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**33. APPLICATIONS FOR ADMISSION:  
INNS' CONDUCT COMMITTEE AND REVIEW BY THE BAR STANDARDS  
BOARD**

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- 33.1 All applicants in relation to whom there are disclosed, whether on their Admission Declarations (made pursuant to the Bar Training Regulations of the four Inns of Court) or otherwise, bankruptcy orders or relevant criminal offences (as defined in the Bar Training Regulations) or any other matters relevant to the application for admission which the Deputy Sub-Treasurer or the Head of the Treasury \Office of the Society considers necessary to be referred, shall be referred to the Inns' Conduct Committee.
- 33.2 The Inns' Conduct Committee shall carry out such examination of the circumstances relating to each applicant who is referred as it considers necessary, including the receipt of written representations from or (if the applicant so wishes or the Committee so directs) an interview of the applicant. The Inns' Conduct Committee may approve or reject the applicant's application. Reasons for a rejection shall be given in writing to the applicant.
- 33.3 If the Inns' Conduct Committee rejects an application, or finds a serious matter proved, the applicant shall when sent the written notice of the Inn's Conduct Committee decision be informed in writing that a review of the decision under Part X of the Bar Training Regulations may be requested, provided that a request is made in writing to the Bar Standards Board within one month of the decision is given. Reasons for a rejection shall be given in writing to the applicant.

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## **34. STUDENTS**

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- 34.1 A person whom the Society admits as a student shall pay the prescribed fee.
- 34.2 The Sub-Treasurer shall deliver copies of these Orders and of the Consolidated Regulations of the Inns of Court to every person admitted to the Society as a student.
- 34.3 The Bench may, on such conditions as it may think reasonably necessary to impose, re-admit to the Society as a student a person who as a student has ceased to be a member thereof whether or not in pursuance of an order under Order 35 or Order 36.
- 34.4 If a student does not commence the vocational stage within five years of admission to the to the Inn or has not completed that stage within ten years of admission, or if the Bench is satisfied that a student member of the Society is not proceeding to qualify himself for Call to the Bar, the Bench may, after giving the student such opportunity to make oral and written submissions as it considers necessary, order his name to be removed from the roll of students of the Society.

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## 35. MISCONDUCT

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- 35.1 Any member of the Society who in the opinion of the Treasurer has behaved in a manner which is inconsistent with membership of the Society may be given advice by the Treasurer as to his future conduct.
- 35.2 If circumstances are disclosed which it appears may amount to misconduct on the part of a member of the Society, the matter shall be referred to the Treasurer. Unless the Treasurer is of the opinion that the matter does not amount to misconduct, he may refer it to a Disciplinary Committee, who shall bring such charge or charges against the member as appear to them to be appropriate. If the circumstances amount to serious misconduct (as defined by Order 35.7) the Treasurer must refer the matter to the Inns' Conduct Committee or to the Bar Standards Board to investigate whether the matter warrants sanctions under the Bar Training Regulations or Code of Conduct of the Bar Council of England and Wales.
- 35.3 Where any charge brought by a Disciplinary Committee is made out, the member shall be liable to be (1) advised as to his future conduct or (2) reprimanded by the Treasurer or (3) suspended from the exercise of his rights as a member of the Society or (4) deprived of any one or more his rights as a member of the Society.
- 35.4 Nothing in this Order shall apply to any act or omission of a full-time or part-time judge acting in his capacity as a judge.
- 35.5 Unless and until the Society is called upon to put into effect the sentence of a disciplinary tribunal of the Council of the Inns of Court or the Inns' Conduct Committee, nothing in this Order shall apply to any act or omission of a member of the society which:

- (1) is, or is expected to be, the subject of consideration under the disciplinary procedures of the Inns' Conduct Committee, Bar Council or the Council of the Inns of Court; or
- (2) in the opinion of the Treasurer ought to be considered under those procedures.

35.6 The provisions in the schedule to these Orders shall apply to a Disciplinary Committee appointed for the purposes of Order 35.2.

35.7 For the purposes of Order 35.2, serious misconduct means (1) the commission of a serious criminal offence (2) making of an untrue statement by an applicant for admission to the Society or Call to the Bar (3) being convicted of a disciplinary offence by a professional or regulatory body (4) being the subject of a bankruptcy order or Directors Disqualification Order or having entered into an Individual Voluntary Arrangement with creditors (5) being found guilty by the course provider of cheating or other misconduct on a Bar Professional Training Course (and has not successfully appealed that finding) or (6) conduct which otherwise is discreditable or liable to bring the Society into disrepute or which, in the opinion of the Inn, calls into question whether the member is a fit and proper person to be a practising barrister.

35.8 For the avoidance of doubt it is declared that, subject to Orders 35.3 and 35.4, failure to comply with the Equal Opportunities Policy and Code of the Society may, in an appropriate case, be regarded as behaviour which is inconsistent with membership of the Society within Order 35.1 or as serious misconduct within Order 35.2.

35.9 The penalty of suspension or deprivation under Order 35.2 does not remove a barrister's right to practise, either in independent practice or in employment.

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## **36. CALL TO THE BAR**

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- 36.1 Any Governing or Senior Benchers may propose one or more students of the Society for Call to the Bar.
- 36.2 The proposal shall be in writing and shall contain the proposer's assessment of the student's fitness for Call to the Bar.
- 36.3 If at any time circumstances are disclosed which, in the opinion of the Treasurer, raise doubts as to the fitness of a student for Call to the Bar, the Treasurer shall make any enquiries and/or require the student to provide such information as the Treasurer may think fit and must consider whether the matter is a serious matter.
- 36.4 If the Treasurer decides that the matter is not a serious matter he may (1) dismiss any complaint (2) decide to take no further action (3) advise the student as to his future conduct (4) reprimand the student (5) ban the student for a specified period from using some or all of the Inn's facilities.
- 36.5 If in any case it appears to the Treasurer that the matter may amount to serious misconduct (as defined by Order 35.7), he shall refer the matter to the Inns' Conduct Committee pursuant to Order 35.2.
- 36.6 Where serious misconduct is referred to the Inns' Conduct Committee the student may be represented at the meeting and may ask the Inn to find suitable representation for him through the Bar Pro Bono Unit.
- 36.7 Where the Inns' Conduct Committee finds a serious matter proved it may (1) advise the Student as to future Conduct (2) reprimand the student (3) Order

that the student's call to the Bar be postponed for a specified period (4) direct that the Student be expelled from the Inn.

36.10 In any case where the matter has been referred to the Inns' Conduct Committee, the student's Call shall be postponed pending the decision of the Committee.

36.11 A student may be called to the Bar at a Parliament specially convened for the purpose.