



# The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

## Report of Sanction

Case reference: PC2019/0376/D3

The respondent is Daren Timson-Hunt  
The Director-General of the Bar Standards Board  
The Chair of the Bar Standards Board  
The Treasurer of the Honourable Society of Lincoln's Inn

## Disciplinary Tribunal

### Daren Timson-Hunt

1. In accordance with an appointment made by the President of the Council of the Inns of Court contained in a Convening Order dated 5 November 2020 I sat as Chairman of a Disciplinary Tribunal on the 23<sup>rd</sup> November 2020 to determine the appropriate sanction following the a referral to a five person panel which found allegations of misconduct contrary to the Bar Standards Board Handbook against Daren Timson-Hunt, barrister of the Honourable Society of Lincoln's Inn.

### Panel Members

2. The other members of the Tribunal were:

Janine Green (Lay Member)  
Andrew Ward (Lay Member)  
Hayley Firman (Barrister Member)  
Thomas Williams (Barrister Member)

### Parties Present and Representation

3. The Respondent was present but was not represented. The Bar Standards Board ("BSB") was represented by Leo Davidson of counsel.

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## Submissions / Evidence

4. The Tribunal heard submissions from counsel for the BSB and from the respondent and read their respective skeleton arguments.

## Decision

5. The Tribunal unanimously decided that the respondent would be suspended from practice for a period of 6 months commencing immediately and before he can apply for a practicing certificate:
  - a. the respondent must complete the community service that he has been ordered to do; and
  - b. the respondent must complete the rehabilitation course.
6. The Respondent must pay the costs of the Bar Standards Board assessed at £1,200. The Respondent was given 1 year to pay those costs.

## Reasons

7. The Tribunal heard that the respondent had pleaded guilty to an offence where he had used his mobile phone to record images underneath a woman's skirt whilst travelling on London Underground. The respondent was apprehended by a police officer and he accepted his wrongdoing at the scene. He apologised to the complainant. He pleaded guilty at the magistrates' court and he was sentenced to community order of 12 months including 60 hours of unpaid work. He was ordered to complete a rehabilitation course and to pay a victim surcharge and prosecution costs.
8. The Tribunal accepted that the sanction guidance at B7 was applicable and the nature of the offence placed the offending into category 'b' (a conviction for a sexual offence) where the starting point for sanction is a medium level suspension.
9. Page 34 of the sanctions guidance states that a medium level suspension is one of 3 to 6 months.
10. The Tribunal was of the view that the offence committed by the respondent was a serious one if relatively new. It involves filming. It was not touching but nevertheless it was serious. However, in the meaning of the sanctions guidance it is not a serious sexual

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offence. The Tribunal heard submissions and accepted the respondent's argument that it should not depart from the starting point as none of the aggravating features are present.

11. The Tribunal noted that the respondent prayed in aid his personal circumstances at the time of the offence and his character references. The respondent provided glowing references. It is clear that at the time the respondent was working very hard. He was working on the goods related aspects of Brexit and he told the Tribunal that it was not uncommon for him to work 80 hours per week. His wife was ill at the time and she had still not fully recovered. The respondent was subject to domestic pressures. This is how he came to commit the offences and in doing so he jeopardised his career. He lost his job.
12. The Tribunal heard that the respondent was now in manual work and his earnings are limited.
13. The Tribunal noted that the respondent informed it that he had completed 60 hours of the community service and that he had started the rehabilitation course but it had been paused due to the ongoing public health emergency. However, the course is due to resume shortly.

### *Mitigating Factors*

14. The Tribunal found the following mitigating circumstances:
  - a. the respondent admits the charges;
  - b. genuine remorse;
  - c. single incident;
  - d. heat of the moment;
  - e. previous good character;
  - f. unusual personal circumstances that provide a reasonable explanation for the behaviour; and
  - g. good references.
15. The Tribunal found the following aggravating features:
  - a. undermining of the profession in the eyes of the public.

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Approved: 7 December 2020

His Honour Alan Greenwood  
Chairman of the Tribunal

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