

## **INSTITUTE OF BARRISTERS' CLERKS**

### **CODE OF CONDUCT FOR INSTITUTE OF BARRISTERS' CLERKS (IBC)**

#### **Overview**

The Institute of Barristers' Clerks (the "IBC") exists to bring our members and their profession closer together and represent the clerks and chambers' staff within the wider legal community.

This Code of Conduct sets out the IBC's expectations for how all our members (regardless of membership type or the position or seniority of individual members) will conduct themselves in order to maintain high professional standards and protect and promote the reputation of the IBC, Chambers and the Bar.

For members who are clerks or Chambers staff, this Code of Conduct must also be read alongside their contracts of employment and any relevant policies put in place by their employers that govern their conduct.

The roles within Chambers are challenging, but for many provide a rewarding career. The IBC is proud to be proactive at promoting the highest standards of how we interact in the legal market to demonstrate the value of clerking, support staff and the chambers model of business.

We strive to provide an extensive educational programme to enhance the dynamic between barristers, clerks, chambers staff, clients and all those we interact with to promote an inclusive and progressive organisation aligned with the values of the Bar in a modern society.

Feedback is welcomed and any members wishing to raise any issues with the IBC's Executive Committee should do so.

We also have mentoring and support networks available. Members who wish to discuss their role or any issues on a confidential basis should not hesitate to contact us.

The email address for contact which can be on a strictly confidential basis is [admin@ibc.org.uk](mailto:admin@ibc.org.uk).

## (1) Introduction

- 1.1 By joining and maintaining membership of the IBC, each member commits to comply with this Code of Conduct.
- 1.2 Members who are tasked with the management of staff (including Senior Clerks, Practice Managers and Chambers Administrators) are encouraged to provide a copy of this Code of Conduct to any individual working within Chambers who is not a member of the IBC and encourage them to act in accordance with it.
- 1.3 Members with employees (particularly in the context of Corporate Members), volunteers or other representatives are required to ensure that each person associated with them complies with this Code of Conduct when engaged in any activity related to that member's membership of and involvement in the IBC.
- 1.4 Breaches of this Code of Conduct will be considered under the disciplinary procedure in Appendix B. Any member who breaches this Code of Conduct may face sanctions, up to and including expulsion from the IBC.
- 1.5 This Code of Conduct should be read in conjunction with, and as ancillary to, the [BSB Handbook](#) (as updated from time to time). Members of the IBC should be particularly familiar with all matters set out in the Bar Code of Conduct at Part 2 of the [BSB Handbook](#).
- 1.6 It is the duty of all IBC members working in Chambers to guide and advise members of their Chambers where necessary, ensuring that at all times they adhere to the Conduct Rules as set out in the [BSB Handbook](#) and the standards of conduct set out in this Code of Conduct.
- 1.7 Any member working in Chambers who is in doubt about matters of conduct or practice within Chambers may refer to Appendix A of this Code of Conduct for further guidance.

## (2) Commencement and Amendment of Code of Conduct

- 2.1 This Code was amended in February 2026 and will come into force on 12<sup>th</sup> March 2026.
- 2.2 Amendments, additions and revocations to this Code may be made by the Executive Committee in an Extraordinary General Meeting or at the Annual General Meeting.

## (3) Standards of Conduct

This Code of Conduct is a principles-based framework designed to maintain high professional standards and protect and promote the reputation of the IBC, Chambers and the Bar. The Code of Conduct is not exhaustive in defining standards of conduct. At a minimum, all members are expected at all times to:

- 3.1 maintain the highest standards of professional conduct and conduct themselves in a way which protects and promotes the reputation and values of the IBC and the Bar;

- 3.2 act with honesty and integrity and do nothing which is likely to bring the IBC or the profession into disrepute;
- 3.3 comply with all applicable laws, regulations and ethical and professional standards in any professional context;
- 3.4 treat others with dignity and respect and promote an inclusive environment that is free from bullying, harassment, discrimination or victimisation;
- 3.5 speak up about conduct of other members that breaches this Code of Conduct or the ethical and professional standards that apply to the Bar and help to foster a speak up culture by supporting others to speak up (including by reporting any victimisation or retaliation);
- 3.6 be alive to and disclose any actual or potential conflicts of interest that may arise in connection with their participation with the IBC; and
- 3.7 cooperate fully, promptly and in good faith in any investigations conducted by the IBC.

For the avoidance of doubt, these standards apply to members in any professional context, including at social events hosted or otherwise associated with the IBC.

Whilst it is not possible to provide an exhaustive list of the types of conduct that would amount to breaches of this Code of Conduct, the following is a non-exhaustive list of examples:

- use of abusive language or other abusive or intimidating behaviour or bullying;
- fraud, forgery or other dishonesty, including falsification of any records, whether or not for financial gain;
- actual or threatened violence;
- unlawful discrimination, harassment or victimisation;
- unprofessional or unlawful comments in emails, instant messages or on social media;
- breach of the ethical and professional standards applicable to the Bar;
- any conduct bringing the IBC or the Bar into disrepute.

#### (4) **Raising concerns**

We encourage any member who is aware of a breach of this Code of Conduct to raise it with the Executive Committee as soon as possible so that we may investigate it and, where appropriate, take steps to address the breach in accordance with the Disciplinary Procedure. Concerns can be raised by speaking to a member of the Executive Committee or by emailing [[admin@ibc.org.uk](mailto:admin@ibc.org.uk)].

Whilst there is no time-limit on raising concerns, it may be difficult or even impossible to properly investigate and respond to concerns if they are not raised promptly.

## APPENDIX A

### 1. Relationships with Solicitors and Lay Clients

A barristers' clerk has a duty to:

- 1.1 inform counsel's professional and lay-clients of Chambers' Terms of Work, complaints procedure and money laundering regulation procedures.
- 1.2 ensure that instructions received for counsel are appropriate for counsel's areas of expertise and seniority.
- 1.3 ensure confidentiality on all instructions or brief/s received in Chambers and must be familiar with Chambers' confidentiality policy and wider GDPR rules.

### 2. Relationships with Chambers

Chambers' staff must:

- 2.1 work at all times in conjunction the other Chambers' staff to ensure that Chambers is managed and administered competently and efficiently.
- 2.2 be fully aware of the [BSB Handbook](#) (as updated from time to time) and in particular the Rules (Section C).
- 2.3 be familiar with their Chambers' Staff Handbook and all relevant policies and procedures.
- 2.4 whenever possible, endeavour to aid and assist any pupil with the common practices within Chambers and wherever possible, properly to advise the said pupil on a career at the Bar.

### 3. Relationships with the Court Service

When dealing with any section or member of the court service, judicial or otherwise, a barristers' clerk and (where relevant) other Chambers' staff must:

- 3.1 act in an honourable, courteous and responsible manner at all times.
- 3.2 wherever possible, provide the relevant listing officers with any information which may be helpful to facilitate the smooth running of the courts.
- 3.3 co-operate fully, whenever possible, in dealing with requests from the courts as to the length of hearings, availability of counsel, solicitors and witnesses, and the likelihood of cases suddenly lasting longer or shorter than originally estimated.
- 3.4 make arrangements for the swift removal of the Barrister's papers and books from the courts at the conclusion of a hearing.
- 3.5 ensure that the other side is kept informed when seeking adjournments, late markings etc. of

cases listed before the court, unless extreme circumstances prevent them from doing so.

- 3.6 keep themselves fully acquainted and apprised of current listing procedures.
- 3.7 at all times act within the parameters of this Code of Conduct whilst also having regard to the [BSB Handbook](#) (as updated from time to time).

**4. Relationships with other clerks and chambers staff**

At all times Chambers' staff:

- 4.1 shall treat all other clerks, chambers' staff (both within their own chambers and across the Bar) and third parties with respect and integrity; shall use best practice on all occasions when liaising with other clerks and chambers' staff; and shall behave at all times in a manner which does not compromise the reputation of their chambers, the IBC, or the profession as whole.
- 4.2 when arranging a fixture should only do so in consultation with the clerk to the barrister representing any other party.

## **APPENDIX B**

### **DISCIPLINARY PROCEDURE**

#### **1. Introduction**

- (a) This procedure is intended to provide a procedural framework within which the IBC may deal with alleged or suspected breaches of the IBC's Code of Conduct.
- (b) Whilst the expectation is that this procedure will be followed in most cases, it is intended to provide a framework only. Where appropriate, breaches of the Code of Conduct may be dealt with in a different way.

#### **2. Confidentiality and recordings**

- (a) Members must treat as confidential any information communicated to them in connection with this disciplinary procedure.
- (b) Members must not make electronic recordings of any discussions or meetings conducted under this procedure.
- (c) Members who raise complaints about another member are advised that it may be difficult or even impossible to properly investigate and respond to such complaints if they do not wish their identity to be disclosed. The IBC will take into consideration any concerns about confidentiality, and will aim to deal with all complaints sensitively and with due respect for the privacy of any individuals involved. However, anonymity cannot be guaranteed.

#### **3. Criminal allegations**

- (a) Where a member's conduct is the subject of a criminal investigation, the IBC will consider what, if any, steps it is appropriate for it to take under this procedure based on all the circumstances.
- (b) Where appropriate, the IBC may not wait for the outcome of any prosecution before deciding what action, if any, to take under this procedure. Where the member concerned is unable or has been advised not to participate in the IBC's disciplinary process, the IBC may take a decision based on the available information.

#### **4. Investigating potential breaches of the Code of Conduct**

- (a) Where a breach or potential breach of the Code of Conduct comes to the attention of the IBC, one or more members of the IBC's Executive Committee will be appointed to consider it by the Chair or Vice Chair of the Committee.
- (b) The first step will often be an investigation to establish, so far as reasonably possible, a fair and balanced view of the facts relating to the potential breach and decide whether further action is warranted.

- (c) The amount of investigation required, if any, will depend on the nature of the potential breach and will vary from case to case. It may involve interviewing and taking statements from the member(s) involved and/or reviewing relevant documents. As a membership organisation, the IBC does not have the same powers of investigation as a regulator. However, members are expected to cooperate fully and promptly with any investigations and failure to do so may itself amount to a breach of the Code of Conduct.
- (d) In some circumstances, the IBC may temporarily suspend a member from attending events and request them to refrain from contacting other members (other than as required to fulfil their contract of employment if relevant) whilst an investigation or disciplinary process is ongoing. This does not imply that any decision has already been made about any alleged breaches of the Code of Conduct.

## 5. **Meetings**

- (a) Where appropriate, the member who is alleged to have breached the Code of Conduct may be invited to a meeting (which may be in person or by telephone or video conference) at which they will have an opportunity to respond to the matters raised. Alternatively, this may be done via written correspondence. Members must make every effort to attend meetings and should respond to written correspondence promptly (and, in any case, within 14 days).
- (b) Where a meeting is held, the member may bring another member of the IBC to support them. The role of this companion is to support the member. The member may confer with their companion during the meeting and their companion may address the meeting to explain and summarise the member's position. However, the companion is not permitted to answer questions for the member and must not obstruct the IBC from seeking information from the member.
- (c) In some circumstances, it may be appropriate for further investigations to be carried out following the meeting. Further meetings may also be held as we consider appropriate.

## 6. **Sanctions**

- (a) The Executive Committee member(s) appointed to conduct the disciplinary process will notify the member of their decision in writing as soon as reasonably practicable.
- (b) Where a breach of the Code of Conduct has occurred, the range of potential sanctions includes a public or private reprimand, a period of suspension from some or all activities of the IBC and immediate expulsion from the IBC for such period as the IBC shall determine. This list of potential sanctions is not exhaustive and the IBC has discretion to impose additional or alternative sanctions.
- (c) In appropriate cases, the member's employer may be notified of the decision. The matter may also be reported to the appropriate authorities. The consent of the member concerned is not required for such notifications / reports to be made.

## 7. Appeals

- (a) If a member considers that any disciplinary sanction taken against them is wrong or unfair they should appeal in writing. The written appeal must set out all grounds of appeal and explain the reasons for relying on each ground of appeal in sufficient detail for the person hearing the appeal to understand why the member considers the sanction is wrong or unfair.
- (b) Appeals should be submitted within one week of the date of the letter setting out the decision being appealed. The appeal will be reviewed and heard by the President of the IBC who may call upon additional support or advice if considered necessary.
- (c) The appeal may be a complete re-hearing of the matter or it may be a review of the original decision in the light of any new information that may have come to light. This will be at the IBC's discretion depending on the circumstances of the case.
- (d) Where an appeal meeting is held, the member may bring another member of the IBC to support them. The role of the companion is to support the member as set out above.
- (e) Any sanction will remain in force pending the outcome of the appeal.
- (f) The outcome of the appeal may be confirmation of the original decision, revocation of the original decision or substituting a different sanction.
- (g) The member bringing the appeal will be notified of the outcome of the appeal in writing as soon as reasonably practicable. There will be no further right of appeal.