

Lincoln's Inn Bar Representation Committee Rules on members' conduct during elections

- 1) The Bar Representation Committee (BRC) plays a prominent part in the affairs of the Inn and exists to provide representation on behalf of the Called members of the Inn who have not been elected to the Bench i.e. Members of Hall.
- 2) The BRC is not a political group; the Committee provides a service to the Inn and its members and the expectation is that elections are conducted in a way that reflects this purpose. We take the conduct of the election of our BRC members very seriously. For the election to be fair and transparent, there are rules that must be adhered to by all members of Hall. These rules set out what we commit to do and what we expect of our members. Over and above all the rules, Inn's regulations, BSB rules and code of conduct, and UK law are still in effect. The rules that set out the election cycles, vacancies and terms of office can be found separately within the [Bar Representation Committee rules](#). Any questions regarding the election or rules can be directed to the Head of Membership via elections@lincolnsinn.org.uk.
- 3) The Committee does not support or endorse any election candidates. Members of BRC can show their support for a candidate but must do so in a personal capacity and must not utilise their membership of the BRC in their endorsement of a candidate.
- 4) We use [Civica Election Services](#) (CES), to conduct the BRC election. Use of a third party provides independence from the Inn and helps to ensure fairness and transparency during elections. CES are the UK's leading provider of election services, with over 100 years' experience of administering elections, ballots, and consultation processes.

5) General expectations on members' conduct

- a) The Inn expects all members to behave with honesty and integrity and to treat others with respect and consideration. The Inn does not tolerate harassment, discrimination, bullying, or disrespectful behaviour. Moreover, all Called members are subject to the [Bar Standards Board's Code of Conduct](#), whether or not they are in practice at the Bar of England and Wales, and, in addition to specific duties, must not behave in a way which is likely to diminish the trust and confidence which the public places in them or in the profession.

6) Nominations

- a) To self-nominate and stand for election, candidates must be a current member of Hall (Called member) of Lincoln's Inn.
- b) Information on how to stand for election (also known as the Call for Nominations) will be emailed to all members of Hall with a valid email address on the Inn's membership database at least two weeks prior to the nomination period opening.
- c) On the day the nomination period opens, members of Hall will receive an email with details on how to access the nomination form from CES. Members who wish to stand for election will need to complete and submit this form before the deadline provided.
- d) If members do not receive the email about nominations from the Inn or CES, they should check that their email is up to date on the Inn's records. Members can update their contact information via their [online account](#).

7) Voter eligibility and registration

- a) To vote in the election, you must be a current member of Hall of Lincoln's Inn. If you do not meet this requirement, you are not eligible to vote. Student members and Benchers are not eligible to vote in BRC elections.
- b) To vote, members of Hall must ensure that their email address is up to date on the Inn's records **2 weeks** before voting opens. Following this deadline, members will not be able to vote in this year's election.

8) Voting

- a) For the election, a Single Transferable Voting (STV) system will be used. Further information on STV can be found [here](#).
- b) All voting will be done by submitting a single use voting link sent via email. This link will be emailed by CES to all eligible voters on the day voting opens.

9) Election Timeline

- a) The results of the elections are announced at the BRC's Annual General Meeting (AGM) which this year will be held on Monday 3 November.
- b) The timeline for the election is:

Timeline	Election Stage	2025 Dates
7 weeks prior to the AGM	Nominations Open	Monday 15 September
5 weeks prior to the AGM	Nominations Close	Monday 29 September
5 weeks prior to the AGM	Voter Registration Deadline	Monday 29 September
3 weeks prior to the AGM	Ballot Opens	Monday 13 October
1 week prior to the AGM	Ballot Closes	Monday 27 October
November BRC AGM	Results Announced	Monday 3 November

10) Campaigning

- a) No campaigning may take place before the nomination period opens.
- b) The Inn will publish the notice of election and names and details of the election candidates to members when voting opens via the Inn's website.
- c) The Inn will supply all candidates with printed copies of the notice of election and the candidate list which they can use to publicise the election if they wish.
- d) No campaign materials may be displayed or handed out within the Inn.
- e) Use of the Inn's crest or logo is strictly prohibited and must not appear on any campaigning material.
- f) Should an election candidate or their supporters choose to pay for their own campaign materials, this must not exceed £20 per candidate's campaign.
- g) Candidates must ensure that any campaign material, either printed or communicated electronically, contains an imprint (or similar notice) that identifies the person who has produced the material and in support of which candidate.

11) Conduct of candidates and their supporters

- a) Candidates and their supporters should conduct themselves in a manner that meets the general expectations of members of the Inn and, in particular, they should:

- i. Comply with paragraphs 10(a) and (c)-(g) of these rules;
 - ii. Take responsibility for setting an appropriate tone for campaigning and communication;
 - iii. Lead by example to encourage and foster constructive democratic debate and tolerance of other points of view; and
 - iv. Promote and defend the dignity of others, including opponents, treating all people with courtesy and respect.
 - v. Candidates and their supporters must not make any attempt to undermine the impartiality of the election.
 - vi.
- b) As a minimum, candidates and their supporters must not engage in corrupt or illegal practices.

A 'corrupt practice' is where candidates or their supporters:

- i. Use or attempt to use the voting system to cast or attempt to cast a vote on behalf of another person;
- ii. Engage in or solicit **bribery**, **treating**, or provide other incentives to voters in the election.
- iii. Exert **undue influence** on voters or other candidates.
- iv. Intimidate or harass any participants in the election. This includes candidates, campaigners, voters, BRC members or Lincoln's Inn employees.

An 'illegal practice' is where candidates or their supporters:

- v. Make false statements about another candidate's personal character or conduct.
- vi. Misrepresent another candidate's religious, political, or other views or actions.
- vii. Vote or attempt to vote when not eligible, pursuant to paragraph 7(a) of these rules.
- viii. Seek or knowingly permit endorsement by political or religious groups or their representatives.
- ix. If asked to account for their election expenditure, make a declaration about it that is false.
- x. Pay or give gifts to others in exchange for campaigning on their behalf, although candidates may pay the reasonable costs of goods or services provided at a market rate up to a total of £20 for all campaigning materials.
- xi. However, disciplinary action may be taken if candidates or their supporters fall short of the standards imposed in paragraph 11(a) above and is not limited to where they may be guilty of corrupt or illegal practices.

12) Definitions

- a) **Bribery** - The offence of bribery includes where someone directly or indirectly gives any money or procures any office to or for any voter, in order to induce any voter to vote or not vote.
- b) **Treating** - A person is guilty of treating if either before, during or after an election they directly or indirectly give or provide any food, drink, entertainment or provision to corruptly influence any voter to vote or refrain from voting. Treating requires a corrupt intent - it does not apply to ordinary hospitality.
- c) **Undue influence** - A person is guilty of undue influence if they directly or indirectly make use of or threaten to make use of force, violence or restraint, or inflict or

threaten to inflict injury, damage or harm in order to induce or compel that person to vote or refrain from voting. This is not limited to physical injury, but also reputation, advancement and career progression. A person may also be guilty of undue influence if they impede or prevent any voter from freely exercising their right to vote – even where the attempt is unsuccessful.

13) Complaints/Breach of Election Rules

- a) The Head of Membership, as the Returning Officer, is responsible for overseeing the fairness of the election and for dealing with any potential breaches of the election rules.
- b) Complaints about potential breaches of the election rules should be made to the Head of Membership via elections@lincolnsinn.org.uk.
- c) The Head of Membership may make any reasonable inquiry into the allegation of a breach of the rules.
- d) Where notice of a potential breach is received during an election, the Head of Membership will aim to resolve the matter, including any appeal, before the results are due to be announced. Where this is not possible the Head of Membership may delay the announcement of the results for one or more categories.
- e) The Head of Membership may nominate another suitable person to examine an alleged breach of the rules, if required. All references to the Head of Membership in this section should be taken to refer to them or their nominee.
- f) The candidate will be informed of the allegations and allowed to respond before any decision is reached.
- g) In reaching a decision on the allegation and any consequences the Head of Membership will consider:
 - i. The nature and seriousness of the breach;
 - ii. Whether the candidate has acted in bad faith;
 - iii. The impact on the election's fairness;
 - iv. Any mitigating circumstances;
 - v. The past conduct of the candidate (if relevant).
- h) Where a breach of the rules is established, the range of consequences the Head of Membership may decide to impose are as follows:
 - i. No action taken
 - If the breach is minor and does not affect the integrity of the election, the Head of Membership may decide not to impose a penalty.
 - The candidate might receive an informal warning or guidance on compliance for future elections.
 - ii. Formal warning or reprimand
 - If the breach is less serious but still significant, the Head of Membership issue a formal warning or reprimand to the candidate.
 - This would serve as an official record of misconduct and may be considered in future elections.
 - iii. Disqualification from the election
 - The default consequence for serious breaches is disqualification.

- If the breach qualifies as a corrupt practice under rule 11(b), the candidate is immediately disqualified.
 - If the breach qualifies as an illegal practice under rule 11(b), the candidate shall be disqualified unless the Head of Membership is satisfied that the breach was inadvertent and made in good faith;
 - If the breach does not reach the level of corrupt or illegal practice but the Head of Membership deems it to be serious enough to warrant disqualification, they have the discretion to do so.
- iv. Election declared void
- If the breach is serious enough to compromise the fairness of the election, the entire election, for an individual category or all categories, may be declared void and a re-run will be held.
 - This typically applies in cases where a candidate's actions misled voters or gave them an unfair advantage.
- i) Where a breach of the election rules could also constitute a breach of the Inn's Code of Conduct for members, the Head of Membership will have regard to the relevant guidance and process and may refer the matter to the Under Treasurer for further consideration.
- j) The Head of Membership will provide their decision and the reasons for it in writing to the candidate.
- k) The candidate may appeal a decision of the Head of Membership to the Chair of the Bar Representation Committee via elections@lincolnsinn.org.uk. The appeal must be received by the Inn within two working days of the Head of Membership's decision.
- l) The Chair may or in cases where they are conflicted must appoint another member of the Bar Representation Committee (normally the most senior member of the Committee by Call date) to examine the appeal on their behalf.
- m) The appeal will not take the form of a fresh examination of the matter, but consideration of whether the decision arrived at and the process followed when determining the matter was reasonable.

14) Responsibilities

- a) The BRC is responsible for the Committee's rules on elections.
- b) The Head of Membership oversees the fair conduct of the BRC elections. They interpret the rules and issue election guidance to both candidates and voters.
- c) CES independently conduct the nominations process, election and oversee the vote count. The election results are provided to the Inn by CES when the election has closed.