

## **PRESS RELEASE**

### **Solicitors Disciplinary Tribunal**

The Tribunal has today published its Annual Report for the year ended 30 April 2009. Copies have been delivered to the Master of the Rolls and the Chairman of the Legal Services Board. The Legal Services Act 2007 which sets out some of the relevant law relating to the Tribunal came into effect on the 1 July 2008. The Tribunal is in control of its own administration under a budget approved by the Legal Services Board.

Since the SDT was created in 1974 as a statutory Tribunal, solicitor members have served without any remuneration but from the 1 July 2008 in accordance with the Legal Services Act solicitor members now receive payment for their services. Lay members are also paid and the costs of the Tribunal are met by an allocation of a small part of the practising certificate fee. The Tribunal set up Solicitors Disciplinary Tribunal Administration Limited (SDTA) in 2008, a company limited by guarantee, which is responsible for the Tribunal's administration. The process of transfer of that administration from the Law Society to SDTA is now nearly complete.

The Tribunal revised its procedural rules in 2007 and they are contained in a statutory instrument number 3588 of 2007.

The Tribunal's working space has been extended by taking additional space at Gate House which has allowed for an additional courtroom and more adequate meeting rooms for those attending the Tribunal as well as retiring rooms for Tribunal members and the relocation of the administrative offices. The number of applications received by the Tribunal during last year has increased by over 5 per cent confirming the need for more courtrooms and a need for additional clerks, and three have been appointed on a part time basis. The Tribunal intends, with new court facilities and additional clerks, to see a reduction in the number of current cases at the end of the current year.

However, a substantial increase of over 33 per cent in the number of sitting days has had an even greater effect on the Tribunal's resources. It is however pleasing to note that despite this increase, the number of solicitors struck off has slightly decreased from 61 in 2008 to 57 this year.

Although 80 per cent. of cases were concluded within 12 months of commencement of proceedings before the Tribunal the Tribunal is seeking to increase the through put of cases so that a greater proportion are concluded within 6 months. Around half of the cases instituted before the Tribunal now require a Tribunal sitting of one full day or more and this has slowed down the rate at which cases can be disposed of. There has also been an increase in the number of procedural challenges requiring interlocutory hearings, some of which have extended over more than one day. Very few of the Tribunal's decisions have been overturned either on appeal or by way of judicial review though in a number of cases sanctions have been varied.

It remains the policy of the Tribunal to seek to maintain the highest standards for the profession. Behaviour which is dishonest or puts at risk public confidence in the profession's reputation for integrity and trustworthiness will be viewed seriously and may result in a solicitor being deprived of his right to continue in practice.

### **Summary of Orders**

Orders made by the Tribunal during the period under review are listed below. A number of Orders made relate to applications made prior to the year under review.

An overview of Orders made in respect of solicitors in the last six years is shown in the table below:

Year end 30 April	Number of Strike Offs	Suspensions	Fines	Reprimands	No Order, costs only Order or case dismissed
2003	78	39	83	14	8
2004	52	38	70	12	5
2005	54	42	79	17	12
2006	63	39	64	16	10
2007	67	33	86	20	6
2008	61	47	110	37	15
2009	57	37	122	55	15

Fines were imposed in 122 cases resulting in total fines of £762,500. Fines are payable to HM Treasury, and ranged from £500 to £25,000.

Note for Editors: The SDT is a statutory Tribunal and as such is judicially wholly independent of The Law Society which was responsible for prosecution of over 90% of the cases before the Tribunal. Members of the Tribunal, all of whom are appointed by the Master of the Rolls, consist of solicitor members drawn from a wide cross section of members of the profession and Lay members, none of whom are lawyers.

The Tribunal hears cases of alleged misconduct and breaches of rules of ethical and regulatory conduct, some but not all of which derive from complaints made by clients. The Tribunal also hears applications for restoration to the Roll, applications for the ending of a period of indefinite suspension from practice and applications in respect of solicitors' clerks and registered foreign lawyers.

**A full copy of the 2008/9 Annual Report is available from the Clerk to the Tribunal, 3<sup>rd</sup> Floor, Gate House, 1 Farringdon Street, London EC4M 7NS. It is also available on the SDT's website, [www.solicitortribunal.org.uk](http://www.solicitortribunal.org.uk).**