THE CRIMINAL BAR ASSOCIATION

GOVERNANCE PAPER

Sponsorship and External Funding Protocol

1. Purpose and Scope

1.1 This Protocol governs the acceptance, management and recognition of sponsorship, donations and external funding by the Criminal Bar Association ("the Association").

1.2 It applies to:

(a) sponsorship of events and activities of the Association;

(b) sponsorship of bursaries, scholarships and hardship arrangements (governed in further detail by the Hardship and Bursary Framework);

(c) donations to the Association, whether one-off or recurring;

(d) external funding for specific purposes, including grants;

(e) in-kind contributions of goods, services or facilities.

2. Independence

2.1 The Association is established by its members for the benefit of its members. The Association shall not, in accepting sponsorship, donation or external funding, compromise its independence, its objects, or its capacity to represent the views and interests of its members.

2.2 No sponsor, donor or external body shall direct, influence or restrict:

(a) the policies of the Association;

(b) the operational decisions of the Officers, the Executive Committee or the Subcommittees;

(c) the content of consultation responses, public statements, podcasts or publications;

(d) the selection of speakers, contributors or recipients of awards;

(e) the editorial line of communications activity.

2.3 A sponsorship or funding arrangement which would, in the view of the Officers, place the Association's independence at risk shall not be accepted.

3. Acceptable Sources

3.1 Sponsorship, donations and external funding may be accepted from:

(a) chambers, sets and individual barristers;

(b) solicitors' firms and other firms providing legal services;

(c) professional and educational bodies whose values are consistent with the objects of the Association;

(d) charitable foundations and trusts;

(e) commercial sponsors whose products or services are consistent with the standing of the Association;

(f) individual donors.

3.2 Sponsorship, donations and external funding shall not be accepted from:

(a) sources whose business or activities are inconsistent with the objects of the Association or which would, by association, bring the Association into disrepute;

(b) political parties or political campaigning organisations, in accordance with clause 1.5 of the Constitution;

(c) sources where the funds are reasonably suspected to have been obtained unlawfully;

(d) sources which seek to use the Association as a vehicle for advancing partisan or undeclared interests;

(e) such other sources as the Officers, on a case-by-case basis, consider unsuitable.

3.3 Where there is any doubt, the matter shall be referred to the Executive Committee for decision.

4. Approval Process

4.1 A proposed sponsorship, donation or external funding arrangement shall be considered by:

(a) the Officers, in respect of arrangements within the threshold determined by the Executive Committee from time to time; or

(b) the Executive Committee, in respect of arrangements above that threshold or in respect of any arrangement which raises questions of independence, conflict, or appropriateness.

4.2 In considering a proposed arrangement, the Officers and the Executive Committee shall have regard to:

(a) the source and the nature of the proposed sponsorship, donation or funding;

(b) whether the source is acceptable under Section 3;

(c) the proposed recognition or acknowledgement;

(d) any restrictions or conditions proposed by the sponsor or donor;

(e) the implications for the Association's independence and reputation;

(f) any conflicts of interest of those involved in the consideration of the proposal.

4.3 A material sponsorship or funding arrangement shall be the subject of a written agreement, recording the terms of the arrangement, the recognition to be provided, the duration, and any reporting obligations.

5. Recognition

5.1 Sponsors and donors may be recognised in such manner as the Officers consider appropriate, including:

(a) acknowledgement at sponsored events;

(b) acknowledgement in event materials and on the Association's website;

(c) acknowledgement in podcasts and digital content where appropriate (in accordance with the Communications Policy);

(d) in respect of bursaries and scholarships, the naming of an award after a sponsor, where the published terms of the scheme so provide.

5.2 Recognition shall be measured and consistent with the standing of the Association. The Association shall not represent a sponsor as endorsed by the Association, nor shall a

sponsor be permitted to represent itself as endorsed by the Association beyond the agreed terms of recognition.

6. Use of Funds

6.1 Sponsorship, donations and external funding shall be applied for the purposes for which they were given, where those purposes have been specified.

6.2 In the absence of specified purposes, funds shall be applied to the objects of the Association at the discretion of the Officers, in accordance with clause 10.7 of the Constitution.

6.3 Restricted funds (those given for a specified purpose) shall be recorded as such in the books of account and shall not be applied to any other purpose without the express agreement of the donor or, where this is not practicable, the Executive Committee.

6.4 Bursary, scholarship and hardship arrangements shall, where practicable, be funded separately from the general operating funds of the Association, in accordance with clauses 10.12 and 10.13 of the Constitution.

7. Conflicts of Interest

7.1 Officers, members of the Executive Committee, members of Subcommittees and any other person involved in the consideration of a sponsorship or funding arrangement shall declare any actual or potential conflict of interest, in accordance with Part 12 of the Constitution and the Conflicts of Interest provisions of the Complaints, Conduct and Behaviour Policy.

7.2 A person declaring a conflict shall withdraw from the consideration of the arrangement, save where the body concerned, by majority and excluding that person, determines otherwise.

8. Reporting

8.1 The Treasurer shall report on sponsorship, donations and external funding received in any financial year as part of the annual report to the Annual General Meeting.

8.2 A current list of significant sponsors of the Association shall be maintained by the Administrator and published on the Association's website where appropriate.

9. Termination of Arrangements

9.1 The Officers may, with the approval of the Executive Committee, terminate a sponsorship or funding arrangement before its agreed end where:

(a) the source ceases to be acceptable under Section 3;

(b) the sponsor or donor seeks to influence the Association's policies, operations or communications in a manner inconsistent with Section 2;

(c) continued association would, in the view of the Executive Committee, bring the Association into disrepute.

9.2 On termination, any unused restricted funds shall be returned to the donor save where return is impracticable, in which case the Executive Committee shall determine an alternative application consistent with the spirit of the original donation.

10. Review

10.1 This Protocol shall be reviewed by the Officers, in conjunction with the Treasurer, not less frequently than every three years.

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