



The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

Disciplinary Tribunal

SKY BIBI

Called to the Bar by: Inner Temple, November 2007

Type of hearing: 5 Person Tribunal

Date of decision: 24 September 2021

In breach of:

Core Duties 5 and 3 and Rules rC8 and rC9.1 of the Bar Standards Board Handbook.

Details of offence:

Ski Bibi behaved in a way which was likely to diminish the trust and confidence which the public places in a barrister or in the profession and/or acted in a way which could reasonably be seen by the public to undermine her honesty and integrity in that between 13 April 2015 and 6 September 2016, she was required but failed to disclose a change in her financial circumstances, namely, a change of employment status and receipt of income, which she knew would affect her entitlement to a council tax benefit, or affect the amount of any reduction in council tax payments under the council tax reduction scheme of Manchester City Council ['the Council']. The failure to disclose the change of circumstances was contrary to Regulation 8[1] of the Council Tax Reduction Schemes [Detection of Fraud Enforcement] [England] Regulations 2013 ['the Regulations']. This resulted in Ms Bibi receiving an overpayment of £1,054.24 to which she was not entitled. Sky Bibi was convicted on the 6 December 2018 of an offence under Regulation 8 of the Regulations, at Cheshire Magistrates Court, having pleaded not guilty. Ms Bibi was sentenced to a 12-month conditional discharge, a fine of £1000 and a victim surcharge of £20. This sentence was later varied on appeal by way of a re-hearing at the Crown Court of Chester, on the 13 September 2019 to a 12-month

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Community Order with a curfew requirement [operative between 7pm-7am daily for 28 days], a costs order of £25 and ordered to pay a victim surcharge of £85.

Ski Bibi behaved in a way which was likely to diminish the trust and confidence which the public places in a barrister or in the profession and/or acted in a way which could reasonably be seen by the public to undermine her honesty and integrity in that, following her appeal by way of a re-hearing at Chester Crown Court, on the 12 and 13 September 2019, Ms Bibi gave evidence and made submissions at that hearing on the subject matter of her appeal [her liability under Regulation 8 of the Regulations]. It was the judgment of the Court, that the appeal be dismissed, and that Ms Bibi's sentence increased to a 12-month Community Order with a curfew requirement [operative between 7pm-7am daily for 28 days], a costs order of £25 and ordered to pay a victim surcharge of £85. In delivering the judgement, the Recorder recorded the Court's findings that Ms Bibi had dishonestly stated in evidence that: [i] she had disclosed all of her bank accounts to the Council when completing the initial claim form at the Council; [ii] she had taken evidence of all of her bank statements to the Council; [iii] she had declared all of the sums relied upon by the Respondent and/or listed in the schedule used by the Crown Court in the appeal to the Council either over the phone or in person; [iv] the process of presenting the documents to the Council had changed in 2015, including that in 2015 Council officers did not always scan the documents, and/or when they did scan documents they sometimes returned the original documents to her and sometimes did not; [v] she attended the Council Offices in or around September 2014 to provide documents and that these included bank statements of her five different bank accounts; [vi] she had not worked for PLS; and [vii] sums received by Ms Bibi and relied upon by the Council and considered by the Court had not been for legal work. Ms Bibi did make each or all of these statements to the Court and, either individually or in combination, were untrue.

Ms Bibi failed to act with honesty and with integrity in that she [i] failed to disclose the fact of her conviction and sentence pursuant to or during the course of the recruitment process leading to her employment with a Solicitors; [ii] in June 2019 provided a Disclosure and Barring Service [DBS] certificate which she had obtained on 27 November 2018 prior to her conviction on the 6 December 2018 and which accordingly did not reflect the true state of her criminal record; and [iii] between 12 June 2019 and 20 October 2019 during her employment with the Solicitors failed to disclose the fact of her conviction and sentence. These matters either individually or in combination, amount to professional misconduct.

Ms Bibi knowingly and recklessly misled her employer in she [i] failed to disclose the fact of her conviction and sentence pursuant to or during the course of the recruitment process leading to her employment with a Solicitors; [ii] in June 2019 provided a Disclosure and Barring Service [DBS] certificate which she had obtained on 27 November 2018 prior to her conviction

on the 6 December 2018 and which accordingly did not reflect the true state of her criminal record; and [iii] between 12 June 2019 and 20 October 2019 during her employment with the Solicitors failed to disclose the fact of her conviction and sentence. These matters either individually or in combination, amount to professional misconduct.

Sanction: Disbarred. Suspended for 12 months. BSB to withdraw Ms Bibi's current Practising Certificate and not to issue a new Practising Certificate rE227.1.3.

Status: Open to Appeal.