



The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

Report of Finding and Sanction

Case reference: PC 2019/1066/D5

Janet Bloor

The Director-General of the Bar Standards Board

The Chair of the Bar Standards Board

The Treasurer of the Honourable Society of Inner Temple

Disciplinary Tribunal

Janet Bloor

1. In accordance with an appointment made by the President of the Council of the Inns of Court contained in a Convening Order dated 1 October 2021, I sat as Chairman of a Disciplinary Tribunal on 12 November 2021 and the 9 June 2022 to hear and determine five charges of professional misconduct contrary to the Code of Conduct of the Bar of England and Wales against Janet Bloor, barrister of the Honourable Society of the Inner Temple.

Panel Members

2. The other members of the Tribunal were:

Kathryn King (Lay Member)

Tracey Stephenson (Lay Member)

Darren Snow (Barrister Member)

Brian McCluggage (Barrister Member)

Charges

3. The following charges were found proven.

The Bar Tribunals & Adjudication Service

9 Gray's Inn Square,
London
WC1R 5JD
T: 020 3432 7350
E: info@tbts.org.uk

The Council of the Inns of Court. Limited by Guarantee
Company Number: 8804708
Charity Number: 1155640
Registered Office:
9 Gray's Inn Square, London WC1R 5JD

Charge 1

Statement of Offence

Professional misconduct contrary to Core Duty 5 and Rule rC8 of the Bar Standards Board's Handbook.

Particulars of Offence

Janet Bloor, an unregistered barrister, 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 behaved in a way which could reasonably be seen by the public to undermine her honesty, integrity, and independence, in that in correspondence sent to Autoinflammatory Disease UK on or about the 28 and 29 August 2019, Ms Bloor stated or otherwise represented that:

- i. She was corresponding, as a lawyer, on behalf of an organisation;
- ii. She would be preparing a letter before action on behalf of the organisation;
- iii. Her costs for legal work she was performing were £250 per hour which she would seek to recover from the recipient of the correspondence;
- iv. She intended to instruct leading counsel to whom she would act as junior counsel and that leading counsel's fees would be £2500 per day for court appearances and £1500 for case conferences; and
- v. Did not state or otherwise make clear that she was an unregistered barrister

In circumstances where she knew that she was an unregistered barrister who was not entitled to provide legal services as a barrister and knew that the impression given by her correspondence was that she was providing legal services as a barrister, Ms Bloor behaved dishonestly. Alternatively, Ms Bloor knew, or ought to have known that she was an unregistered barrister who was not entitled to provide legal services as a barrister and was reckless as to whether the impression given by her correspondence was that she was providing legal services as a barrister.

The Bar Tribunals & Adjudication Service

9 Gray's Inn Square,
London
WC1R 5JD
T: 020 3432 7350
E: info@tbts.org.uk

The Council of the Inns of Court. Limited by Guarantee
Company Number: 8804708
Charity Number: 1155640
Registered Office:
9 Gray's Inn Square, London WC1R 5JD

Charge 5

Statement of Offence

Professional misconduct contrary to Core Duty 5 and Rule rC8 of the Bar Standards Board's Handbook.

Particulars of Offence

Janet Bloor, an unregistered barrister, 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 behaved in a way which could reasonably be seen by the public to undermine her integrity, in that in correspondence sent to Autoinflammatory Disease UK on or about the 28 and 29 August 2019, Ms Bloor acted in a manner which:

- i. Was bullying and aggressive;
- ii. Failed to take care to avoid unnecessary stress to the individuals who would likely read the correspondence; and
- iii. Sought to use her position as a barrister to threaten somebody or otherwise gain advantage.

Parties Present and Representation

4. The Respondent was present and was represented by Mr Beaumont of counsel at the hearing on 12 November 2021. She represented herself at the hearing on 9 June 2022. The Bar Standards Board ("BSB") was represented by Mr Bedenham of counsel.

Preliminary Matters

5. Ms King had ceased being a BTAS panel member after the hearing on 12 November 2021. Therefore, at the re-convened hearing on 9th June 2022, the Tribunal comprised HHJ Lawton, Ms Stephenson, Mr Snow and Mr McCluggage.
6. The Respondent applied to adjourn the hearing on 9th June 2022. The Tribunal had considered written representations received from the Respondent and the BSB before the start of the hearing, and heard oral submissions on 9th June 2022. The Panel decided to proceed with the hearing on 9th June 2022. The Tribunal noted that the evidence had

The Bar Tribunals & Adjudication Service

9 Gray's Inn Square,
London
WC1R 5JD
T: 020 3432 7350
E: info@tbtas.org.uk

The Council of the Inns of Court. Limited by Guarantee
Company Number: 8804708
Charity Number: 1155640
Registered Office:
9 Gray's Inn Square, London WC1R 5JD

been heard and it merely remained for the parties to make closing submissions and it would allow the Respondent time to prepare her submissions. The Respondent took the time offered.

Pleas

7. The Respondent denied all the charges.

Evidence

8. The Tribunal heard oral evidence from the Respondent and witness for the BSB. The Tribunal was provided with a bundle of documents which included copies of the email correspondence that the BSB relied on.

Findings

9. The Tribunal was of the view that the Respondent did not in fact perform reserved legal activities as defined in the Legal Services Act 2007. The Tribunal concluded that the Respondent had merely threatened to embark on a course of conduct that could have amounted to providing reserved legal activities. Accordingly, the Tribunal dismissed charges 2, 3 and 4.
10. The Tribunal considered the emails that the Respondent had exchanged with the complainant. The Tribunal noted that in that email correspondence the Respondent had threatened to draft a letter before action and stated that she would act as a 'junior', charging £250 per hour. The Tribunal concluded that at the time of writing the Respondent knew that she was not qualified to act as a practising barrister. Further, as an unregistered barrister she knew what a 'junior' was and was representing herself as a junior barrister to the complainant. Therefore, despite knowledge of her true professional status, she made threats to the recipient of the emails that she was properly qualified as a barrister and would be acting as such. In those circumstances, the Tribunal found that the Respondent, in her conduct had been dishonest when applying the test in *Ivey v Genting Casinos*. The Panel found that charge 1 was proven.
11. The Tribunal considered the content of the emails that the Respondent had sent. The Tribunal noted that in one email, the Respondent had stated, 'trust me you won't come out of this well'. She had been asked by Ms Douglas to stop as she was feeling distressed.

The Bar Tribunals & Adjudication Service

9 Gray's Inn Square,
London
WC1R 5JD
T: 020 3432 7350
E: info@tbtas.org.uk

The Council of the Inns of Court. Limited by Guarantee
Company Number: 8804708
Charity Number: 1155640
Registered Office:
9 Gray's Inn Square, London WC1R 5JD

The Tribunal noted that the email correspondence was not closed, person-to-person' correspondence. Having considered the nature of the emails, the Tribunal concluded that they were bullying and aggressive in character and therefore it found charge 5 proven.

Sanction and Reasons

12. The Tribunal considered the Sanctions Guidance Version 6 . The Tribunal noted that the charges had included an element of dishonesty ,but considering the overall circumstances of the conduct, the Tribunal was of the view that it would be disproportionate to sentence within the dishonesty guideline. Accordingly the Tribunal applied the applicable sanctions for misuse of status as a barrister. The indicative sanctions were not a straight-jacket.
13. The Tribunal concluded that the complainant was a vulnerable individual but he was a robust character and the harm caused to him was transient. The Tribunal concluded that the level of culpability of the Respondent was low. The Tribunal accepted that the Respondent had intended to protect a friend and colleague.
14. The Tribunal was of the view that the aggravating features in this case were the lack of insight and lack of remorse, and the mitigating features were co-operation by the Respondent with her regulator. The Tribunal was of the view that there was a low risk of repetition and noted the absence of any previous misconduct. The Tribunal noted the significant health issues that the Respondent had to deal with, both her own and her sons.
15. In all of the circumstances, and having considered the applicable sanctions guidance, the Tribunal decided that the appropriate sanction for charges 1 and 5 would be a reprimand.
16. The Tribunal considered the BSB's application for costs.
17. No order was made for costs.

Approved: 21 June 2022

HHJ Lawton
Chairman of the Tribunal

The Bar Tribunals & Adjudication Service

9 Gray's Inn Square,
London
WC1R 5JD
T: 020 3432 7350
E: info@tbta.org.uk

The Council of the Inns of Court. Limited by Guarantee
Company Number: 8804708
Charity Number: 1155640
Registered Office:
9 Gray's Inn Square, London WC1R 5JD