The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

Report of Finding and Sanction

Respondent	Timothy Becker
Case reference	2024/2539/D5
Inn of Court	Middle Temple (1992)
Status at hearing	Self-Employed
Hearing date/s	3-4th June 2026
Tribunal Type	5 Person Tribunal

Tribunal members

Chair	HH Martyn Zeidman KC
Barrister member	Yusuf Solley
Barrister member	Carlos Conceicao
Lay member	Stéph Pandit
Lay member	Robin McCusker

Representatives

Bar Standards Board	Elizabeth Fox
Respondent	Neil Sheldon KC

Outcome

Findings	Charges 2, 4 and 6 proved.
Sanction	Fine of £3,000.
Costs	£3, 870 to the Bar Standards Board

1. In accordance with an appointment made by the President of the Council of the Inns of Court contained in a Convening Order dated 19 May 2026, The Tribunal sat on 3-4th June 2026 to hear and determine 6 charges of professional misconduct contrary to the Code of Conduct of the Bar of England and Wales against Mr Timothy Becker, barrister of the Honourable Society of Middle Temple.

Charges

2. The following charges were proved.

Charge 2

Statement of Offence

Professional misconduct, contrary to Core Duty 5 of the Code of Conduct (Part 2 of the Bar Standards Board's Handbook, Versions 4.6, 4.7 and 4.8).

Particulars of Offence

Timothy Becker, a barrister, behaved in a way which was likely to diminish the trust and confidence which the public places in him or in the profession when he failed to make monthly payments in a timely manner, as agreed, following a decision of the Legal Ombudsman dated 5 May 2023.

Charge 4

Statement of Offence

Professional misconduct, contrary to Core Duty 9 of the Code of Conduct and rC71 of the Conduct Rules (Part 2 of the Bar Standards Board's Handbook, Versions 4.6, 4.7 and 4.8).

Particulars of Offence

Timothy Becker, a barrister, failed to be open and cooperative with his regulator, and failed to give all reasonable assistance requested by the Legal Ombudsman, when between 27 June 2024 and 5 November 2024, he:

B) Failed to respond to the Legal Ombudsman's requests of him in a timely manner, or at all.

Charge 6

Statement of Offence

Professional misconduct, contrary to Core Duty 5 of the Code of Conduct (Part 2 of the Bar Standards Board's Handbook, Version 4.7 and 4.8).

Particulars of Offence

Timothy Becker, a barrister, behaved in a way which was likely to diminish the trust and confidence which the public places in him or in the profession when, following the Legal Ombudsman's finding that the service to his client fell below a reasonable standard, in correspondence with the client, he made the following comments which, taken individually or cumulatively, were unacceptable, insulting or rude in tone and/or content:

A) On 17 December 2023 he sent an email in which he criticised the decision of the Legal Ombudsman, and made unsubstantiated comments, namely that the decision lacks legal merit and is "perverse in the extreme";

B) In the same email he made unfounded allegations that the decision of the caseworker at the Legal Ombudsman was made based on an agenda the caseworker had against him;

C) On 22 December 2024, after receiving the Order for Recovery of Award from the Wandsworth County Court, he sent an email in which he threatened to take legal action against his former client to recover his fees despite the Legal Ombudsman's decision that his service had fallen below a reasonable standard.

Parties Present and Representation

3. The Respondent was present and was represented by Mr Neil Sheldon KC. The Bar Standards Board ("BSB") was represented by Ms Elizabeth Fox.

Preliminary Matters

4. The BSB made an application to amend the Charge Sheet which was considered by the Tribunal who granted the application.

Pleas

5. Mr Becker admitted Charge 4 (B) to the extent that he failed to respond to the Legal Ombudsman's requests of him in a timely manner from 27th June 2024 onwards.

Findings and Sanction:

6. In setting out the reasons for our decisions (both in respect of determination and sanction) we do not repeat the whole of the facts but begin by setting out the background.

Background:

7. The Respondent acted for a client on a direct access basis in March 2019. There was a hearing before a District Judge in which it was envisaged that the Respondent would argue a technical point in respect of mortgages (whether the document needed to be signed by the mortgagee as well as the mortgagor). In the event the Respondent discovered that this very argument had been described by the Master of the Rolls as 'hopeless'. It follows that in accordance with the rules of the Bar, the Respondent did not pursue the bad point and the client's application for leave to appeal against an earlier order was refused. The client was not happy and reported the matter to the Ombudsman who considered a number of points and ended up ordering the Respondent to re-pay the modest fee that he had charged and received. We do not

understand (and have not considered in detail) the basis of the Ombudsman's decision but all parties accept (rightly) that in the absence of a successful appeal the Respondent was under a professional obligation to comply with the decision of the Ombudsman. The decision is found at page B90 of the bundle, and it required the Respondent to re-pay the fee 'within 10 days if able..' The Respondent (we accept) was in financial difficulties at the time and perfectly properly he asked for time to pay. In his email of the 5th of October 2023 (B92-93 of the Bundle) he requested to 'pay by stage payments of £500 per month' and he said 'that a standing order will be set up'. Unfortunately (and without giving any proper explanation) the sums were not paid as they should have been. No payment was made until 28th December 2023 and there was no payment made in January 2024. £500 was paid in February 2024 but no payment in March 2024. £500 was paid in April 2024 but nothing in May 2024. In June 2024 £500 was paid but nothing was paid in the following 5 months. The last payment was made on 23rd December 2024 but that was only after the Ombudsman had taken the matter to the County Court and had obtained a binding order.

Charges Alleging Lack of Integrity

8. Charges 1, 3 and 5 all allege that the Respondent acted without integrity.
9. We are grateful to counsel on both sides for their written and oral submissions in relation to the high threshold for such a finding. We have been taken to a number of cases including Khan -v Bar Standards Board [2018] EWHC 2184 Wingate -v SRA [2018] EWHC (Admin) and Beckwith -v SRA heard before the President of the Kings Bench Division and Mr Justice Swift in October 2020.
10. We accept that the Respondent has dealt with matters badly but in our unanimous view his conduct falls far short of that which is required to show a lack of integrity. It cannot be said that his conduct is morally and ethically blameworthy to the serious degree required by the description.
11. It follows that those three charges are not proved.

Charge 2

12. We need to ask ourselves this three-part question:
13. Has the Applicant proved to the civil standard that the Respondent:

    [a] failed to make monthly payments in a timely manner *as agreed*

    [b] that he did so in a way which is likely to diminish the trust and confidence which the public places in him as a barrister or in the profession.

    [c] that his conduct was sufficiently serious to amount to professional misconduct.

14. In relation to [a] it seems clear and obvious that the payments were not made in a timely manner. The £500 was not paid each month and the last payment was 5 months late and even then, only paid after the County Court order of 5th November 2024 (B148 in the bundle)
15. However, the Respondent disputes that there was an *agreement* to pay monthly. Through his counsel, he submits that the Ombudsman failed to accept the

Respondent's offer to pay monthly and that accordingly there was no agreement to pay in this manner and accordingly no breach whatsoever.

16. We find it impossible to accept this submission. The question as to whether there was an agreement needs to be determined in a realistic non pedantic and practical manner. The issue is whether the Respondent made a commitment to pay which he then failed to follow.
17. Even in strict contractual law, an acceptance may be inferred from conduct and surrounding circumstances.
18. In the case before us, the understanding between the parties was that there would be regular monthly instalments of £500 until the sum awarded against the Respondent was paid.
19. On 14th November 2023 there is an email to the Respondent from the client (at B94) in which she gives her bank details and says:-
20. 'I am informed by the ombudsman to pass my bank details to you for monthly payments….Please confirm that the first payment will commence from this month.'
21. Further by email on 6th March 2024 (B103) a para-legal (on behalf of the Ombudsman) wrote to the Respondent informing him of the client's concern over the delay in payments and saying:-
22. 'my understanding is that the remedy directed by the ombudsman 'will be paid in monthly instalments, with the first having been paid in December 2023.'

Conclusion on [a] the 1st ingredient of Charge 2

23. This is proved.

We now come to our [b] and [c] in Charge 2

24. A lay person is entitled to expect that a barrister will keep his word. A failure to do so (especially in the absence of explanation) runs the serious risk of diminishing the trust and confidence which the public place in the profession. The public would expect that barristers would behave in an honourable manner. That they will pay their debts in the manner in which they have agreed.
25. It does not follow that every breach will be sufficiently serious to amount to professional misconduct but on the facts of this case in the absence of proper explanation by the Respondent, we have no doubt that [c] is satisfied.

Conclusion on [b] and [c] in Charge 2

26. These elements are proved.

Charge 4 [A]

27. We accept that criticisms can be made of the way in which the Respondent failed to give direct answers to specific questions as alleged in [A] of Charge 4.
28. He could have made a better effort but looked at in the round we are not persuaded that this failure was of a sufficient degree to satisfy the ingredients of the disciplinary charge.

Charge 4 [B]

29. The Respondent admits this charge save that he only accepts wrongdoing in relation to the period after 27th June 2024. He could have been more helpful even before that date but we accept the special basis of the plea and will sentence on that basis.

Charge 6

30. There is no dispute that the Respondent sent the messages set out in Charge 6 and it is rightly conceded that this was unacceptable, insulting or rude in tone and/or content as alleged in the Particulars of the Offence.
31. In evidence the Respondent did not shy away from the rudeness of his emails and told us that he is very sorry.
32. His acceptance of wrongdoing in respect of the Charge (and indeed in respect of other charges) is some evidence of mitigation but is not a defence to the disciplinary charge brought.
33. That said, we acknowledge that the Respondent expressed contrition.
34. He told us that he is *'mortified'* to find himself in this position and says that he *'should have known better.'* He acknowledged that although he was in real financial difficulties nevertheless, he should have 'prioritised the payments to the client and should have communicated better.
35. In determining whether Charge 6 is proved we need to decide two questions.
36. First whether the messages were likely to diminish the trust and confidence which the public place in the Respondent personally or in the profession as a whole.
37. Secondly, whether the conduct was sufficiently serious to amount to professional misconduct.

Conclusion on Charge 6

38. We have no doubt that the effect of the emails [i.e. 17th December 2023 and 22nd December 2024] would have been to diminish the reputation of both the Respondent and the Bar.
39. It might be different if the communications were made directly to the Ombudsman.
40. We need to bear in mind that this was a barrister writing to a non-lawyer client.
41. The potential harm to the reputation of the Bar was serious and the upset to the client can be easily inferred from the circumstances.
42. The Charge is proved.

Sanctions

43. We now move to deal with the Sanction.
44. We need to look at these matters in the round and to determine overall the minimum appropriate sanction for the package of wrongdoing [Charges 2, 4B and 6].
45. We find it helpful to remind ourselves of the Purpose of sanctions set out in the Guidance at page 4 at Paragraph 2.2. We need to determine the 'appropriate applicable Misconduct Group for the proved misconduct'.

Charges 2 and 4B re Sanction

46. We find that that most appropriate guideline is in Group H (failure to comply with formal orders) set out on page 55 of the guideline. In particular it refers to 'failures to comply with formal determinations of the Legal Ombudsman' and that is our case.

47. We are concerned at the 'extent of the non-compliance' although this needs to be balanced by the fact that all moneys were in the end paid and the client has recovered all that she paid.
48. By way of mitigation, we are satisfied that the motivation for the late payments and the non-co-operation was the Respondent's poor financial position. It is not necessary to go into details, but he has explained that his partner was forced to litigate in the United States of America in relation to her child arising from a previous relationship. The Respondent was out of the country and of necessity had the extra expense and disruption whilst these matters were continuing.
49. We have observed that the Respondent has been his own worst enemy in that his predicaments could have been promptly courteously and persuasively explained – it is his fault that he failed to do so.
50. There is no long-term financial loss caused to any individual. The non-payment of the last instalment caused the Ombudsman to pursue the County Court remedy but there is no evidence that this caused any major expense.

Conclusion on the Appropriate Bracket for Charges 2 and 4B

51. In our view it falls within the medium culpability but low harm.
52. Weighing the plusses and minuses we have reached the unanimous conclusion that on both these charges there should be a concurrent fine of £3,000 making a total fine of £3,000.

Charge 6 re Sanction

53. The offensive rudeness to the client seems to fall into the Guideline concerning 'Behaviour towards others' at Group I on page 57.
54. In the list of 'culpability' factors on that page there are none that particularly apply to our situation.
55. In terms of harm, we have no doubt that the communications would have caused 'injury to feelings' but none of the other specified factors apply.
56. It means that the case comes into the lower range of low culpability and limited or no harm.
57. This yields an indicative sentence of 'Advice as to future conduct/ reprimand to low level fine.'
58. However, in relation to this charge there is a very significant aggravating feature.
59. We refer to the 'Report of Finding and Sanction' Case reference PC2018/0492/D3
60. This was a charge of professional misconduct in that he behaved in a way which is likely to diminish the trust and confidence which the public places in him or in the profession.
61. The brief facts are that on 18th August 2018 the Respondent acting for the defendant in civil proceedings sent an email to the complainant in which he suggested that the Deputy District Judge was trying the case had only secured her position as a result of 'positive discrimination'. The part time judge happened to be female and Asian.
62. The Respondent admitted sending the email and accepted that the reasonable reader would regard his comments as a reference to the judge's sex and/or race although the Respondent said that this was not his intent.

63. Counsel for the Respondent has with ingenuity pointed to a number of differences between this previous matter and Charge 6 in the present case. In our view there are a number of significant similarities, and we regard this as a worrying aspect.
64. We would have expected him to learn from the previous matter that rudeness demeans not only the Respondent himself but that it also is likely to injure the recommendation the Bar as a whole.
65. Something needs to be done to ensure that there are no repetitions of this conduct.

Conclusion on Charge 6 Sanction

66. In our view there needs to be some form of re-education.
67. On the facts of this case, we need to go outside the indicative sanction for a lower range and low culpability charge under Guideline I.
68. We direct that the Respondent attend two courses.
69. The first must be a personal attendance at a client care course (such as the one offered by the Middle Temple called 'Sherrard Practitioner Session on client care.'
70. The second is an online course run by the Bar Council on the subject of 'Tackling Harassment Bullying and Inappropriate Behaviour.
71. These courses must be completed as soon as possible but no later than December 31st, 2026.
72. There might have been a case for imposing a separate fine on this charge but applying the principle of totality we have taken the view that the educational approach is appropriate given all the circumstances.
73. In announcing our reasons, we made the perhaps obvious point that the Respondent that if in future, there is any similar misconduct, it is likely to affect his ability to practise.

Dated: 22nd June 2026

HH Martyn Zeidman KC
Chairman of the Tribunal