



The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

Disciplinary Tribunal

JONATHAN JAMES TURNER

Called to the Bar by: Inner Temple, November 1999

Type of hearing: 5 Person Tribunal

Date of decision: 28 November 2022

In breach of:

Core Duties 1, 5 and/or 10 and/or Rules rC3.1, rC9.1, rC6.1 and rS6 of the Bar Standards Board Handbook.

Details of Offence:

Jonathan Turner, a barrister, failed to observe his duty to the court in the administration of justice (CD1) and recklessly misled the court (rC3.1) in that on 25 June 2018 he created and uploaded to the Crown Court Digital Case System (“CCDCS”) a Notice of Additional Evidence (“NAE 6”) (i) being reckless as to whether the court would be misled into believing that the material referred to in the NAE 6 was served prosecution evidence and (ii) or being reckless as to whether the material referred to on NAE 6 was used prosecution evidence.

Jonathan Turner, a barrister behaved in a way which could reasonably be seen by the public to undermine his honesty and integrity (rC8) and recklessly misled (rC9.1) the Legal Aid Agency (“LAA”) in that in or around July 2018, he submitted to the LAA a bill/fee claim in case T2018706 by which he sought payment on the basis that the material referred to in a Notice of Additional Evidence (“NAE 6”) was served prosecution evidence in circumstances where he was reckless as to whether it did in fact amount to served prosecution evidence.

Jonathan Turner, a barrister behaved in a way which could reasonably be seen by the public to undermine his honesty and integrity (rC8) and recklessly misled (rC9.1) the Legal Aid Agency (“LAA”) in that on or about 15 July 2018, he submitted to the LAA submissions in support of his fee claim in case T2018706 and therein made submissions that gave the impression that a Notice of Additional Evidence (“NAE 6”) had been prepared and served

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by the prosecution and the material referred to in NAE 6 was served prosecution evidence, in circumstances in which he was (i) reckless as to whether NAE6 amounted to served prosecution evidence and (ii) reckless as to whether he had authority from the prosecution to upload NAE6 to the Crown Court Digital Case System.

Jonathan Turner, a barrister behaved in a way which could reasonably be seen by the public to undermine his honesty and integrity (rC8) and recklessly misled (rC9.1) the Legal Aid Agency (“LAA”) in that on or about 7 August 2018, he submitted to the LAA submissions in support of his fee claim in case T2018706 and therein made submissions that gave the impression that a Notice of Additional Evidence (“NAE 6”) had been prepared and served by the prosecution, in circumstances in which he was (i) reckless as to whether NAE6 amounted to served prosecution evidence, and (ii) reckless as to whether he had authority from the prosecution to upload NAE6 to the Crown Court Digital Case System.

Jonathan Turner, a barrister behaved in a way which could reasonably be seen by the public to undermine his honesty and integrity (rC8) and recklessly misled (rC9.1) the Legal Aid Agency (“LAA”) in that on or about 7 November 2018, he submitted to the LAA submissions in support of his fee claim in case T2018706 and therein made assertions which Jonathan Turner was reckless as to the accuracy and truthfulness of the assertions. The relevant assertions being:

- a. that there was no CPS caseworker available on 25 June 2018 to draft any Notice of Additional Evidence (“NAE”) that the prosecution had wished to serve.
- b. that it was the clear intention of prosecution counsel that the material referred to in NAE 6 be “properly served, but for the lack of a caseworker”.
- c. that it was “suggested that if there were any difficulty regarding service that the document be removed by the CPS”.

Jonathan Turner, a barrister, failed to observe his duty to the court in the administration of justice (CD1) and recklessly misled the court (rC3.1) in that, on 24 January 2020, he uploaded an “indictment” onto the Crown Court Digital Case System (“CCDCS”) being reckless as to whether the court would be misled into believing that the indictment had been uploaded and validly preferred by the Prosecution

Jonathan Turner, a barrister behaved in a way which could reasonably be seen by the public to undermine his honesty and integrity (rC8) and recklessly misled the court and/or the prosecution (rC9.1) in that, on 24 January 2020, he uploaded an “indictment” onto the Crown Court Digital Case System (“CCDCS”) and, during discussion with the court clerk and prosecution counsel, referred to that indictment in such a way as to give the impression that it had been uploaded and validly preferred by the prosecution, being reckless as to whether that was the impression given.

Jonathan Turner, a barrister, failed to observe his duty to the court in the administration of justice (CD1) and recklessly misled the court (rC3.1) in that on or about 11 February 2020 he sent to the Court a “note” in which he stated that on 24 January 2020 he had informed prosecution counsel that he (Jonathan Turner) had drafted and uploaded the indictment onto the Crown Court Digital Case System (“CCDCS”) in circumstances where he was reckless as to whether he had actually done so.

Jonathan Turner, a barrister, carried out a reserved legal activity that he was not entitled to carry out (rS6) and thereby behaved in a way which was likely to diminish the trust and confidence which the public places in him or the profession (CD5) and/or failed to take reasonable steps to manage or carry out his practice in such a way as to ensure compliance with his legal and regulatory obligations (CD10) in that on 24 January 2020 he uploaded an “indictment” onto the Crown Court Digital Case System (“CCDCS”).

Sanction: Suspended for 6 months on all charges to run concurrently. Costs of £4,680.00 to be paid to the BSB. Time to pay to be negotiated with the BSB.

Status: Final.