



# The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

A barrister answered two charges concerning his conduct during court proceedings.

- Charge 1 was a charge of professional misconduct contrary to paragraph 307[b] and pursuant to paragraph 901.7 of the Code of Conduct of the Bar of England and Wales.
- Charge 2 was a charge of professional misconduct contrary to paragraph 301[a][i] and pursuant to paragraph 901.7 of the Code of Conduct of the Bar of England and Wales.

In the absence of the barrister it was deemed that the charges were denied.

At the hearing, the BSB was represented by counsel.

The BSB called two live witnesses.

The BSB made full submissions on the facts and the law.

After deliberation, the Tribunal found unanimously that the charges were not proved to the relevant (criminal) standard on the evidence. Accordingly, the charges were dismissed.

Although the charges were dismissed the Tribunal considered the behaviour of the respondent to be discreditable.

However, the Tribunal found that there were examples of weakness and inconsistencies contained in the evidence of one of the witnesses and could not be relied on and it was apparent that the second witness was unable to remember the events leading to the complaint which occurred between 8 and 10 years ago.

The hearing lasted two days. There were no further applications.

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