The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

Report of Finding and Sanction

Respondent	CAMPBELL, Colin William
Case reference	2025/1862/D3
Inn of Court	Gray's Inn (July 1979)
Status at hearing	Registered
Hearing dates	20 October 2026
Tribunal Type	3 Person Tribunal

Tribunal members

Chair	David Brooke KC
Barrister member	Carlos Conceicao
Lay member	Stéph Pandit

Representatives

Bar Standards Board	Nicholas Bard
Respondent	Present and representing himself

Outcome

Findings	Charge 1 dismissed, Charge 2 proved
Sanction	£5,000 fine
Costs	£2,000 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 29 September 2026. The Tribunal sat on 20 October 2026 to hear and determine 2 charges of professional misconduct contrary to the Code of Conduct of the Bar of England and Wales against Colin William Campbell barrister of the Honourable Society of Gray's Inn.

Charges

2. The following charge was found proved

Charge 2

Statement of Offence

Professional misconduct, contrary to Core Duty 5 of the Code of Conduct of the Bar of England and Wales (9th Edition) (Versions 4.7 and 4.8)

Particulars of Offence

Mr Colin William Campbell, a barrister, behaved in a way which is likely to diminish the trust and confidence which the public places in him or in the profession when, on or after 15 March 2024, after receiving fees from the Legal Aid Agency totalling £807.15 plus VAT, being fees for the professional services of Barrister A, he failed to pay those fees until around 1 July 2026 on to Barrister A despite being requested to effect payment on a number of occasions from (at the latest) August 2024 onwards.

Parties Present and Representation

3. The Respondent was present and was not represented. The Bar Standards Board ("BSB") was represented by Nicholas Bard.

Preliminary Matters

4. The BSB made an application at the outset of the hearing to amend the charge to include the words '*… until around 1 July 2026'* to reflect the change in circumstance. This was unopposed by Mr Campbell and accepted by the Tribunal.

Pleas

5. Mr Campbell denied both charges.

Evidence

6. The evidence was largely agreed. The BSB bundle contained numerous emails many of which were between the complainant Barrister A and his clerk to or from Mr Campbell's clerks. In addition, there were agreed statements from Barrister A and Mr Campbell's clerk. The tribunal also heard evidence from Mr Campbell.

7. In short, in 2023 Barrister A returned a criminal trial to Mr Campbell. Barrister A submitted a fee note to the LAA for wasted preparation for a sum in excess of £1000. The LAA agreed to pay a proportion of the claim amounting to £807.15 plus VAT. As is usual in this situation, Barrister A's fee was paid in or around March 2024 to the Instructed Advocate (Mr Campbell) at the time when he also received his own fee for the trial. In the ordinary course of events the fee should have been forwarded to Barrister A. It is apparent that the fee was chased in the period leading up to August 2024 through Barrister A's clerks until Barrister A, becoming naturally exasperated by the delay took matters into his own hands and indicated that unless the money was paid forthwith he would raise a complaint with the BSB.

8. Mr Campbell's own chambers became more involved at that stage in the situation and there can be no doubt that by August 2024, Mr Campbell was fully aware that he owed the sum of money. Despite a demand on the 9th September 2024 from Mr Campbell's Head of Chambers to pay the sum to Barrister A within 7 days it was still not paid and Mr Campbell was expelled from his chambers in September 2024.

9. Thereafter Barrister A (who had himself moved chambers) continued to try to pursue Barrister A in late 2024 for the money through direct emails and phone messages. By the end of 2024 Mr Campbell had become a tenant at another set of chambers where he had previously held a door tenancy. In January 2025, Barrister A finally managed to get hold of Mr Campbell on the phone but the conversation ended when Mr Campbell put the phone down. After some further futile attempts to be paid through the new clerks, Barrister A made a formal complaint to the BSB.

10. The complaint was initially refused by the BSB. Barrister A appealed the decision and in our judgement, the BSB then rightly brought the matter forward to be considered by the Tribunal.

11. By a letter to the Tribunal in October 2025, Mr Campbell first acknowledged that he owed the debt but claimed that he only become aware of it when the BSB became involved in March 2025. It became clear that the chief reason for not paying the sum to Barrister A was impecuniosity.

12. In July 2026, Mr Campbell paid Barrister A the sum he had originally claimed (a figure in excess of £1200).

Findings

13. There was no question that something had gone badly wrong here. Mr Campbell was paid a not inconsiderable sum of money which belonged to another barrister and which he therefore held on trust for that person. Mr Campbell had no right to the money. Even if he only discovered the position in August 2024, the money should have been paid immediately he realised. At the very least, he should have engaged with Barrister A or his clerks and made arrangements to make payment or to explain any extenuating circumstances. As one of Mr Campbell's clerks suggested at an early stage, Mr Campbell instead had 'put his head in the sand'. Whilst his letter in October 2025 claimed that it was only later in March 2025 that he became aware of the situation, the paper record makes it quite clear that that is not a sustainable submission.

14. The BSB brought 2 charges covering the same conduct – Charge 2 alleged that Mr Campbell behaved in a way which is likely to diminish the trust and confidence which the public places in him or in the profession contrary to Core Duty 5. We are in no doubt that this charge is made out. Mr Campbell's failure to pay the money and to engage with Barrister A personally or through their respective clerks was reprehensible and wrong.

15. However Charge 1 additionally alleged that contrary to Core Duty 3 Mr Campbell had acted without integrity (something which he adamantly denied).

16. It is noteworthy that the BSB did not allege dishonesty which is also contained within the wording of Core Duty 3. The two are often coupled in the same charge and if found proved almost always lead to disbarment. The BSB instead, relying on the authority of Wingate and Evans v SRA [2018] EWCA Civ 366, rightly drew the distinction between dishonesty and integrity asserting that integrity is a "*broader concept than dishonesty*" [Para 95].

17. As the judgement of Winfield states at para 97-99 *"In terms of professional conduct, the term "integrity" is a useful shorthand to express the higher standards which society expects from professional persons and which professions expect from their own persons…That involves more than mere honesty*". It is therefore on one view not as serious as dishonesty (although still very serious) and covers a broader range of behaviour.

18. Part of the reason for not also alleging dishonesty may have been due to the fact that at no point during the course of events did Mr Campbell deny to anyone that he owed the money or make any false statements. He simply failed to engage meaningfully at any time with the requests for payment.

19. We have no doubt that in most cases like this such behaviour would indicate a lack of integrity (if not dishonesty). Even where someone becomes involved in serious indebtedness, that cannot be an excuse to hang onto sums belonging to another – "robbing Peter to pay Paul". However, having heard from Mr Campbell, we have drawn back from that conclusion in the specific circumstances of this case. It is unnecessary to go into detail in this finding, but we were satisfied that Mr Campbell's behaviour was due in essence to a type of mental breakdown arising from very difficult circumstances in his personal life which he explained to us at length and which we accept. These events and their effect was not challenged by the BSB. The severity of his situation is demonstrated by the fact that his failure to pay the sum led to his expulsion from his own chambers, something which was bound to make his financial situation even worse. Rather than seek help at any stage, he ignored it. In our judgement he was effectively paralysed by the situation he found himself in.

20. Notwithstanding that a lack of integrity does not require dishonesty, in assessing Core Duty 3 we nonetheless found it relevant to consider Mr Campbell's mental state at the time. Mr Bard for the BSB acknowledged there must be occasions when the severity of mental distress of someone in such a position will negate a lack of integrity. At one extreme, someone might be hospitalised and have no appreciation of their actions. There will on the other hand be many other cases where such mental distress would only constitute mitigation.

21. We find ourselves finely balanced on this question. Having heard from Mr Campbell in detail about his situation, ultimately (by a narrow margin) we have come to the conclusion that we are not satisfied on the balance of probabilities that a lack of integrity was demonstrated and so we dismiss Charge 1.

22. In so deciding we do not underestimate the considerable frustration felt and experienced by Barrister A. The BSB also acknowledged that they had not acted as well as they should when he first raised the matter and should have pursued it earlier.

23. We do however take the view that the same arguments do not override Core Duty 5 in this case. Whilst Mr Campbell's mental state may obviate a lack of integrity, his behaviour and failure to seek appropriate help and to engage with Barrister A over

what was a prolonged period was behaviour which was likely to diminish the trust and confidence which the public places in him or in the profession (Charge 2).

Sanction and Reasons

24. The Tribunal applied the Sanctions Guidance Version 6 (the "Guidance") applicable to all decisions on sanctions regardless of when the misconduct occurred. The Tribunal bore in mind the purpose of sanctions for professional misconduct. The following were of particular importance: the maintenance of public confidence and trust in the profession and the enforcement system; the maintenance and promotion of high standards of behaviour and performance at the Bar; the deterrence to the individual barrister and to the wider profession from engaging in the misconduct subject to the sanction.

Misconduct group

25. The misconduct falls within Misconduct Group D, Financial Misconduct. The Guidance points out that such behaviour does not include dishonesty. It does include handling client money which we think is an appropriate parallel in this instance.

Culpability and harm

26. The Tribunal identified the following factors from the list in Misconduct Group D in relation to culpability and harm:

    - Culpability - The respondent was in a position of trust as regards this financial matter. As set out above, we take account of the respondent's mental state at the time this occurred which lowers what would have been moderate culpability to low.
    - Harm – The sum involved was not huge but was not insignificant.

Sanction range

27. Having taken all of the above factors into account, the conclusion of the Tribunal by unanimous/majority that the misconduct fits with the lower level which carries a sanction range of a medium level fine [£5,000-£15,000]

Aggravating and mitigating circumstances

28. The following aggravating and mitigating circumstances were noted by the Tribunal. The respondent has a number of previous disciplinary findings including some which

bear some similarity (repeated failures to respond). That said, they are all of some age. We also note that the failure to pay and to engage occurred over a long period.

29. The mitigation of the respondent as regards his mental state has already been taken into account at the stage above and so we do not apply any further discount. We however take into account his current financial situation.

Sanction

30. We take as our starting point a fine of £5000. The fine would have been higher to take account of the aggravating factors but is balanced by the mitigation and so the final figure is £5,000.

Costs

The costs claimed were in excess of £3,000 but we reduce the figure to one of £2,000 having taken into account all that we have heard and our findings.

Dated: 21.10.26

David Brooke KC
Chairman of the Tribunal