

Stephen Crouch

CALL/INN: Called to the Bar by Inner Temple, July 1982

TYPE OF HEARING: 3/5 Person Disciplinary Tribunal

DATE OF DECISION: 11th April 2016 and 2nd September 2016

In breach of

Paragraph 701(a) and pursuant to paragraph 901.5 of the Code of Conduct of the Bar of England and Wales [8th Edition] and Core Duty 9, rC65.7 and rC64 of the Bar Standards Board Handbook [1st and 2nd Editions].

Details of Offence

Stephen Crouch between the 25th of September 2011 and the 30th September 2011 being under a duty to act conscientiously, diligently and with reasonable competence failed to act conscientiously or with reasonable competence in that he provided incorrect advice, not having adequately researched or considered the point, to his lay client as to the mens rea for an offence of attempted murder and thereby facilitated the entry of a plea of guilty to a charge when upon the clients instructions the correct plea would be one of not guilty had the correct advice been given. This failure was serious and therefore constitutes professional misconduct pursuant to paragraph 901.5 of the Code of Conduct by virtue of its nature and extent.

Stephen Crouch between the 10th March 2015 and the 1st June 2015 did fail to report to the Bar Standards Board as required by rC65.7 that he had committed serious misconduct, in that he had provided incorrect legal advice to a lay client in conference on the 26th September 2011 and that lay client acting upon his advice, entered a plea of guilty to a charge of attempted murder when upon his instructions the correct plea would have been one of not guilty and that this topic having been explained to the barrister by Sir Brian Leveson, President of the Queens' Bench Division, who was presiding over the hearing of the Appeal of the lay client and who quoted the relevant extract from Archbold and the barrister in evidence on oath confirming the he had made an error, the barrister did not subsequent to that hearing, report to the BSB that he had committed serious misconduct.

Stephen Crouch between the 3rd June 2015 and the 9th July 2015 failed to provide any comments or make any reply to the BSB as he was required to make having been issued with correspondence dated the 3rd June 2015, 16th June 2015 and the 3rd July 2015 requesting information and in which the barrister was reminded of his obligation to reply by the 26th June 2015 and such date being extended to the 9th July 2015 such requests being made pursuant to rC64 of the Conduct Rules of the BSB Handbook to provide all such information to the BSB as it required for the purpose of its regulatory functions.

SENTENCE: Disbarred. Fined £200 and £500.

STATUS: Final.