

David Beard

CALL/INN: Called to the Bar by Lincoln's Inn, October 1990

TYPE OF HEARING: 5 person Disciplinary Tribunal

DATE OF DECISION: 22 July 2013

In breach of

Contrary to paragraphs 301(a)(i), Regulation 8 of the Practising Certificate Regulations and 402.2(a) and pursuant to 901.7, 901.5 and 901.2 of the Code of Conduct of the Bar of England and Wales (8th Edition).

Details of Offence

David Beard engaged in conduct which was dishonest or otherwise discreditable to a barrister, contrary to paragraph 301 (a)(i) of the Code of Conduct, in that on 24 January 2011 he drove a motor vehicle after consuming excess alcohol contrary to S.5(1) (a) of the Road Traffic Act 1988 for which he was convicted in his absence having pleaded Not Guilty, on 1 July 2011 at Hendon Magistrates Court. As a result of the conviction, David Beard was sentenced on the 18th July and disqualified from holding or obtaining a driving licence for 36 months and ordered to undertake 200 hours of unpaid work within the next 12 months. He was ordered to pay prosecution costs of £650.00.

David Beard engaged in conduct which was dishonest or otherwise discreditable to a barrister, contrary to paragraph 301 (a)(i) of the Code of Conduct, in that on the 1 July 2011 he failed without reasonable excuse to surrender to custody at Hendon Magistrates Court contrary to section 6(1) and (7) of the Bail Act 1976.

David Beard engaged in conduct which was dishonest or otherwise discreditable to a barrister, contrary to paragraph 301 (a)(i) of the Code of Conduct, in that on 26 January 2011 he was in charge of a motor vehicle after consuming excess alcohol contrary to S.5(1) (b) of the Road Traffic Act 1988 for which he was convicted having pleaded Guilty, on 1 August 2011 at Corby Magistrates Court. As a result of the conviction, David Beard was sentenced on the 26 August 2011 and disqualified from holding or obtaining a driving licence for 12 months and ordered to undertake 100 hours of unpaid work within the next 12 months. He was ordered to pay prosecution costs of £300.00.

David Beard failed to pay the second instalment of his practicing certificate fee for 2011 by the due date of 1 August 2011 having made an arrangement with the General Council of the Bar to do so.

David Beard, as a member of the BMIF, failed to pay immediately when due on 1 April 2011 the insurance premium required by the BMIF for the policy year 2011/2012, despite reminders being sent by the BMIF by means of letters dated, 1 August, 17 August and 6 September, and having been advised to complete his insurance arrangements by 30 September 2011, failed to

discharge the outstanding premiums. This failure was serious and therefore constitutes professional misconduct pursuant to paragraph 901.5 of the Code of Conduct, by virtue of its nature and combination with a previous failure by Mr. Beard to comply with the Code namely 402.2(a) in 2006.

David Beard having been given 28 days to pay a financial penalty of £300 imposed on him by letter dated the 24 October 2011 in accordance with 901.1 of the Code failed to pay the said financial penalty by the extended due date of 6 December 2011.

SENTENCE: Disbarred.

STATUS: Final.