



The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

Disciplinary Tribunal

Gabriele Giambrone

Called to the Bar by: Lincoln's Inn [October 2021]

Type of hearing: 5 Person Tribunal

Date of decision: 9 December 2023

In breach of:

CASE 2023/0543/D5

Charge 1

Statement of Offence

Professional misconduct, contrary to provision rQ6A of the Bar Qualification Rules at Part 4 of the Bar Standards Boards Handbook (9th Edition).

Particulars of Offence

Mr Gabriele Giambrone, a registered barrister on or around 22 June 2021 made a Call Declaration for the purpose of being Called to the Bar which was false in a material respect in that:

- (a) he answered "no – see attached letter" to the question "Are you or have you ever been, subject to any investigations or proceedings by a professional or regulatory body? This includes current or pending complaints, proceedings or other actions and/or previous investigations or proceedings where the complaint has been upheld. There is no requirement to declare matters where there has been an investigation and the complaint was not upheld". The said answer was false in a material respect in that it

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failed to disclose that Mr Giambrone had been suspended by The Council for the Bar Association of Palermo from legal practice between 10 February 2016 to 10 August 2016.

CASE 2023/0838/D5

Charge 1

Statement of Offence

Professional misconduct, contrary to paragraph rQ6A of the Qualification Rules at Part 4 of the Bar Standards Boards Handbook (9th Edition).

Particulars of Offence

Mr Gabriele Giambrone a registered barrister on or around 22 June 2021 made a Call Declaration that was false in a material respect in that it answered “no” to the question “*Are there any other matters which might reasonably be thought to call into question your fitness to become a practising barrister? This includes but is not limited to civil injunctions or criminal orders*”. The said answer was false in a material respect in that the following facts and matters existed and might reasonably be thought to call into question his fitness to become a practising barrister:

- (a) The High Court of England and Wales had handed down judgments that contained the findings and comments about Mr Giambrone set out in paragraphs (a)-(g) and (k)-(o) of Part A of the attached Annex (or any of them);
- (b) That on or about 28 February 2013 and/or 8 March 2013 the High Court of Justice in Northern Ireland had made or continued a freezing injunction against the personal assets of Mr Giambrone;
- (c) On or about 22 March 2013 the High Court of Justice in Northern Ireland refused to vary or discharge a freezing injunction then in place against the personal assets of Mr Giambrone, such that the said injunction remained in place against Mr Giambrone until a date unknown; and/or
- (d) The judgment of the High Court of Justice in Northern Ireland following the decision of 22 March 2013 contained the findings and comments about Mr Giambrone and his actions set out in Part B of the attached Annex, and/or the substance of such findings/comments. .

Charge 1A

Statement of Offence

Professional misconduct, contrary to paragraph rQ6A of the Qualification Rules at Part 4 of the Bar Standards Boards Handbook (9th Edition).

Particulars of Offence

Mr Gabriele Giambrone a registered barrister on or around 22 June 2021 made a Call Declaration that was false in a material respect in that it answered “no” to the question “*Are there any other matters which might reasonably be thought to call into question your fitness to become a practising barrister? This includes but is not limited to civil injunctions or criminal orders*”. The said answer was false in a material respect in that

- (a) Mr Giambrone had breached an order of the High Court of England and Wales dated 4 February 2015 requiring him to pay sums in respect of costs by 18 February 2015 by not paying the amount ordered or any part of it until a date unknown but after 17 November 2015 as further particularised in paragraph (h) of Part A of the attached Annex; and/or
- (b) Foskett J had made the comments set out in paragraph (h) of Part A of the attached Annex in the case of *Various Claimants v Giambrone & Law (a firm) & Ors* [2015] EWHC 3315 (QB) in respect of the same.

Charge 2

Statement of Offence

Professional misconduct, contrary to paragraph rQ6A of the Qualification Rules at Part 4 of the Bar Standards Boards Handbook (9th Edition).

Particulars of Offence

Mr Gabriele Giambrone a registered barrister, engaged before call in conduct which was discreditable to a barrister and which was not, before call fairly disclosed in writing to Lincoln’s Inn, namely:

- (a) in or about February/March 2013 posting a comment on Facebook in the following terms, referring to the Plaintiffs in a claim against him brought in the High Court of Justice in Northern Ireland: “*They thought they knocked me down, now they will see the full scale of my reaction. F*** them, just f*** them. They will be left with nothing.*”

The said post reasonably caused the said Plaintiffs to apprehend, and/or the High Court of Justice in Northern Ireland to conclude on or about 22 March 2013, that Mr Giambrone was at risk of dissipating his assets and/or seeking to frustrate any judgment that may be made on the said claim;

Charge 4

Statement of Offence

Professional misconduct, contrary to paragraph rQ6A of the Qualification Rules at Part 4 of the Bar Standards Boards Handbook (9th Edition).

Particulars of Offence

Mr Gabriele Giambrone a registered barrister, engaged before call in conduct which was discreditable to a barrister and which was not, before call fairly disclosed in writing to Lincoln's Inn, namely breaching, deliberately or otherwise, an order of the High Court of England and Wales dated 4 February 2015 requiring him to pay sums in respect of costs by 18 February 2015, by not paying the amount ordered or any part of it until a date unknown but after 17 November 2015, as particularised in paragraph (h) of Part A of the attached Annex.

Findings:

Case 2023/0543/D5

Charge 1	Admitted
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Case 2023/0838/D5

Charge 1	Admitted
Charge 1A	Admitted
Charge 2	Admitted
Charge 3	Dismissed
Charge 4	Admitted

Sanction:

£50,000 fine and a reprimand

Costs: £4,488 to be paid to the BSB