The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

Disciplinary Tribunal

Mariam El-Sobky

Called to the Bar by: Lincoln's Inn, March 2001.

Type of hearing: 5 Person Disciplinary Tribunal.

Date of decision: 3rd March 2026 and 11th August 2026.

Charges:

Case Reference: 2022/0165/D5

Charge 1

Statement of Offence

Professional misconduct, contrary to Core Duty 1 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, failed to observe her duty to the court in the administration of justice, in that, on at least three separate occasions in the period of around March 2021 to around December 2021, she made audio recordings of court hearings in family proceedings, without the consent of the parties or the judge, knowing that she was not lawfully entitled to do so.

Charge 2

Statement of Offence

Professional misconduct, contrary to Core Duty 3 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, failed to act with integrity in that, on at least three separate occasions in the period of around March 2021 to around December 2021, she made audio recordings of court hearings in family proceedings, without the consent of the parties or the judge, knowing that she was not lawfully entitled to do so.

Charge 3

Statement of Offence

Professional misconduct, contrary to Core Duty 5 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, behaved in a way which was likely to diminish the trust and confidence which the public places in her or in the profession, in that, on at least three separate occasions in the period of around March 2021 to around December 2021,she made audio recordings of court hearings in family proceedings, without the consent of the parties or the judge, knowing that she was not lawfully entitled to do so.

Charge 4

Statement of Offence

Professional misconduct, contrary to Conduct Rule rC8 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, behaved in a manner which could reasonably be seen by the public to undermine her integrity, in that, on at least three separate occasions in the period of around March 2021 to around December 2021, she made audio recordings of court hearings in family proceedings, without the consent of the parties or the judge, knowing that she was not lawfully entitled to do so.

Charge 5

Statement of Offence

Professional misconduct, contrary to Core Duty 1 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, failed to observe her duty to the court in the administration of justice, in that, on at least three separate occasions in the period of around March 2021 to around December 2021, she sent audio recordings of family proceedings to individuals employed by her and requested that they transcribe the recordings, knowing that she had made such audio recordings without the knowledge or consent of the judge or the parties to the proceedings and when she was not lawfully entitled to do so.

Charge 6

Statement of Offence

Professional misconduct, contrary to Core Duty 3 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, failed to act with integrity, in that, on at least three separate occasions in the period of around March 2021 to around December 2021, she sent audio recordings of family proceedings to individuals employed by her and

requested that they transcribe the recordings, knowing that she had made such audio recordings without the knowledge or consent of the judge or the parties to the proceedings and when she was not lawfully entitled to do so.

Charge 7

Statement of Offence

Professional misconduct, contrary to Core Duty 5 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, behaved in a way which was likely to diminish the trust and confidence which the public places in her or in the profession, in that, on at least three separate occasions in the period of around March 2021 to around December 2021, she sent audio recordings of family proceedings to individuals employed by her and requested that they transcribe the recordings, knowing that she had made such audio recordings without the knowledge or consent of the judge or the parties to the proceedings and when she was not lawfully entitled to do so.

Charge 8

Statement of Offence

Professional misconduct, contrary to Conduct Rule rC8 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, behaved in a manner which could reasonably be seen by the public to undermine her integrity, in that, on at least three separate occasions in the period of around March 2021 to around December 2021, she sent audio recordings of family proceedings to individuals employed by her and requested that they transcribe the recordings, knowing that she had made such audio recordings without the knowledge or consent of the judge or the parties to the proceedings and when she was not lawfully entitled to do so.

Charge 9

Statement of Offence

Professional misconduct, contrary to Core Duty 6 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, failed to keep the affairs of her client confidential, in that, on or around 25 March 2021, she sent the papers for a CMS appeal to the personal email address of an individual employed by her for the purpose of that individual carrying out some work on the case without first asking that individual to sign a confidentiality agreement.

Charge 10

Statement of Offence

Professional misconduct, contrary to Conduct Rule rC86.3 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, failed to ensure that the outsourcing to a third party of support

services to deliver legal services in respect of which she was instructed, was subject to confidentiality obligations similar to those placed on her in accordance with the BSB Handbook, in that, on or around 25 March 2021, she sent the papers for a CMS appeal to the personal email address of an individual employed by her for the purpose of that individual carrying out some work on the case without first asking that individual to sign a confidentiality agreement.

Charge 11

Statement of Offence

Professional misconduct, contrary to Core Duty 3 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, failed to act with integrity in that, on 8 December 2021, she harassed a former employee by sending messages to a group chat on WhatsApp which related to, and sought to make fun of, the confidential mental health issues of the former employee as follows:

- "best place for you I think is a mental asylum. No access to internet or Wi-Fi and restraints lol" "a very sick young lady".
- By a determination dated 2 February 2023, an Employment Tribunal found that the comments amounted to harassment under section 26 of the Equality Act 2010.

Charge 12

Statement of Offence

Professional misconduct, contrary to Core Duty 5 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, behaved in a way which was likely to diminish the trust and confidence which the public places in her or in the profession, in that, on 8 December 2021, she harassed a former employee by sending messages to a group chat on WhatsApp which related to, and sought to make fun of, the confidential mental health issues of the former employee as follows:

- "best place for you I think is a mental asylum. No access to internet or Wi-Fi and restraints lol"
- "a very sick young lady".

By a determination dated 2 February 2023, an Employment Tribunal found that the comments amounted to harassment under section 26 of the Equality Act 2010.

Charge 13

Statement of Offence

Professional misconduct, contrary to Conduct Rule rC12 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, harassed another person on grounds of their disability, in that, on 8 December 2021, she harassed a former employee by sending messages to a group chat on WhatsApp which related to, and sought to make fun of, the confidential mental health issues of the former employee as follows:

- "best place for you I think is a mental asylum. No access to internet or Wi-Fi and restraints lol"
- "a very sick young lady".

By a determination dated 2 February 2023, an Employment Tribunal found that the comments amounted to harassment under section 26 of the Equality Act 2010.

Case Reference: 2022/2069/D3

Charge 1

Statement of Offence

Professional misconduct, contrary to Core Duty 1 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, failed to observe her duty to the court in the administration of justice, in that she made audio recordings of court hearings in family proceedings, without the consent of the parties or the judge, knowing that she was not lawfully entitled to do so, including of:

- a hearing on 14 July 2021;
- a hearing on or around 19 August 2021; and
- a hearing on or around 26 August 2021.

Charge 2

Statement of Offence

Professional misconduct, contrary to Core Duty 3 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, failed to act with integrity, in that she made audio recordings of court hearings in family proceedings, without the consent of the parties or the judge, knowing that she was not lawfully entitled to do so, including of:

- a hearing on 14 July 2021;
- a hearing on or around 19 August 2021; and
- a hearing on or around 26 August 2021.

Charge 3

Statement of Offence

Professional misconduct, contrary to Core Duty 5 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, behaved in a way which was likely to diminish the trust and confidence which the public places in her or in the profession, in that she made audio recordings of court hearings in family proceedings, without the consent of the parties or the judge, knowing that she was not lawfully entitled to do so, including of:

- a hearing on 14 July 2021;
- a hearing on or around 19 August 2021; and
- a hearing on or around 26 August 2021.

Charge 4

Statement of Offence

Professional misconduct, contrary to Conduct Rule rC8 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, behaved in a manner which could reasonably be seen by the public to undermine her integrity, in that she made audio recordings of court hearings in family proceedings, without the consent of the parties or the judge, knowing that she was not lawfully entitled to do so, including of:

- a hearing on 14 July 2021;
- a hearing on or around 19 August 2021; and
- a hearing on or around 26 August 2021.

Charge 5

Statement of Offence

Professional misconduct, contrary to Core Duty 1 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, failed to observe her duty to the court in the administration of justice, in that she sent audio recordings of family proceedings to individuals employed by her and requested that they transcribe the recordings, knowing that she had made such audio recordings without the knowledge or consent of the judge or the parties to the proceedings and when she was not lawfully entitled to do so. Ms El-Sobky sent such audio recordings to her employees:

- by WhatsApp message on 14 July 2021;
- by WhatsApp message on 19 August 2021; and

- by WhatsApp message on or around 26 August 2021.

Charge 6

Statement of Offence

Professional misconduct, contrary to Core Duty 3 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, failed to act with integrity, in that she sent audio recordings of family proceedings to individuals employed by her and requested that they transcribe the recordings, knowing that she had made such audio recordings without the knowledge or consent of the judge or the parties to the proceedings and when she was not lawfully entitled to do so. Ms El-Sobky sent such audio recordings to her employees:

- by WhatsApp message on 14 July 2021;
- by WhatsApp message on 19 August 2021; and
- by WhatsApp message on or around 26 August 2021

Charge 7

Statement of Offence

Professional misconduct, contrary to Core Duty 5 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, behaved in a way which was likely to diminish the trust and confidence which the public places in her or in the profession, in that she sent audio recordings of family proceedings to individuals employed by her and requested that they transcribe the recordings, knowing that she had made such audio recordings without the knowledge or consent of the judge or the parties to the proceedings and when she was not lawfully entitled to do so. Ms El-Sobky sent such audio recordings to her employees:

- by WhatsApp message on 14 July 2021;
- by WhatsApp message on 19 August 2021; and
- by WhatsApp message on or around 26 August 2021

Charge 8

Statement of Offence

Professional misconduct, contrary to Conduct Rule rC8 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, behaved in a manner which could reasonably be seen by the public to undermine her integrity, in that she sent audio recordings of family proceedings to individuals employed by her and requested that they transcribe the recordings, knowing that she had made such audio recordings without the knowledge or consent of the judge or the parties to the

proceedings and when she was not lawfully entitled to do so. Ms El-Sobky sent such audio recordings to her employees:

- by WhatsApp message on 14 July 2021;
- by WhatsApp message on 19 August 2021; and
- by WhatsApp message on or around 26 August 2021

Charge 9

Statement of Offence

Professional misconduct, contrary to Core Duty 2 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, failed to act in the best interests of her client, in that, on 22 July 2021, when she was due to attend an Advocates' meeting in advance of a 5-day final hearing in care proceedings in which she was acting for the mother, she sent in her place an individual who was unqualified, and whom she knew was unqualified. As a result, the other advocates felt unable to receive Ms El-Sobky's client's position or discuss the issues and were forced to reschedule the meeting to the morning of the trial to accommodate Ms El-Sobky.

Charge 10

Statement of Offence

Professional misconduct, contrary to Core Duty 5 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, behaved in a way which was likely to diminish the trust and confidence which the public places in her or in the profession, in that, on 22 July 2021, when she was due to attend an Advocates' meeting in advance of a 5-day final hearing in care proceedings in which she was acting for the mother, she sent in her place an individual who was unqualified, and whom she knew was unqualified. As a result, the other advocates felt unable to receive Ms El-Sobky's client's position or discuss the issues and were forced to reschedule the meeting to the morning of the trial to accommodate Ms El-Sobky.

Charge 11

Statement of Offence

Professional misconduct, contrary to Core Duty 7 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, failed to provide a competent standard of work and service to her client, in that, on 22 July 2021, when she was due to attend an Advocates' meeting in advance of a 5-day final hearing in care proceedings in which she was acting for the mother, she sent in her place an individual who was unqualified, and whom she knew was unqualified. As a result, the other advocates felt unable to receive Ms El-Sobky's client's position or discuss the issues and were forced to reschedule the meeting to the morning of the trial to accommodate Ms El-Sobky.

Charge 12

Statement of Offence

Professional misconduct, contrary to Core Duty 10 and Conduct Rule rC87.1 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, failed to take reasonable steps to manage her practice, or carry out her role within her practice, competently and in such a way as to achieve compliance with her legal and regulatory obligations, and failed to take reasonable steps to ensure her practice is efficiently and properly administered, in that, on 22 July 2021, when she was due to attend an Advocates' meeting in advance of a 5-day final hearing in care proceedings in which she was acting for the mother, she sent in her place an individual who was unqualified, and whom she knew was unqualified. As a result, the other advocates felt unable to receive Ms El-Sobky's client's position or discuss the issues and were forced to reschedule the meeting to the morning of the trial to accommodate Ms El-Sobky.

Case Reference: 2023/0409/D5

Charge 1

Statement of Offence

Professional misconduct, contrary to Core Duty 1 and Conduct Rule rC3.1 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, failed to observe her duty to the court in the administration of justice and knowingly misled or attempted to mislead the court, in that, at a hearing on1 July 2022, in claim number G91LS194 before the Leeds District Registry, while representing the Defendant, Ms El-Sobky made the following statements:

- That she "was only instructed for this matter not more than five days ago when we became aware of the hearing". She made this statement in the context of seeking to explain delays by her client in filing and service of documents, including a Defence, and while responding to an application for default judgment. She knew that the court would be likely to understand this as a reference to the first occasion on which she had received instructions from her client in relation to the claim. She knew that her statement, as it was likely to be understood, was untrue, and she made it dishonestly, as she knew that she had been instructed to represent her client at a hearing in November 2021, she had corresponded on her client's behalf with the Claimant's solicitor between January and May 2022, and she had received instructions from her client for the hearing on 1 July 2022 seven days before the hearing.

    - That "very little correspondence has been sent to me … from … Mr Oaks", the Claimant's solicitor. She knew that this statement was misleading because, in the period January to June 2022, she had received at least ten emails directly from Mr Oaks and two emails sent on his behalf. She had responded to at least five of the emails.

- When referring to her client's Defence, that she "did not know that it had not been filed and served before today". In making this statement, she knowingly and dishonestly misled the court, as she had no honest belief that the Defence had been filed and served. On 17 May 2022, she had emailed the Claimant's solicitor and the court stating that she would be filing a Defence and Counterclaim on her client's behalf. On 22 May 2022, she had emailed the court requesting a 7-day extension for, among other things, filing a Defence. Ms El-Sobky was acting under direct access and with authorisation to conduct litigation. She had no reason to believe that anyone other than her had filed and served the Defence in the meantime.

Charge 2

Statement of Offence

Professional misconduct, contrary to Core Duty 3 and Conduct Rule rC8 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, failed to act with honesty and with integrity, and acted in a manner which could reasonably be seen by the public to undermine her honesty, integrity and independence, in that, at a hearing on 1 July 2022, in claim number G91LS194 before the Leeds District Registry, while representing the Defendant, Ms El-Sobky made the following statements:

i. That she "was only instructed for this matter not more than five days ago when we became aware of the hearing". She made this statement in the context of seeking to explain delays by her client in filing and service of documents, including a Defence, and while responding to an application for default judgment. She knew that the court would be likely to understand this as a reference to the first occasion on which she had received instructions from her client in relation to the claim. She knew that her statement, as it was likely to be understood, was untrue, and she made it dishonestly, as she knew that she had been instructed to represent her client at a hearing in November 2021, she had corresponded on her client's behalf with the Claimant's solicitor between January and May 2022, and she had received instructions from her client for the hearing on 1 July 2022 seven days before the hearing.

ii. That "very little correspondence has been sent to me … from … Mr Oaks", the Claimant's solicitor. She knew that this statement was misleading because, in the period January to June 2022, she had received at least ten emails directly from Mr Oaks and two emails sent on his behalf. She had responded to at least five of the emails.

iii. When referring to her client's Defence, that she "did not know that it had not been filed and served before today". In making this statement, she knowingly and dishonestly misled the court, as she had no honest belief that the Defence had been filed and served. On 17 May 2022, she had emailed the Claimant's solicitor and the court stating that she would be filing a Defence and Counterclaim on her client's behalf. On 22 May 2022, she had emailed the court requesting a 7-day extension for, among other things, filing a Defence. Ms El-Sobky was acting under direct access and with authorisation to

conduct litigation. She had no reason to believe that anyone other than her had filed and served the Defence in the meantime.

Charge 3

Statement of Offence

Professional misconduct, contrary to Core Duty 5 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, behaved in a way which was likely to diminish the trust and confidence which the public places in her or in the profession, in that, at a hearing on 1 July 2022, in claim number G91LS194 before the Leeds District Registry, while representing the Defendant, Ms El-Sobky made the following statements:

i. That she "was only instructed for this matter not more than five days ago when we became aware of the hearing". She made this statement in the context of seeking to explain delays by her client in filing and service of documents, including a Defence, and while responding to an application for default judgment. She knew that the court would be likely to understand this as a reference to the first occasion on which she had received instructions from her client in relation to the claim. She knew that her statement, as it was likely to be understood, was untrue, and she made it dishonestly, as she knew that she had been instructed to represent her client at a hearing in November 2021, she had corresponded on her client's behalf with the Claimant's solicitor between January and May 2022, and she had received instructions from her client for the hearing on 1 July 2022 seven days before the hearing.

ii. That "very little correspondence has been sent to me … from … Mr Oaks", the Claimant's solicitor. She knew that this statement was misleading because, in the period January to June 2022, she had received at least ten emails directly from Mr Oaks and two emails sent on his behalf. She had responded to at least five of the emails.

iii. When referring to her client's Defence, that she "did not know that it had not been filed and served before today". In making this statement, she knowingly and dishonestly misled the court, as she had no honest belief that the Defence had been filed and served. On 17 May 2022, she had emailed the Claimant's solicitor and the court stating that she would be filing a Defence and Counterclaim on her client's behalf. On 22 May 2022, she had emailed the court requesting a 7-day extension for, among other things, filing a Defence. Ms El-Sobky was acting under direct access and with authorisation to conduct litigation. She had no reason to believe that anyone other than her had filed and served the Defence in the meantime.

Charge 4

Statement of Offence

Professional misconduct, contrary to Conduct Rule rC6.1.a of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, misled the court by making statements which she knew were untrue or misleading, in that, at a hearing on 1 July 2022, in claim number G91LS194 before the Leeds District Registry, while representing the Defendant, Ms El-Sobky made the following statements:

i. That she "was only instructed for this matter not more than five days ago when we became aware of the hearing". She made this statement in the context of seeking to explain delays by her client in filing and service of documents, including a Defence, and while responding to an application for default judgment. She knew that the court would be likely to understand this as a reference to the first occasion on which she had received instructions from her client in relation to the claim. She knew that her statement, as it was likely to be understood, was untrue, and she made it dishonestly, as she knew that she had been instructed to represent her client at a hearing in November 2021, she had corresponded on her client's behalf with the Claimant's solicitor between January and May 2022, and she had received instructions from her client for the hearing on 1 July 2022 seven days before the hearing.

ii. That "very little correspondence has been sent to me … from … Mr Oaks", the Claimant's solicitor. She knew that this statement was misleading because, in the period January to June 2022, she had received at least ten emails directly from Mr Oaks and two emails sent on his behalf. She had responded to at least five of the emails.

iii. When referring to her client's Defence, that she "did not know that it had not been filed and served before today". In making this statement, she knowingly and dishonestly misled the court, as she had no honest belief that the Defence had been filed and served. On 17 May 2022, she had emailed the Claimant's solicitor and the court stating that she would be filing a Defence and Counterclaim on her client's behalf. On 22 May 2022, she had emailed the court requesting a 7-day extension for, among other things, filing a Defence. Ms El-Sobky was acting under direct access and with authorisation to conduct litigation. She had no reason to believe that anyone other than her had filed and served the Defence in the meantime.

Charge 5

Statement of Offence

Professional misconduct, contrary to Core Duty 1 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, failed to observe her duty to the court in the administration of justice, in that, on 17 August 2022, Ms El-Sobky sent an email to the Family Court and to the other party to proceedings, attaching what purported to be an application by her client for relief from sanctions, together with supporting documents, including an unsigned witness statement in the name of her client, and stated that they were sent on behalf of her client. Ms El-Sobky prepared the documents and sent the email without her client's knowledge, instructions or approval to do so, and without her client having any input into their contents.

Charge 6

Statement of Offence

Professional misconduct, contrary to Core Duty 2 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, failed to act in the best interests of her client, in that, on 17 August 2022, Ms El-Sobky sent an email to the Family Court and to the other party to proceedings, attaching what purported to be an application by her client for relief from sanctions, together with supporting documents, including an unsigned witness statement in the name of her client, and stated that they were sent on behalf of her client. Ms El-Sobky prepared the documents and sent the email without her client's knowledge, instructions or approval to do so, and without her client having any input into their contents.

Charge 7

Statement of Offence

Professional misconduct, contrary to Core Duty 5 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, behaved in a way which was likely to diminish the trust and confidence which the public places in her or in the profession, in that, on 17 August 2022, Ms El-Sobky sent an email to the Family Court and to the other party to proceedings, attaching what purported to be an application by her client for relief from sanctions, together with supporting documents, including an unsigned witness statement in the name of her client, and stated that they were sent on behalf of her client. Ms El-Sobky prepared the documents and sent the email without her client's knowledge, instructions or approval to do so, and without her client having any input into their contents.

Charge 8

Statement of Offence

Professional misconduct, contrary to Core Duty 7 and Conduct Rule rC15.1 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, failed to provide a competent standard of work and service to her client and failed to promote fearlessly and by all proper and lawful means her client's best interests, in that, on 17 August 2022, Ms El-Sobky sent an email to the Family Court and to the other party to proceedings, attaching what purported to be an application by her client for relief from sanctions, together with supporting documents, including an unsigned witness statement in the name of her client, and stated that they were sent on behalf of her client. Ms El-Sobky

prepared the documents and sent the email without her client's knowledge, instructions or approval to do so, and without her client having any input into their contents.

Charge 9

Statement of Offence

Professional misconduct, contrary to Core Duty 10 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, failed to take reasonable steps to manage her practice, or carry out her role within her practice, competently and in such a way as to achieve compliance with her legal and regulatory obligations, in that, on 17 August 2022, Ms El-Sobky sent an email to the Family Court and to the other party to proceedings, attaching what purported to be an application by her client for relief from sanctions, together with supporting documents, including an unsigned witness statement in the name of her client, and stated that they were sent on behalf of her client. Ms El-Sobky prepared the documents and sent the email without her client's knowledge, instructions or approval to do so, and without her client having any input into their contents.

Charge 10

Statement of Offence

Professional misconduct, contrary to Conduct Rule rC9.2 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, on or around 17 August 2022, drafted an application by her client for relief from sanctions and a witness statement in the name of her client in support of the application. Ms El-Sobky did so without obtaining any instructions from her client to do so and without any input from her client as to their contents. On 17 August 2022, Ms El-Sobky emailed the documents to the Family Court and the other party to proceedings, stating that they were sent on behalf of her client.

Charge 11

Statement of Offence

Professional misconduct, contrary to Conduct Rule rC3.1 of the Bar Standards Board's Handbook (version 4.6).

Particulars of Offence

Mariam El-Sobky, a barrister, recklessly misled or attempted to mislead the court in that, on 17 August 2022, Ms El-Sobky sent an email to the Family Court, attaching what purported to be an application by her client for relief from sanctions, together with supporting documents, including an unsigned witness statement in the name of her client, and stated that they were sent on behalf of her client. In doing so, Ms El-Sobky impliedly represented to the court that the documents were drafted on her client's instructions. Ms El-Sobky sent the email knowing that she had prepared the application notice and witness statement, and sent them to court, without her client's prior knowledge, instructions or approval to do so, and without her client having any input into their contents.

Findings:

Case Reference: 2022/0165/D5

Charge 1	Admitted- Breach of Core Duty 1
Charge 2	Proved
Charge 3	Admitted- Breach of Core Duty 5
Charge 4	Proved
Charge 5	Admitted- Breach of Core Duty 1
Charge 6	Proved
Charge 7	Admitted- Breach of Core Duty 5
Charge 8	Proved
Charge 9	Proved
Charge 10	Proved
Charge 11	Proved
Charge 12	Proved
Charge 13	Proved

Case Reference: 2022/2069/D3

Charge 1	Admitted- Breach of Core Duty 1
Charge 2	Proved
Charge 3	Admitted- Breach of Core Duty 5
Charge 4	Proved
Charge 5	Admitted- Breach of Core Duty 1
Charge 6	Proved
Charge 7	Admitted- Breach of Core Duty 5
Charge 8	Proved
Charge 9	Proved
Charge 10	Proved
Charge 11	Proved

Charge 12	Proved

Case Reference: 2023/0409/D5

Charge 1	Admitted (iii)- Breach of Core Duty 1
Charge 2	Proved
Charge 3	Admitted (iii)- Breach of Core Duty 5
Charge 4	Proved
Charge 5	Proved
Charge 6	Proved
Charge 7	Proved
Charge 8	Proved
Charge 9	Proved
Charge 10	Proved
Charge 11	Proved

Sanction:

Charges	Sanction
2022/0409/D5- Charges 1 – 4	Disbarment
2022/0409/D5- Charges 5 to 11	10 months suspension. We also require that her return to practice will be dependent on providing satisfactory proof of capacity to practice by a BSB approved mental health professional.
2022/2069/D3 **2022/0165/D5-** Charges 1 to 8	9 months suspension. We also require that her return to practice will be dependent on providing satisfactory proof of capacity to practice by a BSB approved mental health professional.
2022/0165/D5- Charges 9 – 10	6 months suspension. We also require that her return to practice will be dependent on providing satisfactory proof of capacity to practice by a BSB approved mental health professional.
2022/0165/D5- Charges 11 – 13	Disbarment

2022/2069/D3- Charges 9 – 12	10 months suspension. We also require that her return to practice will be dependent on providing satisfactory proof of capacity to practice by a BSB approved mental health professional.

*The Tribunal directed that the suspensions shall run concurrently.

The Tribunal ordered that Ms El-Sobky be suspended from practice immediately pending any appeal.

Costs:

The Tribunal awarded costs in the sum of £21,679.31 payable to the BSB within 28 days or such other period as agreed with the BSB.