THE CRIMINAL BAR ASSOCIATION

GOVERNANCE PAPER

Subcommittee Operations Handbook

1. Purpose and Scope

1.1 This Handbook provides operational guidance for the Subcommittees and Working Groups of the Criminal Bar Association ("the Association").

1.2 It gives effect to Part 9 of the Constitution and to the Terms of Reference, and is to be read alongside the Standing Orders.

1.3 It applies to all Subcommittees, including:

(a) Equality, Diversity and Inclusion Committee;

(b) Social Mobility Committee;

(c) RASSO Committee;

(d) Remuneration Committee;

(e) Wellbeing Committee;

(f) Education and Training Committee;

(g) Young Bar Committee;

(h) Black Barristers Committee;

(i) such other Subcommittees as the Executive Committee may from time to time establish.

2. Establishment, Variation and Dissolution

2.1 Subcommittees are established, varied or dissolved by the Executive Committee in accordance with clause 9.1 of the Constitution.

2.2 Each Subcommittee shall operate in accordance with written Terms of Reference approved by the Executive Committee, in accordance with clauses 9.3 and 9.4 of the Constitution. Such Terms of Reference may regulate membership, quorum, meetings, reporting obligations, consultation procedures, media and communications activity, and governance and operational requirements.

3. Membership and Officers

Composition

3.1 Each Subcommittee shall consist of no more than twelve members unless otherwise approved by the Officers, save where the Terms of Reference of the Subcommittee provide otherwise.

3.2 Subcommittee members shall serve for such term as may be specified in the Terms of Reference, or in default for a term of three years, in accordance with clause 9.5 of the Constitution.

3.3 Subcommittee members shall ordinarily be Voting Members of the Association. Subcommittees may co-opt additional members from outside the membership of the Association where the Subcommittee's work would benefit from particular expertise; co-

opted members do not by virtue of co-option become members of the Executive Committee.

The chair

3.4 The Chair of each Subcommittee shall be appointed by the Executive Committee in accordance with clause 9.5 of the Constitution and shall sit as a member of the Executive Committee in that capacity. The Young Bar Committee is a Subcommittee of the Executive Committee in accordance with clause 9.5; its Chair is similarly appointed by the Executive Committee.

3.5 Where a Subcommittee's Terms of Reference impose particular eligibility requirements on the Chair (for example, RASSO and Remuneration Committee Chairs being King's Counsel; Education and Training Committee Chair being King's Counsel or a barrister of not fewer than ten years' call), those requirements shall be observed in any appointment.

3.6 The Chair is responsible for:

(a) leading the work of the Subcommittee;

(b) ensuring that the Subcommittee operates within its Terms of Reference and the Constitution;

(c) representing the Subcommittee at the Executive Committee;

(d) reporting to the Executive Committee in accordance with clause 9.6 of the Constitution.

The secretary

3.7 Each Subcommittee shall appoint a Secretary from amongst its members. The Subcommittee Secretary is responsible for:

(a) arranging meetings through the Administrator;

(b) preparing agendas in conjunction with the Chair;

(c) maintaining minutes;

(d) ensuring that records are retained within the Association's dedicated storage systems.

4. Meetings

4.1 Subcommittees shall ordinarily meet not fewer than three times per year, in accordance with the Terms of Reference.

4.2 The quorum for a meeting of a Subcommittee shall be one third of its members or three members, whichever is the greater, save as the Terms of Reference of the Subcommittee otherwise provide.

4.3 Meetings may be held in person, by electronic means, or by a combination of both.

4.4 Subcommittees may regulate their own procedures consistent with the Constitution, the Terms of Reference, the Standing Orders and this Handbook.

4.5 The Wellbeing Committee's scheduling shall, where reasonably practicable, take into account the demands of practice and the periods of greater pressure on members of the criminal Bar.

5. Reporting to the Executive Committee

5.1 Each Subcommittee shall report to the Executive Committee on a regular basis and not less frequently than annually, in accordance with clause 9.6 of the Constitution.

5.2 A report to the Executive Committee shall ordinarily include:

(a) a summary of the Subcommittee's work since the last report;

(b) matters which require Executive Committee decision or input;

(c) any planned consultation responses or public statements;

(d) forthcoming events;

(e) any matters of broader concern.

6. Authority and Public Statements

6.1 Subcommittees shall not issue public statements in the name of the Association without the approval of the Officers, save where the Terms of Reference and the Communications Policy provide otherwise.

6.2 In order to ensure consistency of policy and decision-making across the work of the Association, all policy decisions, publications, public events or expenditure by a Subcommittee, Subcommittee Chair or Working Group acting in the name of the Association shall be subject to the approval of the Officers, save as otherwise agreed in writing in advance, in accordance with clause 9.7 of the Constitution.

7. Consultation Responses

7.1 The Association may respond to consultations by Government, the Ministry of Justice, the Sentencing Council, the Bar Standards Board, the Bar Council and other relevant bodies, in furtherance of clause 1.6(e) of the Constitution. 7.2 Consultation responses shall ordinarily be coordinated through the Subcommittee whose remit most closely covers the subject matter, in conjunction with the Officers.

7.3 Where appropriate, the Executive Committee may establish a Consultation Working Group, drawn from one or more Subcommittees, to prepare a response.

7.4 A consultation response shall:

(a) be drafted by the relevant Subcommittee or Working Group;

(b) be circulated to the Officers for review;

(c) be considered by the Executive Committee where the response addresses matters of significance to the Association or to the criminal Bar more broadly;

(d) be approved by the Officers (or, where applicable, by the Executive Committee) before submission;

(e) be retained by the Administrator within the Association's dedicated storage systems.

8. Events and CPD

8.1 Subcommittees may, in support of clause 1.6(b) of the Constitution, propose, organise and host events including conferences, lectures, seminars and continuing professional development programmes.

8.2 Events shall:

(a) support the members of the Association;

(b) maintain professional standards consistent with the standing of the Association;

(c) be operationally and financially sustainable.

8.3 Operational administration of events shall ordinarily be coordinated through the Administrator.

8.4 Where an event involves significant expenditure, sponsorship, or financial commitment of the Association, prior approval of the Officers shall be obtained. Where the financial commitment exceeds the threshold determined by the Executive Committee from time to time, the prior approval of the Executive Committee shall be obtained, in accordance with clause 10.15 of the Constitution.

8.5 Sponsorship of events is governed by the Sponsorship and External Funding Protocol.

9. Working Groups

9.1 A Working Group is a temporary or task-specific group established by the Officers or the Executive Committee for a defined purpose, in accordance with clause 9.1 of the Constitution. 9.2 A Working Group shall include at least one member of the Executive Committee or one Subcommittee Chair, who shall act as Chair of the Working Group save where the body that established the Working Group otherwise determines.

9.3 A Working Group shall report to the body that established it on a regular basis, and shall be dissolved on the completion of the work for which it was established or at such earlier time as that body determines, in accordance with clause 9.8 of the Constitution.

9.4 The Chair of a Working Group may co-opt additional members, including those with specialist expertise from outside the Association, where the work would benefit. Co-option to a Working Group does not confer Executive Committee membership.

10. Records

10.1 Each Subcommittee shall maintain agendas, papers and minutes within the Association's dedicated storage systems, in accordance with the Information Governance Policy.

10.2 The Administrator shall provide such operational support as is reasonably necessary to maintain Subcommittee records consistently across the Association.

11. Communications and Podcasts

11.1 Subcommittee communications activity is governed by the Communications Policy. The Young Bar Committee, the RASSO Committee and the Remuneration Committee may each contribute podcast content annually in accordance with the Terms of Reference. Other Subcommittees may propose contributions to the Director of Communications.

12. Review

12.1 This Handbook shall be reviewed by the Officers, in conjunction with Subcommittee Chairs, not less frequently than every three years.

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