



The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

Disciplinary Tribunal

ROBERT KEARNEY

Called to the Bar by: Inner Temple, November 1996

Type of hearing: 5 Person Tribunal

Date of decision: 19 March 2021

In breach of:

Core Duties 3 and 5 and Rule rC8 of the Bar Standards Board Handbook.

Details of offence:

Robert Kearney failed to act with integrity in that during the course of a mini-pupillage between 26 and 28 January 2015 with Person A, in which he was in a position of trust, he engaged in conduct set out in Schedule A towards Person A. Such conduct, taken either individually or together being of a sexual nature.

Robert Kearney behaved in a way which was likely to diminish the trust and confidence which the public places in a barrister or in the profession in that during the course of a mini-pupillage between 26 and 28 January 2015 with Person A, in which he was in a position of trust, he engaged in inappropriate behaviour of a sexual nature.

Robert Kearney behaved in a way which could reasonably be seen by the public to undermine his integrity in that during the course of a mini-pupillage between 26 and 28 January 2015 with Person A, in which he was in a position of trust, he engaged in inappropriate behaviour of a sexual nature towards Person A.

Schedule A

Robert Kearney made the following comments, or words to that effect:

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- i] that he kept his nails short because you can't finger women with long nails;
- ii] asked Person A if she had ever had sex in her parents' house and the details about it;
- iii] told Person A that eating pineapple makes semen taste better;
- iv] said to Person A she should wear skirts and heels instead of trousers and asked her what her bra size was;
- v] lent into Person A when the two were alone inside a lift, smelt her neck and asked her what perfume she was wearing;
- vi] B also spoke about sex with his wife and was physically too close to Person A.

Sanction: Suspended for 6 Months. Advised as to his Future Practice; in terms that he should not take on pupils, mini-pupils, or anyone on work experience. Cost to be paid of £3,000 to the BSB.

Status: Open to Appeal.