An experienced barrister has been suspended from practice for seven months for repeating false rape, assault and conspiracy to murder claims about a fellow barrister in the robing rooms of Crown Courts.

He also contacted that barrister's wife, a solicitor, on LinkedIn, and suggested that her husband was in trouble.

A Bar disciplinary tribunal said Forz Khan’s own belief about the facts relayed to him by a pupil barrister, referred to as A, was “immaterial” to the question of whether he acted with integrity.

Mr Khan is intending to appeal.

In a newly published ruling, the tribunal said: “He, as a member of the Bar of some seniority, was in possession of highly confidential and sensitive information which hitherto was unproven, and he should have known could and should not have been repeated in the public environment of the two robing rooms at Birmingham and Stafford Crown Court.”

Mr Khan was called in 1988. He had never met the subject of the allegations, a barrister called in 2007 and referred to as M.

A, who made the allegations, was called to the Bar in 2012 but had not completed her pupillage at the time.
The tribunal said it had been informed that A had since been disbarred for “matters of dishonesty which do not in any way have a factual or legal nexus with what we are dealing with”.

Mr Khan admitted “broadcasting serious allegations” made by A against M, including allegations of rape, assault and conspiracy to murder, in February 2016 in the robing room at Stafford Crown Court.

Mr Khan accepted that he was “only repeating the allegations made to him by A”, but he had an “honest belief” in what she had told him.

Mr Khan’s also admitted contacting M’s wife, L, who he did not know, on LinkedIn and that he “made reference to issues concerning M”.

The tribunal heard that L started a new job at a law firm in March 2016, generating an automatic congratulatory LinkedIn message.

Mr Khan, who had 19,000 LinkedIn connections, sent her a personal message. It said: “Congratulations. Glad to see you are doing well considering everything.”

The tribunal went on: “L replied asking Mr Khan to explain what he meant. Mr Khan’s response was words to the effect: ‘Oops. I have heard your husband has a personal difficulty. I hope I am in error.’ L replied: ‘I don’t know what you mean.’”

Mr Khan admitted that he again broadcasted the allegations in May 2016 at Birmingham Crown Court.

Mr Khan accepted that, in behaving as he had done on all three occasions, he had failed to act with integrity and behaved in a way likely to diminish the trust and confidence which the public places in barristers.

In mitigation, counsel for Mr Khan said he had admitted his guilt and apologised, and his previous disciplinary matters were “between 12 and 13 years old” and “of a different type”.

The tribunal concluded that his misconduct was serious and fell into the “higher level” of suspensions, from six months to three years. It imposed a suspension of seven months for each of his three offences, to run concurrently.

Sara Jagger, director of professional conduct at the BSB, said: “The tribunal’s decision that Mr Khan’s actions amounted to serious misconduct is a clear indication that behaviour such as this is not acceptable – acting in this way lacks integrity and diminishes the trust and confidence which the public places in the profession.”

Marc Beaumont, the barrister representing Mr Khan on his appeal with John Hendy QC, said: “Every barrister I have met in my 33 years at the Bar has at some point been guilty of gossiping in a robing room.

“On this footing, most members of the Bar and most former barrister members of the judiciary have been guilty of professional misconduct. The decision is extraordinary and the penalty mind-boggling.”

https://www.legalfutures.co.uk/latest-news/barrister-suspended-for-repeating-false-rape-claims-about-colleague-and-contacting-his-wife