

# Professional Ethics Revision Notes

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## 10 Golden Rules

1. **CONFIDENTIALITY** Preserve the confidentiality of your lay client's affairs.
2. **DUTY TO COURT** You must not knowingly or recklessly mislead the court.
3. **DUTY TO PROFESSION** You must not engage in conduct:
  - (a) which is dishonest or otherwise discreditable to a barrister;
  - (b) prejudicial to the interests of justice; or
  - (c) which will diminish public confidence in the legal system or bring the legal profession into disrepute.
4. **DISCRIMINATION** You must not discriminate in relation to any person by reason of race, colour, ethnicity, religion, nationality, citizenship, sex, sexual orientation, marital status, disability or political persuasion.
5. **INDEPENDENCE** You must not permit your absolute independence, integrity, and freedom from external pressures to be compromised nor do anything which could lead to the inference that it is so compromised.
6. **CAB RANK** You must observe the "cab rank" rule: A barrister must accept instructions if it is in his field of expertise, whatever the instructions and whomever the client.
7. **PROFESSIONAL EMBARRASSMENT** A barrister would be professionally embarrassed and must refuse instructions if:
  - (1) He lacks sufficient experience or competence to handle the matter;
  - (2) He has inadequate time or opportunity to prepare to case;
  - (3) The instructions seek to limit his ordinary authority or discretion in the proceedings, or require him to act otherwise than in conformity with the law or this code;
  - (4) if he may be a witness in the matter;
  - (5) if by some connection with client or a member of the court it would be difficult for him to maintain professional independence or the administration of justice may be or appear to be prejudiced.
  - (6) There is a conflict of interest or a risk of a conflict of interest between the barrister and the client or between any one or more of his clients;
  - (7) There is a significant risk that information confidential to a client or former client may be revealed or used without their consent;
  - (8) He has been instructed by a lay client who has not instructed a solicitor and it is in the interests of the client or of justice for him to do so.

# 118 Ethics Notes

**Richard Salter Storrs**



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**Plutarch's Morals. Ethical essays, tr. with notes by A.R. Shilleto** Plutarchus,1888     *The Reasons for the Commandments in Jewish Thought* Yizhak Heinemann,2008 This classic work by early 20th century Jewish humanist and scholar Isaac Heinemann surveys the crucial phases of Jewish thought concerning correct conduct as codified in the commandments Heinemann provides his own systematic insights about the intellectual emotional pedagogical and pragmatic reasoning advanced by the major Jewish thinkers This volume covers Jewish thinkers from the Bible rabbis and Hellenistic philosophers through the Middle Ages and the Renaissance including Saadiah Halevi Maimonides Albo and many others Heinemann addresses such questions as What were the Biblical rabbinic medieval and modern rationales offered for the commandments in the course of Jewish thought     *Legal Ethics & Professional Responsibility* ,2008     **Law Commission: Fiduciary Duties of Investment Intermediaries: A Consultation Paper - Consultation Paper No 215** Great Britain: Law Commission,2013-10-28 The consultation paper Fiduciary Duties of Investments Intermediaries A Consultation Paper follows on from the Kay Report on UK Equity Markets and Long Term Decision Making see below and uses pensions as the example tracing a chain of intermediaries from the prospective pensioner saver to the registered shareholder of a UK company There are well established duties on pension trustees to act in the best interests of scheme members and it looks at how far these duties require trustees to maximize financial return over a short time scale and how far trustees can consider other factors such as environmental and social impact The consultation asks Whether the law is right to allow trustees to consider ethical issues only in limited circumstances Whether the legal obligations on trustees are conducive to investment strategies in the best interests of the ultimate beneficiaries and if not what specifically ne     *The Method of the Divine Government, Physical and Moral* James McCosh,1882     *Administrative Topics in Athletic Training* Gary L. Harrelson,Greg Gardner,Andrew P. Winterstein,2009 *Administrative Topics in Athletic Training Concepts to Practice* is a dynamic text that addresses important administrative issues and procedures as well as fundamental concepts strategies and techniques related to the management of all aspects of an athletic training health care delivery system Unlike traditional organization and administration textbooks this text delivers a multitude of content focused on classical management theory Drs Gary Harrelson Greg Gardner and Andrew Winterstein have presented a balance of theory and application in *Administrative Topics in Athletic Training Concepts to Practice* including case studies and scenarios in each chapter to help students realize immediate application of the content Content areas covered include Leadership and management theory and concepts Risk management and legal issues Finance Human Resources Ethical issues Athletic Training Administration Medical records and documentation Insurance and reimbursement Organizational skills Improving organizational performance Employment issues Case studies Unique benefits and features include Extensive discussion of management theory Chapters on ethics and risk management Strong focus on professional development issues Presentation of unique reimbursement models Discussion of

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## **Table of Contents 118 Ethics Notes**

1. Understanding the eBook 118 Ethics Notes
  - The Rise of Digital Reading 118 Ethics Notes
  - Advantages of eBooks Over Traditional Books
2. Identifying 118 Ethics Notes
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an 118 Ethics Notes
  - User-Friendly Interface
4. Exploring eBook Recommendations from 118 Ethics Notes
  - Personalized Recommendations
  - 118 Ethics Notes User Reviews and Ratings
  - 118 Ethics Notes and Bestseller Lists
5. Accessing 118 Ethics Notes Free and Paid eBooks

- 118 Ethics Notes Public Domain eBooks
  - 118 Ethics Notes eBook Subscription Services
  - 118 Ethics Notes Budget-Friendly Options
6. Navigating 118 Ethics Notes eBook Formats
    - ePub, PDF, MOBI, and More
    - 118 Ethics Notes Compatibility with Devices
    - 118 Ethics Notes Enhanced eBook Features
  7. Enhancing Your Reading Experience
    - Adjustable Fonts and Text Sizes of 118 Ethics Notes
    - Highlighting and Note-Taking 118 Ethics Notes
    - Interactive Elements 118 Ethics Notes
  8. Staying Engaged with 118 Ethics Notes
    - Joining Online Reading Communities
    - Participating in Virtual Book Clubs
    - Following Authors and Publishers 118 Ethics Notes
  9. Balancing eBooks and Physical Books 118 Ethics Notes
    - Benefits of a Digital Library
    - Creating a Diverse Reading Collection 118 Ethics Notes
  10. Overcoming Reading Challenges
    - Dealing with Digital Eye Strain
    - Minimizing Distractions
    - Managing Screen Time
  11. Cultivating a Reading Routine 118 Ethics Notes
    - Setting Reading Goals 118 Ethics Notes
    - Carving Out Dedicated Reading Time
  12. Sourcing Reliable Information of 118 Ethics Notes
    - Fact-Checking eBook Content of 118 Ethics Notes
    - Distinguishing Credible Sources
  13. Promoting Lifelong Learning
    - Utilizing eBooks for Skill Development

- Exploring Educational eBooks

#### 14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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