



The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

Disciplinary Tribunal

KAYLEIGH SWAIN

Called to the Bar by: Middle Temple, March 2011

Type of hearing: 5 Person Tribunal

Date of decision: 30 March 2020

In breach of:

Core Duties 3 and 5 and Rules rS8 and rC9 of the Bar Standards Board Handbook.

Details of offence:

Kayleigh Swain practised as a barrister without a valid practising certificate between 17 August 2018 and 8 October 2018 in emails to North Yorkshire Police when not authorised to do so in that she held herself out as a barrister in communications with North Yorkshire Police when she was not authorised to do so.

Kayleigh Swain failed to act with honesty and/or integrity in that she knowingly or recklessly misled or attempted to mislead North Yorkshire Police by: i] signing an email to North Yorkshire Police dated 17 August 2018 with her name and the words “Barrister Park Court Square” which implied that she was a barrister from a Chambers or other legal entity by the name of ‘Park Court Square’ when this was not the case; ii] stating in an email to North Yorkshire Police dated 8 October 2018 that she had not renewed her practising certificate “this year” which implied that she had previously held a practising certificate, when this was not the case; iii] stating in an email to North Yorkshire Police dated 8 October 2018 that family commitments had barred her from returning to work on a full-time basis which implied that she had previously worked full time as a barrister when this was not the case; iv] stating in an email to North Yorkshire Police dated 8 October 2018 that she had in the past undertaken numerous criminal cases while practising as a barrister when this was not the case.

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Kayleigh Swain behaved in a way likely to diminish the trust and confidence which the public places in a barrister or in the profession, in that she knowingly or recklessly misled or attempted to mislead North Yorkshire Police by:] signing an email to North Yorkshire Police dated 17 August 2018 with her name and the words “Barrister Park Court Square” which implied that she was a barrister from a Chambers or other legal entity by the name of ‘Park Court Square’ when this was not the case; ii] stating in an email to North Yorkshire Police dated 8 October 2018 that she had not renewed her practising certificate “this year” which implied that she had previously held a practising certificate, when this was not the case; iii] stating in an email to North Yorkshire Police dated 8 October 2018 that family commitments had barred her from returning to work on a full-time basis which implied that she had previously worked full time as a barrister when this was not the case; iv] stating in an email to North Yorkshire Police dated 8 October 2018 that she had in the past undertaken numerous criminal cases while practising as a barrister when this was not the case.

Kayleigh Swain behaved in a way which could reasonably be seen by the public to undermine her honesty and/or integrity in that she knowingly or recklessly misled or attempted to mislead North Yorkshire Police by:] signing an email to North Yorkshire Police dated 17 August 2018 with her name and the words “Barrister Park Court Square” which implied that she was a barrister from a Chambers or other legal entity by the name of ‘Park Court Square’ when this was not the case; ii] stating in an email to North Yorkshire Police dated 8 October 2018 that she had not renewed her practising certificate “this year” which implied that she had previously held a practising certificate, when this was not the case; iii] stating in an email to North Yorkshire Police dated 8 October 2018 that family commitments had barred her from returning to work on a full-time basis which implied that she had previously worked full time as a barrister when this was not the case; iv] stating in an email to North Yorkshire Police dated 8 October 2018 that she had in the past undertaken numerous criminal cases while practising as a barrister when this was not the case.

Sanction: Disbarred.

Status: Final.