

QUEEN'S BENCH DIVISION

ADMINISTRATIVE COURT

THE HONOURABLE MRS JUSTICE HEATHER WILLIAMS DBE

BETWEEN:

KEVIN STEWART FARQUHARSON

Appellant

and

THE BAR STANDARDS BOARD

Respondent



Order

Upon hearing the appeal of the Appellant on 6 and 7 April 2022 against the findings and sanctions imposed on him by a Bar Tribunals and Adjudication Service Disciplinary Tribunal on 21 October 2021.

And upon hearing counsel Mr Marc Beaumont for the Appellant and Mr Mark Ruffell for the Respondent

IT IS ORDERED THAT:

1. The time for filing the Notice of Appeal is extended to 22 November 2021.
2. Permission is granted for the Appellant to amend the Grounds of Appeal in the form filed and served on 10 February 2022 and contained in the appeal bundle.
3. Pursuant to CPR 39.2(4), the complainant is to be referred to as “A” and there is to be no reference in any report of the proceedings to A’s name, address or any other details leading to her identification, including the chambers that she was a member of at the time of the material events.
4. Pursuant to CPR 39.2(4), the individual who is the subject of charge 3 is to be referred to as “Z” and there is to be no reference in any report of the proceedings to Z’s name, address or any other details leading to his identification, including the chambers that he was a member of at the time of the material events.

5. The Appellant's address, his medical conditions and his childhood experiences should not be referred to in any report of the proceedings.
6. Pursuant to CPR 5.4C(1) and (4), a person who is not a party to the proceedings may only obtain a statement of case from the court's records if any references to the names and identifying details of "A" and "Z" have been removed, along with any references to the Appellant's address, medical conditions and events in his childhood.
7. Pursuant to CPR 5.4C(2) and/or the inherent jurisdiction of the court, any application by a non-party for access to other court records or other documents concerning this appeal should be referred to The Hon. Mrs Justice Heather Williams. In this eventuality, if access is granted, the limitations which must apply to statements of case, shall also be applied to the other documents.
8. Insofar as any documents submitted in this appeal have inadvertently referred to medical matters relied upon by the appellant barrister in *Howd v Bar Standards Board* [2017] 4 WLR 54 that have not been made public; this must be redacted from any documents that are supplied to third parties.
9. The appeal be allowed in part to the extent that the following sanctions be substituted for the sanctions of disbarment imposed on the Appellant under each of charges 1, 2 and 3:-
 - (a) Charge 1: the sanction of disbarment be set aside and substituted for a sanction of suspension for 2 years commencing on 21 October 2021 and expiring on 20 October 2023;
 - (b) Charge 2: the sanction of disbarment be set aside and substituted for a sanction of suspension for 4 months, to run concurrently with the sanction on charge 1;
 - (c) Charge 3: the sanction of disbarment be set aside and substituted for a sanction of suspension for 2 months to run concurrently with the sanctions on charges 1 and 2.
10. The appeal against the findings of guilt be dismissed.
11. There be no order as to costs in respect of this appeal.

Dated 13th May 2022

BY THE COURT

