



The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

Disciplinary Tribunal

PETER WAREING

Called to the Bar by: Inner Temple, October 2004

Type of hearing: 5 Person Tribunal

Date of decision: 8 July 2021

In breach of:

Core Duties 2, 5, 3, 1, 10 and / or rC9.1, rC3.1 and rC121 of the Bar Standards Board Handbook.

Details of offence:

Peter Wareing, a barrister, between 10 April 2015 and 1 September 2015, while acting for his client, CR, engaged in unnecessarily hostile and antagonistic correspondence with the respondent's lawyers. This correspondence, which consisted of emails sent by Peter Wareing to the respondent on 10 April 2015, 18 June 2015, 25 July 2015 and 1 September 2015, was cited in the respondent's successful application for costs. Such behaviour was contrary to Core Duty 2 in that acting in such a manner created a hostile relationship with the respondent's lawyers to the potential detriment of Peter Wareing's client.

Peter Wareing, a barrister, between 10 April 2015 and 1 September 2015, while acting for his client, CR, the claimant, engaged in unnecessarily hostile and antagonistic correspondence with the respondent's lawyers. This correspondence, which consisted of emails sent by Peter Wareing to the respondent on 10 April 2015, 18 June 2015, 25 July 2015 and 1 September 2015, was referenced in the respondent's successful application for costs against the claimant. Such behaviour was contrary to Core Duty 5 in that acting in such a manner would diminish the trust and confidence placed in Peter Wareing or the profession by the public.

The Bar Tribunals & Adjudication Service

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On 12 June 2015, Peter Wareing received an email from a solicitor for the respondent, RC, attaching a disclosure list. On the same day, Peter Wareing forwarded this list to his client, CR. On 16 June 2015, Peter Wareing emailed CR and said 'Tactically, to give us some time to respond, I am going to suggest I have just received his list, in consequence of other work, which is (nearly) true...'. Also, on 16 June 2015 Peter Wareing sent the solicitor for the respondent an email which contained the false statement, '... many thanks for the provision of your list, which I have just now received...'. Peter Wareing's behaviour of 16 June 2015 was contrary to Core Duty 3 in that it involved a failure to act with honesty and integrity. Additionally, or alternatively Peter Wareing's behaviour on 16 June 2015 was contrary to rC9.1 of the Conduct Rules in that Peter Wareing knowingly misled a solicitor for the respondent.

On 12 June 2015, Peter Wareing received an email from a solicitor for the respondent, RC, attaching a disclosure list. On the same day, Peter Wareing forwarded this list to his client, CR. On 16 June 2015, Peter Wareing emailed CR and said 'Tactically, to give us some time to respond, I am going to suggest I have just received his list, in consequence of other work, which is (nearly) true...'. Also, on 16 June 2015 Peter Wareing sent the solicitor for the respondent an email which contained the false statement, '... many thanks for the provision of your list, which I have just now received...'. Peter Wareing's behaviour of 16 June 2015 was contrary to Core Duty 5 in that acting in such a manner would diminish the trust and confidence placed in Peter Wareing or the profession by the public.

On 14 September 2015, Peter Wareing's client CR had emailed to Peter Wareing a draft of her witness statement that consisted of 27 pages and 88 paragraphs. On 21 September 2015 Peter Wareing had responded to CR stating that the draft 'at first blush anyway, appears to cover all the issues that will need to be raised in the hearing' and was 'A great statement', though 'I will need to examine and consider the details more carefully before we come to the final version'.

On 19 October 2015, Peter Wareing sent an email to the Bristol Employment Tribunal that contained the false statement, 'it has not been possible and is not possible to prepare, edit or draft any statement for the Claimant or any of her witnesses.' On 28 October 2015, Employment Judge Goraj at the Bristol Employment Tribunal asked Peter Wareing's client, CR, if she had prepared a statement. CR responded that she had prepared a statement and Peter Wareing interrupted her, stating that CR had only been able to draft a witness statement in 'bullet point form'. Peter Wareing's behaviour on 19 and/or on 28 October 2015 was contrary to Core Duty 1 in that it involved a breach of Peter Wareing's duty to the court in the administration of justice. Additionally, or alternatively, such behaviour was contrary to rule

C3.1 of the Conduct Rules in that Peter Wareing knowingly misled or attempted to mislead the court.

On 14 September 2015, Peter Wareing's client CR had emailed to Peter Wareing a draft of her witness statement that consisted of 27 pages and 88 paragraphs. On 21 September 2015 Peter Wareing had responded to CR stating that the draft 'at first blush anyway, appears to cover all the issues that will need to be raised in the hearing' and was 'A great statement', though 'I will need to examine and consider the details more carefully before we come to the final version'. On 19 October 2015, Peter Wareing sent an email to the Bristol Employment Tribunal that contained the false statement, 'it has not been possible and is not possible to prepare, edit or draft any statement for the Claimant or any of her witnesses.' On 28 October 2015, Employment Judge Goraj at the Bristol Employment Tribunal asked Peter Wareing's client, CR, if she had prepared a statement. CR responded that she had prepared a statement and Peter Wareing interrupted her, stating that CR had only been able to draft a witness statement in 'bullet point form'. Peter Wareing's behaviour on 19 and/or on 28 October 2015 was contrary to Core Duty 3 in that it involved a failure to act with honesty and integrity.

On 14 September 2015, Peter Wareing's client CR had emailed to Peter Wareing a draft of her witness statement that consisted of 27 pages and 88 paragraphs. On 21 September 2015 Peter Wareing had responded to CR stating that the draft 'at first blush anyway, appears to cover all the issues that will need to be raised in the hearing' and was 'A great statement', though 'I will need to examine and consider the details more carefully before we come to the final version'. On 19 October 2015, Peter Wareing sent an email to the Bristol Employment Tribunal that contained the false statement, 'it has not been possible and is not possible to prepare, edit or draft any statement for the Claimant or any of her witnesses.' On 28 October 2015, Employment Judge Goraj at the Bristol Employment Tribunal asked Peter Wareing's client, CR, if she had prepared a statement. CR responded that she had prepared a statement and Peter Wareing interrupted her, stating that CR had only been able to draft a witness statement in 'bullet point form'. Peter Wareing's behaviour on 19 and/or on 28 October 2015 was contrary to Core Duty 5 in that acting in such a manner would diminish the trust and confidence placed in Peter Wareing or the profession by the public.

Peter Wareing, a barrister, between 6 January 2015 and 28 March 2015, sent five client care letters to his client, CR, which contained the false statement 'I am one of the few barristers permitted by the BSB to conduct litigation'. Peter Wareing has never been authorised by the Bar Standards Board to conduct litigation. Such behaviour was contrary to Core Duty 10 in that it involved a failure to carry out Peter Wareing's role in his practice in such a way as to achieve compliance with his legal and regulatory obligations.

Peter Wareing, a barrister, of less than 3 years' standing and without a qualified person accepted instructions and acted for a lay client CR on a public access basis between 6 January 2015 and November 2015. Peter Wareing was not authorised to undertake public access work at any time between 1 January 2015 and November 2015. Such behaviour was contrary to Core Duty 10 in that it involved a failure to carry out Peter Wareing's role in his practice in such a way as to achieve compliance with his legal and regulatory obligations.

Peter Wareing, a barrister, of less than 3 years' standing and without a qualified person accepted instructions and acted for a lay client CR on a public access basis between 6 January 2015 and November 2015. Peter Wareing was not authorised to undertake public access work at any time between 1 January 2015 and November 2015. Such behaviour was contrary to Core Duty 5 in that acting in such a manner would diminish the trust and confidence placed in Peter Wareing or the profession by the public.

Sanction: Suspended for 6 Months. Advised as to Future Conduct. Reprimanded. Ordered to attend a BSB approved Direct Access Course before returning to Practise. To pay costs to the BSB of £2000.

Status: Open to Appeal.