



# The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

## Report of Finding and Sanction

Case reference: PC 2021/7679/D5

Darren Craig Stapleford  
The Director-General of the Bar Standards Board  
The Chair of the BSB  
The Treasurer of the Honourable Society of Inner Temple

### Disciplinary Tribunal

#### Darren Craig Stapleford

In accordance with an appointment made by the President of the Council of the Inns of Court contained in a Convening Order dated 13 February 2023, I sat as Chairman of a Disciplinary Tribunal on 09 March 2023 to hear and determine three charges of professional misconduct contrary to the Code of Conduct of the Bar of England and Wales against Darren Craig Stapleford, barrister of the Honourable Society of the Inner Temple.

#### Panel Members

The other members of the Tribunal were:

Andrew Ward (Lay Member)  
Hayley Firman (Barrister Member)  
John Vaughn (Lay Member)  
Monica Stevenson (Barrister Member)

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## Charges

The following charge was found proven:

### Charge 1

#### Statement of Offence

Professional Misconduct contrary to paragraphs 301(a) (I), (ii) and (iii) and 901 of the Code of Conduct of the Bar of England and Wales.

#### Particulars of Offence

Mr Stapleford, an unregistered barrister, on dates unknown before 5 August 2016, engaged in conduct which was dishonest or otherwise discreditable to a barrister; prejudicial to the administration of justice; and/or likely to diminish public confidence in the legal profession or the administration of justice or otherwise bring the legal profession into disrepute by:

1. Fraudulently transferring approximately £11,000 from his grandmother's bank account to his account.
2. Fraudulently using a Barclaycard without his grandmother's permission.
3. The fraudulent using of a NatWest bank account held in his grandmother's name without her permission.
4. The fraudulent using of his grandmother's bank card to withdraw £4,240 in cash.
5. The fraudulent using of his grandmother's bank account card to pay for goods and services by way of on-line purchases.

For which conduct, on the 5 August 2016, Mr Stapleford was convicted by Chichester Crown Court of five counts of Fraud, contrary to Section 1 of the Fraud Act 2006 and sentence by the Judge to 4 years imprisonment on each count to be served concurrently and ordered to pay £8,000 in compensation.

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## Parties Present and Representation

The Respondent was not present and was not represented. The BSB was represented by Lucy Organ.

## Preliminary Matters

The panel received written and oral submissions from the BSB in relation to the issue of proceeding in the absence of the Respondent pursuant to rE183. Counsel for the BSB sought to explain how the relevant procedure had been complied with, namely how the Respondent had been duly served, in accordance with rE249, with the documents required by rE102, rE103 and rE132.3. c. However, the BSB could not confirm that a witness statement of Manjit Mandair of the BSB dated 15 February 2023 had been duly served.

In the circumstances, the BSB advised that as the statement was not crucial evidence and related to charges 2 and 3, they would not rely upon the statement, would not pursue those charges and would seek to proceed in the Respondent's absence in relation to charge 1 only.

Following retirement to consider the matter, the panel were satisfied that the relevant procedure was satisfied in that the respondent had been duly served with the required documents in accordance with rE249. The panel considered that, in all the circumstances, it was just to proceed in the Respondent's absence in accordance with rE183.

Accordingly, the panel proceeded to hear the matter in the absence of the Respondent.

## Pleas

As the Respondent was not in attendance; no Pleas were entered, and the charge was deemed denied.

## Evidence

No live evidence was heard. The panel considered the documents contained within the bundle of documents provided by the BSAB, including the certificate of conviction, the indictment on which the Respondent had been convicted, the relevant sentencing

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remarks of the sentencing judge and the decision of the Court of Appeal Criminal Division, refusing the Respondent's renewed application for leave to appeal (*R v Darren Stapleford* [2017] EWCA Crim 1215.) The panel also considered written and oral submissions on behalf of the BSB.

### Findings

The panel considered that the documents established beyond doubt that the Respondent had been convicted of five counts of fraud as alleged. The panel considered that the seriousness of the offences could appropriately be measured by the sentence of four years imprisonment which the Crown Court had passed, and that the circumstances of his offending behaviour were clear from the judge's sentencing remarks. In the circumstances the panel concluded that the Respondent's behaviour which gave rise to the convictions in question, amounted to professional misconduct contrary to paragraphs 301(a) (I), (ii) and (iii) and 901 of the Code of Conduct of the Bar of England and Wales.

### Sanction and Reasons

Due consideration was given to Version 6 of the BTAS Guidance. It was determined that Section 5, Dishonesty offences was the appropriate sanctions category. Considering the Dishonesty guidance, it was determined that the matter fell into the upper category for Culpability as the criminal behaviour amounted to a deliberate and cynical fraud. It was also determined that the matter fell into the upper range for Harm as this matter impacted a vulnerable relative and in the words of the sentencing judge, "tore the family apart". The indicative sanction was therefore disbarment. The panel considered that there was no relevant mitigation beyond the Respondent's previous lack of convictions, (in this regard, his caution for theft when aged 19 was not considered relevant) and his lack of any previous disciplinary findings. The panel did not consider that there were any exceptional circumstances apt to reduce the sanction and accordingly concluded that the sanction of disbarment indicated by the BTAS Guidance should apply. The panel therefore directed that the Respondent should be disbarred.

Following further submission from the BSB, it was determined that as the Respondent

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has 21 days to appeal, the disbarment is to take place in 21 days and during the period before that date, the Respondent is prohibited from applying for a practising certificate.

### **Costs**

The BSB made an application for costs in the order of £1560. The Panel were informed that notice of the application had been sent to the Respondent by email on 1 March 2023. In the circumstances the panel considered that the application should be allowed and directed that the Respondent should pay £1560 towards the BSB's costs.

The Treasurer of the Honourable Society of Inner Temple is requested to take action on this report in accordance with rE239 of the Enforcement Decision Regulations 2019.

**Approved: 13 March 2023**

**HH David Griffith-Jones KC**  
**Chairman of the Tribunal**

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