

# Katrina McCarthy

**CALL/INN:** Called to the Bar Middle Temple, October 2004

**TYPE OF HEARING:** 5 Person Disciplinary Tribunal

**DATE OF DECISION:** 16<sup>th</sup> May 2016

## **In breach of**

Contrary to Rule S6, Rule 8, Rule C3, Rule C65.7 and Rule C64 of the Bar Standards Board Handbook (1<sup>st</sup> and 2<sup>nd</sup> Editions).

## **Details of Offence**

Katrina McCarthy between the 7<sup>th</sup> October 2014 and the 21<sup>st</sup> March 2015 carried out reserved legal activity, namely practising as a barrister, when she was not in possession of a valid practising certificate.

Katrina McCarthy knowingly exercised a right of audience to which she was not entitled before the Hammersmith County Court between the 7<sup>th</sup> October 2014 and the 21<sup>st</sup> March 2015. In particular, she attended to represent a defendant at an interim hearing and subsequent final hearing in respect of proceedings brought by the Metropolitan Police. On each occasion that she attended court, she did not hold a practising certificate or any other authorisation to provide legal services to any client and accordingly committed an offence contrary to sections 14 and 17 of the Legal Services Act 2007.

Katrina McCarthy on the 19<sup>th</sup> March 2015 knowingly misled the court by falsely representing to District Judge Ryan: (i) that she was appearing in proceedings as a barrister, (ii) that she had been instructed by a firm of solicitors to appear in proceedings, (iii) that she would be able to provide to the court a legitimate practising certificate within 7 days. These assertions were false in that: (i) she did not have a valid practising certificate, (ii) she had not been instructed by a firm of solicitors, (iii) she was not able to provide a valid practising certificate because she did not have one.

Katrina McCarthy between the 18<sup>th</sup> March 2015 and the 27<sup>th</sup> July 2015, having committed serious misconduct in that she appeared at the Hammersmith County Court when she did not hold a practising certificate, did thereafter, fail to report her behaviour to the BSB promptly or at all in accordance with the provisions of CR65.7.

Katrina McCarthy, having been requested by the BSB to provide all such information in connection with the investigation of a complaint in accordance with Rule C64 of the Handbook against her, did not provide all or any information to the BSB having on more than one

occasion asked for an extension of time to be afforded to her so that she could provide such information.

**SENTENCE:** Disbarred. Fined £2,400.

**STATUS:** Open to Appeal.