Inn under its internal disciplinary procedures. Such requests must be made in writing to the BTAS Administrator within one month of the date when the Inn gave notice of the decision.
70. An appeal to the Inns' Conduct Committee from a finding of an Inn shall be by way of review by a Hearing Panel, not a re-hearing.

71. A request from a Student for a review must be accompanied by:
- (a) a copy of the notice of the Inn decision and the reasons for it;
 - (b) copies of all documents submitted or received by the Student which were before the Inn; and
 - (c) the Student's reasons for dissatisfaction with the Inn's decision.
72. On receiving an appeal from a Student, the BTAS Administrator shall notify the Inn and invite it to comment on the Student's reasons for dissatisfaction. The Chair of the Inns' Conduct Committee may give, vary or revoke any directions in relation to the conduct of the appeal as the circumstances may require, having regard to the principles and procedures set out in these Rules.
73. A Hearing Panel may allow the appeal, affirm the decision of the Inn under its internal disciplinary procedures or substitute any decision which could have been made by the Inn, including directing the Inn to refer the matter to the Inns' Conduct Committee in accordance with Parts V and VI of these Rules. Rules 52 - 57 above apply (with such modifications as are necessary) to the decision of the Hearing Panel determining the appeal. When undertaking a review in accordance with Part VII of these Rules, decisions of the Inns Conduct Committee are final and are not subject to an appeal to the Bar Standards Board; for the avoidance of doubt, rule 59 has no application in such circumstances.

PART VIII – DELEGATION TO AN INN

Delegation of categories of cases to the Inns for determination

74. The Inns' Conduct Committee may, on the basis of experience, issue a Practice Direction identifying certain categories of admission/Student misconduct cases covered by the Guidelines which may be automatically retained by the Inns for determination.
75. When exercising its jurisdiction under Rule 74, the Inns' Conduct Committee shall have regard to the Guidelines, as updated by the BSB from time to time.

PART IX– COMMENCEMENT AND AMENDMENT OF THE INNS’ CONDUCT COMMITTEE PRACTICE AND PROCEDURE RULES

76. These Rules came into force on 1 January 2020, having been approved by COIC and the BSB, and shall apply only to cases referred to the Inns’ Conduct Committee after 31 December 2019. Cases referred prior to 1 January 2020 shall be conducted in accordance with the Rules for the Inns’ Conduct Committee (as amended with effect from 1 August 2017).
77. Any amendment to any part of these Rules must be approved by (i) COIC and (ii) the Bar Standards Board.