



The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

Disciplinary Tribunal

JAMES STEPHEN PREECE

Called to the Bar by: Inner Temple, November 2017

Type of hearing: 5 Person Tribunal

Date of decision: 22 February 2023

In breach of:

Core Duties 1,3,5 and 10 and Rules rC3, rC2 and rS8 of the Bar Standards Board Handbook.

On 13 September 2019, during an *ex parte* hearing before a Deputy District Judge in the Central Family Court, James Stephen Preece, an unregistered barrister, failed to observe his duty to the court in the administration of justice, in that he made statements to the court about matters which individually or in combination he knew were untrue and/or misleading to the court, and/or abused his role as an advocate:

1. M had primary care of the child which the application relates to; and/or
2. F simply took the child; and/or
3. F was overdue in submitting an alcohol test and was refusing to lodge it; and/or
4. F was not in contact with F's solicitors and/or
5. F was not engaging; and/or
6. M's criminal case would not be prosecuted; and/or
7. He [Mr Preece] was a 'criminal barrister'.

On 13 September 2019, during an *ex parte* hearing before a Deputy District Judge in the Central Family Court, James Stephen Preece, an unregistered barrister, acted without honesty when he made statements to the court about matters which individually, or in combination, he knew were untrue and/or were misleading to the court:

1. M had primary care of the child which the application relates to; and/or
2. F simply took the child; and/or
3. F was overdue in submitting an alcohol test and was refusing to lodge it; and/or
4. F was not in contact with F's solicitors; and/or
5. F was not engaging; and/or
6. M's criminal case would not be prosecuted; and/or
7. That he was a 'criminal barrister'.

On 13 September 2019, during an *ex parte* hearing before a Deputy District Judge in the Central Family Court, James Stephen Preece, an unregistered barrister, behaved in a way that

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would diminish the trust and confidence which the public places in him or in the profession when he made the following statements about matters which he knew were untrue:

1. M had primary care of the child which the application relates to; and/or
2. F simply took the child; and/or
3. F was overdue in submitting an alcohol test and was refusing to lodge it; and/or
4. F was not in contact with F's solicitors; and/or
5. F was not engaging; and/or
6. M's criminal case would not be prosecuted; and/or
7. That he was a 'criminal barrister'.

On 13 September 2019, during an ex parte hearing before a Deputy District Judge in the Central Family Court, James Stephen Preece, an unregistered barrister, failed to observe his duty to the court in the administration of justice, when he recklessly misled the court, or recklessly attempted to mislead the court and/or abused his role as an advocate when he made the following statements:

1. M had primary care of the child which the application relates to; and/or
2. F simply took the child; and/or
3. F was overdue in submitting an alcohol test and was refusing to lodge it; and/or
4. F was not in contact with F's solicitors; and/or
5. F was not engaging; and/or
6. M's criminal case would not be prosecuted; and/or
7. That he was a 'criminal barrister'.

On 13 September 2019, during an ex parte hearing before a Deputy District Judge in the Central Family Court, James Stephen Preece, an unregistered barrister, acted without integrity when he made one or more of the following the following statements to the court in circumstances in which he was reckless as to the truth of the statements:

1. M had primary care of the child which the application relates to; and/or
2. F simply took the child; and/or
3. F was overdue in submitting an alcohol test and was refusing to lodge it; and/or
4. F was not in contact with F's solicitors; and/or
5. F was not engaging; and/or
6. M's criminal case would not be prosecuted; and/or
7. That he was a 'criminal barrister'.

On 13 September 2019, during an ex parte hearing before a Deputy District Judge in the Central Family Court, James Stephen Preece, an unregistered barrister, behaved in a way that would diminish the trust and confidence which the public places in him or in the profession when he made one or more of the following the following statements to the court in circumstances in which he was reckless as to the truth of the statements:

1. M had primary care of the child which the application relates to; and/or
2. F simply took the child; and/or
3. F was overdue in submitting an alcohol test and was refusing to lodge it; and/or
4. F was not in contact with F's solicitors; and/or
5. F was not engaging; and/or
6. M's criminal case would not be prosecuted; and/or
7. That he was a 'criminal barrister'.

On 13 September 2019, during an ex parte hearing before a Deputy District Judge in the Central Family Court, James Stephen Preece, an unregistered barrister, acted without integrity and/or abused his role as an advocate, when he made serious allegations about F without proper basis, including:

1. F was an alcoholic; and/or
2. F simply took the child; and/or
3. F was not in contact with his solicitor and was not prepared to communicate; and/or
4. F was using sexual violence towards M; and/or

5. F was in a sexual relationship with his sister.

On 13 September 2019, during an ex parte hearing before a Deputy District Judge in the Central Family Court, James Stephen Preece, an unregistered barrister, behaved in a way that would diminish the trust and confidence which the public places in him or in the profession, when he made serious allegations about F without proper basis, including:

1. F was an alcoholic; and/or
2. F simply took the child; and/or
3. F was not in contact with his solicitor and was not prepared to communicate; and/or
4. F was using sexual violence towards M; and/or
5. F was in a sexual relationship with his sister.

On 13 September 2019, during an ex parte hearing before a Deputy District Judge in the Central Family Court, James Stephen Preece, an unregistered barrister, practised as a barrister when he supplied legal services to his lay client, and held himself out as barrister when he told the Deputy District Judge, on three occasions, that he was a 'criminal barrister', and/or when he was not authorised to do so.

On 13 September 2019, during an ex parte hearing before a Deputy District Judge in the Central Family Court, James Stephen Preece, an unregistered barrister behaved in a way that would diminish the trust and confidence which the public places in him or in the Profession when he practised as barrister by supplying legal services to his lay client and holding himself out as a barrister when he told the Deputy District Judge, on three occasions, that he was a 'criminal barrister', when not authorised to do so.

On 13 September 2019, during an ex parte hearing before a Deputy District Judge in the Central Family Court, James Stephen Preece, an unregistered barrister, failed to comply with his legal and regulatory obligations in that whilst representing a lay client he misled the court as to his professional status when he presented to the court that he was appearing as a barrister when he was not authorised to appear as a barrister.

Sanction: Disbarred. Costs of £4,770 to be paid to the BSB.

Status: Final.