

**THE SOLICITORS DISCIPLINARY TRIBUNAL**  
constituted under the Solicitors Act 1974

**TRIBUNAL**

Mr. A. H. Isaacs (President)

**Solicitor Members**

Mr. A. G. Gibson,  
Mr. R. B. Bamford,  
Mr. A. Gaynor-Smith,  
Mr. J. R. C. Clitheroe  
Mr. D. W. Faull (retired during 2001)  
Mr. D. J. Leverton,  
Mrs E. Stanley,  
Mr. J. C. Chesterton,  
Mr. J. N. Barnecutt  
Mr. A. G. Ground,  
Mr. R. J. C. Potter  
Mr. A. N. Spooner  
Mr. A. H. B. Holmes  
Mr. W. M. Hartley,  
Mr. L. N. Gilford  
Ms. T Cullen  
Mr. J. P. Davies  
Mr. S. N. Jones

**Lay Members**

Lady Bonham Carter  
Mr. K.J. Griffin  
Mr. D.E. Marlow  
Dame Simone Prendergast  
Mr. M. C. Baughan  
Mr. G. Fisher  
Mr. D. Gilbertson  
Ms. A. Arya  
Mr. M. G. Taylor  
Mrs C. Pickering  
Lady Maxwell-Hyslop

**CLERK**

Mrs S.C. Elson  
Solicitor

**DEPUTY CLERK**

Mrs. S. Whitfield  
Solicitor

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## **President's Introduction**

It is usual for this report to conclude with thanks to the members of the Tribunal and to the Clerk and her staff. This last year has been particularly demanding and I wanted at the outset to record my thanks on behalf of the profession for the dedication and hard work of individual solicitor and lay members of the Tribunal and of our Clerk, and her staff. Their cheerfulness in the face of inevitable frustrations and pressures of the job deserve acknowledgement. Solicitor members give of their time pro bono and I thank them and their firms who generously allow them to give their services to the Tribunal.

It will be noted that the number of sitting days has, over the last two years increased by almost 30 per cent. Last year's report noted that the number of applications to the Tribunal had fallen by some 25 per cent compared to the year 2000 and applications are still some 18 per cent below that level. However the cases are longer and of greater complexity. The trend towards longer cases i.e. 1 day or more, can be seen in the table on page 9.

The Tribunal's wish to be and be seen to be more independent of the Law Society has continued to be discussed but has not, as yet, been satisfactorily resolved. A recent meeting with the Master of the Rolls resulted in a proposal to set up a working party to consider the question in which the Master of the Rolls's representative and those of the Tribunal and the Law Society will participate. The Tribunal remains of the view that the direct allocation of a small annual sum from each practising solicitor (estimated at about £6 per annum) would be preferable to the present system whereby the Law Society funds the Tribunal and as a consequence considers it has a responsibility for the functioning of the Tribunal. I remain convinced that, so long as the Tribunal is seen as a responsibility of the Law Society and is directly financed by it, the Tribunal will not enjoy full confidence in its independence even though its judicial independence is unquestioned.

During the year under review one solicitor member of the Tribunal retired and two lay members are shortly to retire. All these, David Faull, Dame Simone Prendergast and Ken Griffin have been held in high esteem by their colleagues on the Tribunal and all deserve grateful thanks for bringing to the Tribunal wise judgement and an unswerving dedication to the maintenance of high standards within the profession.

The retirement of some Tribunal members and the increase in the workload has meant that we now need to recruit a few new members – both solicitor and lay. Arrangements are being made for advertisement for new members and details can be found on the Tribunal's own web site.

As with other judicial bodies, the Tribunal is sometimes faced with difficult decisions in relation to adjournments and cases which may exceed time estimates. A new Practice Note on the question of adjournments has now been issued by the Tribunal. With Law Society approval of additional secretarial assistance, the Tribunal has slightly improved upon the period of time within which the detailed reasons are produced but the length and complexity of some cases has made the task more difficult. The Tribunal has a deserved reputation for high standards of efficiency and courtesy and I have no doubt this will be maintained in the coming year.

## **Constitution**

The Solicitors' Disciplinary Tribunal ("the SDT") was created by the Solicitors Act 1974 as a statutory Tribunal. Previously the conduct of members of the solicitors' profession had been controlled by the Disciplinary Committee of the Law Society. The SDT is constituted with Solicitor members none of whom are connected with the Council of the Law Society and lay members drawn from a wide variety of backgrounds. All Tribunal members are appointed by the Master of the Rolls. The Tribunal's procedure is governed by the Solicitors (Disciplinary Proceedings) Rules 1994 (S. I. No. 288).

## **Applications**

The number of applications to the Tribunal increased by about 10 per cent in the year to 30 April 2002 and the trend towards longer and more complex cases has increased. The combination of those factors has called for more sitting days by members of the Tribunal. Their willingness to respond and the use of two court rooms has enabled the Tribunal to keep pace with its workload although this has imposed additional burdens particularly on the Clerk and her staff.

The number of cases outstanding at the year end, which had remained fairly constant over a number of years, showed a significant reduction at the year end 30 April 2002. The number of applications to the Tribunal is not directly related to the speed with which cases can be dealt with as numbers do not distinguish between those cases which will be concluded quickly and those requiring a lengthy hearing.

## **Explanation and Details of some aspects of the Tribunal's work**

### **Speed of Process and Duration of cases**

- 1 So far as the Tribunal is concerned, a case starts with the lodgement of an application and a Rule 4 Statement delivered by the applicant to the Tribunal. The matter is then considered to determine whether a prima facie case is made out. Thereafter the statement is served on the respondent by the Tribunal when the respondent is given under the Rules at least six weeks' notice of a pre listing day when the parties are requested to indicate whether or not the allegations are admitted and the anticipated length of hearing. A hearing date is fixed at the pre listing day.
2. A survey of cases heard substantively during the period under review shows that in 41.5 per cent of those cases the average length of time was about six months from the inception of the case until the conclusion of the substantive hearing. 46.5 per cent were concluded between six months and one year, 12 per cent were outstanding for more than a year.

Cases may be delayed because the applicant or respondent (or both) are not ready to proceed especially where the allegations are not admitted. Other reasons include:-

- (a) Inability to serve the proceedings, e.g. owing to the disappearance of the respondent;
- (b) The mental or physical illness of the respondent;
- (c) Unavailability of witnesses;
- (d) Where there are concurrent criminal proceedings, or (less frequently) civil proceedings;
- (e) Where new allegations are added to those in the original application. This happens not infrequently.
- (f) Where crucial documents need to be traced and produced.

In the last year the Tribunal succeeded in avoiding the adjournment of any case part heard although this sometimes involved early starts and late sittings. One case was adjourned until July 2002 after the Respondent obtained a court order.

3. The statutory rules of procedure provide for certain time limits; for example the period of 42 days is required between service of the proceedings and the hearing. Time limits apply for the service of notices under the Civil Evidence Act and in connection with other procedural matters. Many cases have been disposed of in less than five months from the start of proceedings. The Tribunal expedites cases if the parties seek an early hearing and waive the timetable laid down by the Rules.
4. The hearing date for a case estimated by the parties to be lengthy (extending over more than one day) will depend on the availability of the parties, counsel, witnesses and Tribunal members and whether or not other cases have been listed requiring courtroom accommodation and the services of a clerk. The Tribunal has seen an increase in the length and complexity of cases to which the Human Rights legislation has given some impetus.
5. 47 cases took one day or more to reach the conclusion of the substantive hearing. Of these, 35 cases took one day, 8 cases took two days, 2 cases took three days and 2 cases took four days. In addition 1 interlocutory hearing took up a whole day. These more lengthy cases took up 66 working days compared to 54 in the previous year.
6. The Tribunal would not wish to grant adjournments except in exceptional circumstances. However late applications for adjournment are not infrequently made - sometimes by agreement between the applicant and the respondent. The Tribunal has issued a Practice Note on the subject of adjournments.

## **Fines and Costs Orders**

Fines are payable to H.M. Treasury and totalled in the year under review £429,400.

Costs orders are sometimes subject to a detailed assessment. In cases where fixed costs were ordered, the aggregate of fixed costs awarded to the applicant (including in some cases the costs of the Law Society's investigation accountant) amounted to £621,600.72.

## **Solicitors struck off the Roll**

77 Solicitors were struck off the Roll in the year under review. Examples of conduct leading to a striking off were where:-

- Solicitors were found dishonestly to have misappropriated client money
- Solicitors had a criminal conviction
- Solicitors grossly misled clients
- Solicitors knowingly employed a struck off or suspended solicitor without the consent of the Law Society (s.41 Solicitors Act 1974). This offence carries a mandatory penalty of suspension or strike off.

Examples of cases appear in the boxes below.

The principal claim against a solicitor was that he sought and obtained costs on a private basis in respect of a legally aided client. This gave rise to a number of accounts rules and other breaches of rules of conduct. The solicitor had acted for a client who was seriously injured in a motor cycle accident. The client obtained very substantial damages and (according to the solicitor) wanted to pay to the solicitor a large sum (10 per cent of the damages recovered) in addition to the costs recoverable on a legally aided basis. The solicitor appreciated that he could not properly charge for work covered by legal aid and purported to render bills for additional non legally aided work and to appropriate commission earned. The client denied agreeing to these arrangements. Although the misconduct related to a single client, and the conduct of the claim on behalf of the client seemed to have been exemplary, the solicitor was not justified in his belief that his services entitled him to any greater reward that was recoverable under legal aid. The Tribunal concluded that the conduct of the solicitor was not that of an honest and competent member of the Profession. The solicitor was struck off the Roll.

**Remuneration in legally aided cases is fixed by legislation. No additional charge is permissible.**

A solicitor was also a non executive director of his brother's business. In that capacity he signed on three occasions a return which he knew to be false and on conviction he was fined with a sentence of imprisonment if the fine was not paid. There was no complaint about the conduct of the solicitor in his practice but he Tribunal considered that the maintenance of the profession's reputation for honesty and integrity could not be upheld if the profession tolerated a member who was knowingly prepared to sign false returns. The solicitor was struck off.

**Conviction for offences unconnected with a solicitor's professional practice, which damage the profession's reputation for honesty trustworthiness and probity will give rise to disciplinary sanctions.**

### **Suspension from practice**

17 Solicitors were suspended indefinitely.

10 Solicitors were suspended for one year or more

12 Solicitors were suspended for less than one year

These are cases where the solicitor's offences were serious but not considered sufficient to justify permanent removal of a right to practise. Included in such cases are those where the respondent suffers from a serious illness.

A solicitor acted for a property development company and received moneys lent to the Company. Later the company went into receivership. The Firm of which the solicitor was senior partner, also acted for the Company (and its Receivers) and purchasers from the Company in the same conveyancing transactions in breach of Practice Rule 6. The conduct of matters relating to the Company was in the hands of an unqualified secretary who was, as the solicitor acknowledged, not properly supervised. When lenders to the Company could not recover their loans, they sought to recover from the solicitors on the basis that they were clients. As such their interests had not been safeguarded. They had not had independent advice and payments through the firm had resulted in breaches of accounts rules. The negligence of the solicitor resulted in substantial claims being made against the Firm and its professional indemnity insurers. The solicitor had retired from practice by the time of the Tribunal hearing. The Tribunal ordered that he be suspended from practice for an indefinite period which meant that he could not resume practice without the Tribunal's consent.

**The solicitor had failed to appreciate what duties he owed to his clients and had failed to supervise his unqualified clerk. His actions were described as foolish rather than dishonest.**

## **Fine**

75 solicitors were subject to orders imposing fines upon them. Fines ranged from £400 to £24,000 and totalled £429,400.

A fine of £5,000 was imposed where a solicitor failed to provide his client with information as to what the client should do if the client was dissatisfied with the legal services provided (Practice Rule 15). The solicitor had undertaken work in a field where he was not sufficiently experienced. The work was inadequate and there had been long delays. The solicitor had been ordered by the Law Society to pay compensation to the client. The solicitor had retired from practice at the time of the Tribunal hearing.

**A solicitor must have (or acquire) or supervise someone who has sufficient expertise in the work carried out for the client. A client is entitled to expect that work will be carried out diligently and without unnecessary delay and that he will be kept properly informed of progress.**

**Fines are imposed in a wide variety of cases of which the above is but an example.**

## **Mandatory penalty for employment of struck off or suspended solicitors**

Under S41 of The Solicitors Act 1974 a solicitor may not knowingly employ a struck off or suspended solicitor without obtaining the Law Society's consent.

**As noted last year, many solicitors appear to be unaware of the fact that knowingly employing a struck off or suspended solicitor without the consent of the Law Society is an offence under s.41 of the Solicitors Act for which there is a mandatory penalty of suspension or strike off.**

## **Restoration to the Roll**

The Tribunal considered 12 applications for restoration to the Roll. 3 were granted and 9 were refused.

A solicitor "tidied up" his client account by rendering an internal composite bill. All credit balances below £100 were transferred to office account. In 2001 the Tribunal found the actions of the solicitor to have been dishonest and he was struck off. In February 2002 he sought restoration to the Roll which was refused.

**The application was in the nature of an appeal against the Tribunal's earlier finding. The Tribunal also noted that where there has been a finding of dishonesty, restoration is very unlikely. An application for restoration is unlikely to succeed if made within 6 years of strike off.**

### **The cost of running the Tribunal**

The Law Society has stated that the cost of running the Tribunal in the year ending 31<sup>st</sup> December 2001 was £605,000 (£526,000 in 2000) including salaries of the Clerk and her staff, expenses of solicitor members and administrative expenses (£275,000), premises and central services overhead charges (£330,000).

The Lay members of the Tribunal receive an honorarium and expenses that are met by the Lord Chancellor's Department. In the year ending 31<sup>st</sup> December 2000 the aggregate cost to the Lord Chancellor's Department was £37,000 (£32,000 in 2000).

Year	Expenditure £'000	Charge per Practising solicitor £
1999	419	5.23
2000	526	6.35
2001	605	7.56

(The charge per practising solicitor is an approximate indication based on there being an average of 80,000 practising solicitors.)

### PART III

**(i) Hearings**

During the year under review the Tribunal sat on 129 Days (114 in the previous year) for the hearing of applications.

**ii) During the period under review the following applications were received.**

APPLICATIONS RECEIVED	To 30/4/02	To 30/4/01
Number of applications involving practising solicitors - Relating to 259 (225) solicitors and 1 (3) registered foreign lawyer*	206	174
Number of applications in respect of solicitors' clerks - Relating to 4 (23) clerks*	4	23
Number of applications for restoration to the Roll	11	5
Number of applications to revoke an order under s.43	2	0
Number of applications seeking determination of an indefinite period of suspension	4	5
Number of applications made in respect of former solicitors	0	0

\*(It should be noted that one application may be in respect of two or more solicitors or clerks. – previous year's figures appear in brackets)

An order made pursuant to s.43 of the Solicitors Act 1974 prevents a solicitor from employing the clerk to whom the order relates without the consent of the Law Society.

The total number of applications received during the year under review (compared with those received in previous years) were as follows:

Year ending 30 <sup>th</sup> April	No. of applications	No. of sitting days
2000	276	101
2001	207	114
2002	227	129

If two divisions of the Tribunal sit on the same day this is counted in the above table as two sitting days.

Of the applications made in the year ending 30<sup>th</sup> April 2002, 14 were made by members of the public. No prima facie case was established in respect of 9 of them, 2 were referred to the OSS; 1 awaits a decision as to whether or not a prima facie case is established, 2 were withdrawn by the applicant and 1 has been listed

for a hearing. Applications for Restoration to the Roll, for determination of an indefinite suspension or the revocation of a S.43 Order accounted for 17 matters. The balance were applications made by the OSS. Two applications were withdrawn.

## **SUMMARY OF ORDERS**

Orders made by the Tribunal during the period under review are listed below. It should be noted that a distinction must be made between applications received and Orders made. A number of Orders made relate to applications made prior to the year under review. Figures in brackets relate to the year 2000/01.

- A. 77 solicitors were ordered to be struck off the Roll (62)
- B. 39 solicitors were ordered to be suspended from practice (29)
- C. 75 solicitors were subject to orders imposing fines upon them (78 in the previous year). Fines ranged from £400 to £24,000 and totalled £429,400 (£286,750).
- D. 4 solicitors were reprimanded (29).
- E. There were 3 cases in which no order was made (1).
- F. There were no cases in which an order for costs only was made (4).
- G. There were 5 cases in which the Tribunal found none of the allegations to have been substantiated (0).
- H. The Tribunal considered 12 applications for restoration to the Roll (3). 3 were granted and 9 were refused.
- I. Orders were made pursuant to Section 43 of the Solicitors Act 1974 in respect of 18 clerks (19).
- J. There were 2 applications for revocation of a Section 43 order (none). 1 was granted and 1 was refused.
- K. Orders prohibiting restoration to the Roll without the consent of the Tribunal were made in respect of 4 former solicitors (2).
- L. 5 applications were made to determine a period of indefinite suspension (2). 2 were granted and 3 were refused.
- M. In 4 cases a Direction made by the Office for the Supervision of Solicitors was ordered to be treated as an Order of the High Court for the purposes of enforcement (2).

- N. Two applications were withdrawn (none in the previous year). (An application may not be withdrawn without the consent of the Tribunal.)
- O. Appeal from decisions of the Tribunal lies to the Divisional Court or to the Master of the Rolls

The position with regard to appeals for the year under review was as follows. There were no appeals by the Law Society against Tribunal decisions. In 8 cases there was an appeal by the Respondent solicitor. None was allowed and no cases were remitted for a re-hearing. 2 appeals were not proceeded with.

There were, at the end year end, 3 pending appeals.

In four cases interim (non substantive) decisions of the Tribunal were subject to judicial review proceedings. One did not proceed by agreement between the lay applicant and the Law Society, two were unsuccessful and one sought a ruling regarding the Tribunal's power to refer a matter to the Office for the Supervision of Solicitors. The Court has given guidance as to the exercise of the Tribunal's powers under Rule 28 of the Solicitors (Disciplinary Proceedings) Rules 1994.

### **Resume of the current position**

As at 30<sup>th</sup> April 2002 there are 132 current cases, (154 at the same time last year). Of these 50 have been listed for hearing before the summer vacation (67 in the previous year), 3 have been listed for hearing after the summer vacation (5 in the previous year), 41 are to be dealt with on a "pre-listing day" before the summer vacation (60 in the previous year), 38 stand adjourned pending the outcome of further enquiry, or related criminal or civil proceedings or on health grounds (22 in the previous year).

The majority of cases to be dealt with at a pre listing day will be listed for a substantive hearing in the autumn. Adjourned cases are reviewed on a regular basis.

## **ANALYSIS OF SUBSTANTIATED ALLEGATIONS AGAINST SOLICITORS DURING THE YEAR UNDER REVIEW**

The allegations have been put into seven groups. There is no uniformity in the formulation of allegations. The analysis has been based on the allegations as framed categorising matters as follows. Spread across the categories below dishonesty and/or a failure to exercise proper probity, integrity and trustworthiness was found in 40% of cases.

### **SOLICITORS**

The allegations were broken down into the following groups:

**A CRIMINAL CONVICTIONS**

**B SOLICITORS ACCOUNTS RULES BREACHES**

**C CLIENTS MONEY**            Improper utilisation  
Misappropriating

**D FAILURES**                    failure to pay counsel's/agent's fees  
failure to comply with undertaking  
failure to comply with OSS direction/resolution  
failure to account  
failure to provide costs information  
failure to supervise  
failure to notify change of practice address  
non response to OSS/others  
failure to comply with Solicitors Indemnity Rules

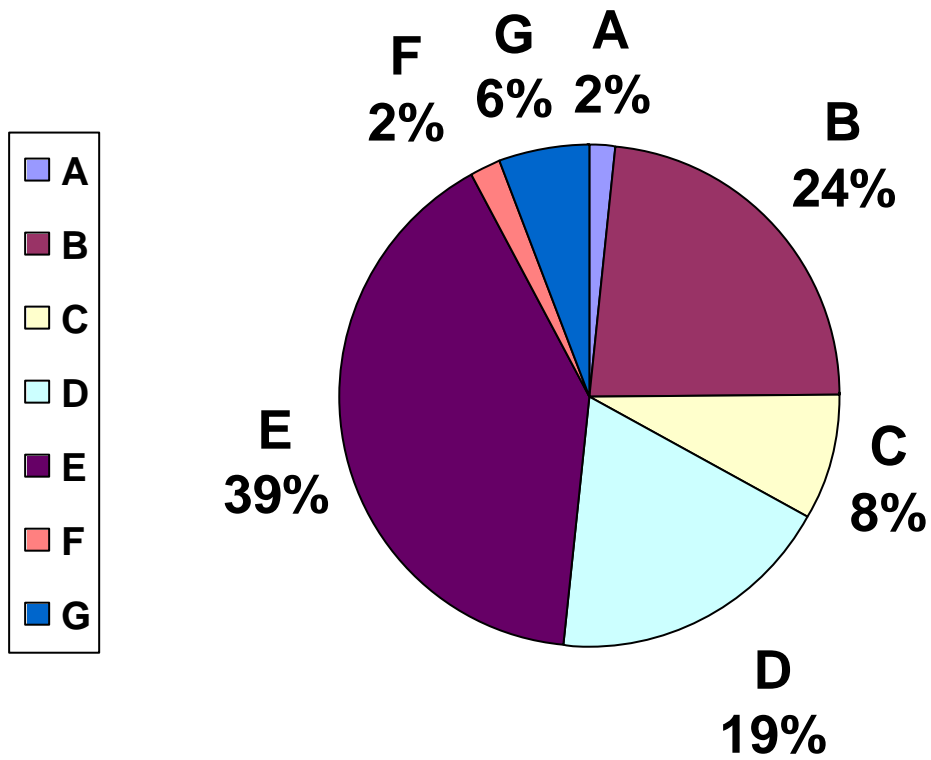
**E BREACHES**                    breach of duty to the court/misleading the court  
breach of S.34 (Accountant's Reports)  
breach of condition on Practising Certificate  
breach of Practice Rules  
breach of duty of good faith to others/OSS  
breach of professional duty (failure to disclose)  
breach of restriction on employment of struck  
off/suspended solicitor  
breach of Legal Aid Regulations  
breach of Solicitors Investment Business Rules

**F DELAYS**

delay in delivery of papers  
delay in professional business

**G OTHER**

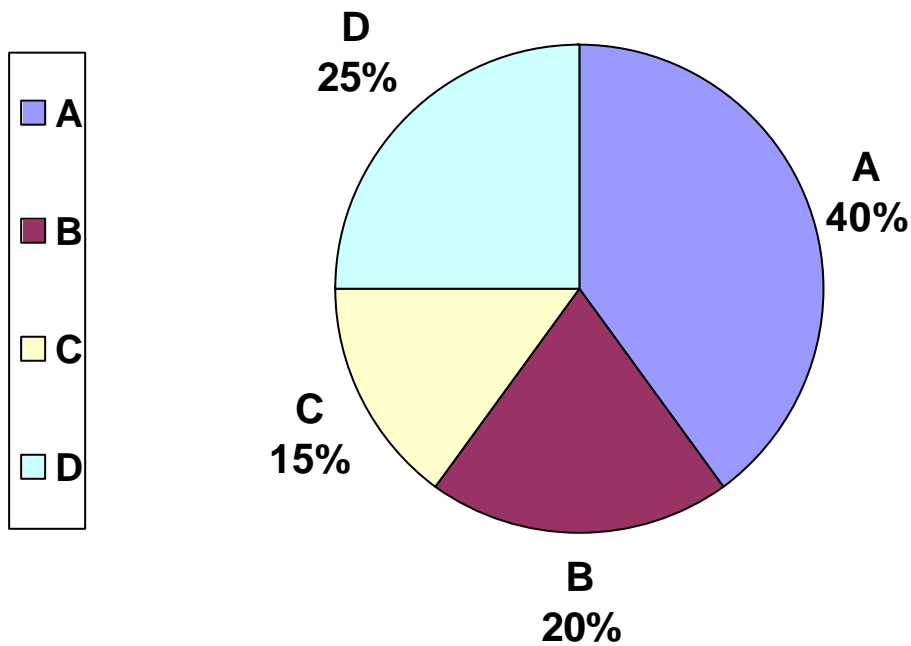
e.g. false documents  
no Practising Certificate  
conflict of interest  
costs not justified (overcharging)



## SOLICITORS CLERKS

As with those relating to solicitors the allegations have been broken down into groups:-

- |          |  |   |
|----------|--|---|
| <b>A</b> | <b>“Professional” Breaches</b>         | Conflict of interest<br>Misled clients as to progress of litigation<br>Holding himself out as a solicitor<br>Breach of client confidentiality |
| <b>B</b> | <b>Criminal Convictions</b>            |   |
| <b>C</b> | <b>Misuse of money</b>                 | From clients and/or from employer   |
| <b>D</b> | <b>Financial Services Act Breaches</b> | Breach of the Investment Business Rules   |



## **PART IV**

### **THE MEMBERS OF THE TRIBUNAL**

The following members were re-appointed by the Master of the Rolls at the end of January 2002: Boyd Holmes, Laurence Gilford, Andrew Spooner, David Gilbertson, Gerald Fisher, Anjali Arya and William Hartley. The following members were Re-appointed from the end of April 2002: Adrian Gaynor-Smith, Richard Bamford and Michael Baughan. Brief biographical details of the members of the Tribunal appear on page 17 of this report.

During the year under review members of the Tribunal attended two judicial training sessions.

### **STAFF CHANGES**

No staff left during the period under review. One new part time staff member has been recruited during the year under review.

## **BIOGRAPHICAL DETAILS**

### **Solicitor Members**

#### **Anthony H. Isaacs (President)**

Member of Tribunal since 1988. After University, was articled at a City firm, qualifying in 1960. Specialised in company and commercial law and retired as Senior Partner in 1996. 1993 appointed as a Nominated (i.e. independent) member of the Council of Lloyds whose Investigations Committee he chaired from 1996 to 2000. He also carried out a DTI inspection. Remains in active practice as a consultant to his former firm.

#### **Anthony G. Gibson**

Member of Tribunal since 1980.

Admitted in 1965. Partner in a three partner family practice in Newcastle established in 1720. President of Newcastle Incorporated Law Society 1989-90. Practises mainly in family law, commercial conveyancing and trusts.

#### **Richard B. Bamford**

Member of Tribunal since 1984.

Admitted in 1964. Joined present Cambridgeshire private client practice in 1965; partner 1966; senior partner 1989 (to present). 50% of time since 1987 spent on administration and legal aspects of (inter alia) flood defence and land drainage for the Fens area around Ely.

#### **Adrian Gaynor-Smith**

Member of Tribunal since 1984.

Admitted in 1963. Private practice in Malvern from 1965 in partnership with his wife and others. Undertakes contentious and commercial work and commercial conveyancing. Has undertaken part time judicial appointments in Welfare Benefits Law, Coroners Courts, Disciplinary Appeals Tribunals (Certified Accountants) and Deputy District Judge.

#### **John R. C. Clitheroe**

Member of Tribunal since 1992.

Admitted in 1959 specialising in criminal and commercial litigation. A former senior partner, now a consultant in a London firm.

Advised solicitors, accountants and medical professions in ethical regulatory and disciplinary matters since 1962.

Past member of Law Society Criminal Law Committee.

Member General Professional Programme Committee of the International Bar Association.

**David W. Faull OBE (Retired 2001)**

Member of Tribunal since 1992.

Admitted in 1954. Senior Partner (retired) of a Westminster firm.

Registrar and Legal Advisor to the Dioceses of London, Southwark, Chelmsford and Rochester. Solicitor to St. Paul's Cathedral. Founding member of Paddington Church's Housing Association. Board member of three other Housing Associations. Founder member of Southwark & London Diocesan Housing Association.

Chairman of Christian Children's Fund (GB) until 1998.

**David J. Leverton**

Member of Tribunal since 1992.

Admitted in 1958.

Managing Partner of a Lincoln's Inn firm. Senior litigation lawyer in the practice: wide cross-section of litigation experience before becoming a family law specialist twenty years ago. Wide experience of proceedings in Court and before tribunals: one of the original members of the standing committee set up by the Law Society and the Court of Protection to advise on changes in procedure and the conduct of business in that Court.

**Mrs Elodie Stanley**

Member of the Tribunal since 1994.

Admitted in 1980. Former conveyancing partner in a large London firm.

1993-1999 - Set up and ran her own practice in Holland Park, W11.

1999-2001 - Merged her firm with another and became Consultant.

**J. Colin Chesterton**

Member of Tribunal since 1994.

Admitted in 1980.

Partner in a firm in Devon.

Work includes matrimonial, crime, licensing, pollution, bridleways and footpaths.

Franchise representation for the firm with Community Legal Services.

Member of Solicitors Family Law Association and the Criminal Law Panel.

**Jeremy N. Barnecutt (Solicitor Vice President 2001)**

Member of Tribunal since 1994.

Admitted in 1976. Partner in a London firm specialising in Chancery Litigation. Contentious and non-contentious probate work.

Former member of the Supreme Court Procedure Committee.

**Alan G. Ground**

Member of Tribunal since 1996.

Admitted in 1962. Partner in a City firm from 1969, Leader, commercial, competition, and EU Law Groups 1983 -1994. Law Society International Committee 1983-1992, Human Rights Working Party 1988-1992. Director, Eurostar 1994-1997.

**R. John C. Potter**

Member of Tribunal since 1997. Admitted in July 1987

Higher Rights of Audience July 1999

A partner in a Legal Aid franchised Manchester firm. Exclusively undertakes defence criminal litigation. Duty solicitor. Past President of the Manchester Law Society and continues to be a Council Member of the Manchester Law Society, chairing the Crown and Magistrates' Court Committee. Member of the Greater Manchester Criminal Justice Strategy Committee and represents the Law Society on the local user committees of the Magistrates' Court and the Crown Court.

**Andrew N. Spooner**

Member of Tribunal since 1999.

Admitted in 1978. Head of Litigation Department at a Birmingham firm. Specialises in major commercial disputes and arbitrations. Member of the Association of Midlands Mediators. Deputy District Judge.

**A. H. Boyd Holmes**

Member of Tribunal since 1999.

Admitted in 1976.

Managing partner of a Carlisle firm, since 1989: undertakes property & trusts work. Member of STEP; member of CLARITY; interest in management.

**William M. Hartley**

Member of Tribunal since 1999.

Admitted in 1970. Partner in a Manchester firm for 27 years prior to reducing commitments this year - specialising in non-contentious work.

Author of the first six editions of "Matrimonial Conveyancing" and first edition of "Declarations of Trust". Chairman of the High Peak Division (Buxton) of the General Commissioners for Income Tax

**Laurence N. Gilford**

Member of Tribunal since 1999.

Admitted in 1973. Specialising in civil/commercial Litigation. In partnership in total of four central London/City firms since 1976.

Appointed Deputy District Judge December 1991.

**Miss Teresa Cullen**

Member of Tribunal since 1999.

Admitted in 1983. A partner in a London firm. Specialises in litigation.  
SFLA mediator; Assessor on Family Law Panel

**J. Peter Davies**

Member of Tribunal since 2001.

Admitted as a Solicitor 1981. A partner in firms in London and Cardiff until 1998 when he set up niche litigation practice in Cardiff specialising in professional negligence and personal injury work: Deputy District Judge since 1992.

**Stephen N. Jones**

Member of Tribunal since 2001.

Admitted in December 1979. Partner in a Birmingham firm. Specialises in litigation, acting principally for financial institutions and banks.  
Deputy District Judge since August 1992.

## **LAY MEMBERS**

### **Lady Bonham Carter**

Member of Tribunal since 1980.

Born and raised in USA until came to the UK as a teenager.

Served as a JP in Greenwich and Woolwich from 1966-1990.

A member of the Immigration Appeals Tribunal since 1970.

### **Kenneth J. Griffin OBE**

Member of Tribunal since 1982. Formerly Electrical Engineer, Trade Union Leader and Industrial Adviser to the Department of Trade and Industry and Special Adviser to the Secretary of State for Industry: Deputy Chairman British Shipbuilders: Deputy Chairman Ugland International. 1998 to present - Board member Housing Corporation.

### **David E. Marlow**

Member of Tribunal since 1983. Chartered Accountant. Formerly Chief Executive of 3i. Currently Non-Executive Director of Brixton Plc and Trinity Mirror Plc. Involved in investment activity in Central Europe. Member of the Investment Committee of Hungarian Equity Partners.

### **Dame Simone Prendergast DBE, JP, DL**

Member of Tribunal since 1986.

Recently retired from the Magistracy after 29 years service in Inner London. A past member of the Lord Chancellor's Advisory Committee. Currently Vice Chairman of Age Concern Westminster, Chairman East Grinstead Medical Research Trust.

### **Michael C. Baughan (Lay Vice President 2001)**

Member of Tribunal since 1990.

Recently retired from Lazards where he was a Managing Director from 1986 to 1999: Non-Executive Director of Independent Insurance Group plc., Northgate plc., The Peacock Group plc. and Scapa Group plc.

### **Mrs Caroline Pickering**

Member of Tribunal since 1992. Chair of the Stonebridge Housing Action Trust, set up as a Government initiative to regenerate a deprived and run-down council housing estate. Chair of the Camelot Foundation, a charity set up and funded by the Camelot Group to assist disabled and disadvantaged people. Trustee of Crisis. Formerly a Director at the Housing Corporation for many years.

### **Lady Maxwell-Hyslop**

Member of Tribunal since 1997.

On the staff of the Sergeant-at-Arms, House of Commons, 1966-68

Extensive experience as school governor (with responsibility for special needs) of an 11-18 comprehensive school; three years as Chairman.

Served on board of governors (Vice Chairman) of special school attached to psychiatric clinic.

### **Gerald Fisher**

Member of Tribunal since 1999

35 years experience in personnel work in industry, finally as Group Personnel Director of a FTSE 100 Company.

Currently a member of Employment Tribunals, the Central Arbitration Committee and a Council Member of Aston University.

Wide experience in employment and disciplinary matters in industry and commerce.

### **David Gilbertson QPM**

Member of the Tribunal since 1999. Retired as a Deputy Assistant

Commissioner in the Metropolitan Police in 2001 after 30 years service, the last three of which were served as HM Assistant Inspector of Constabulary at the Home Office with

responsibility for a wide range of national policy matters. He is now a partner in an international consultancy which specialises in change management for large organisations.

Awarded the Queens Police Medal in 1999, he was previously responsible for all police operations in north and west London. During a varied career, he has been a visiting lecturer at the City University, New York, and was seconded to the New York City Police and the National Peace Secretariat in South Africa.

He is a member of the Tom Paine Society which is committed to the principles of democracy and freedom.

### **Ms Anjali Arya**

Member of Tribunal since 1999.

An independent management consultant specialising in organisational audits and reviews and supporting managers through change, both personal and organisational. Other areas of expertise include managing diversity and performance management. She has considerable experience working with senior managers, front line staff and trades unions to formulate and implement appropriate HR policies and solutions. Formerly a head of personnel and involved in strategic and operational human resource development.

### **Michael Taylor, CBE**

Member of Tribunal since 2001.

Managing Director of his own consultancy company in Dorset. Formerly employed by the Ministry of Defence, mainly in telecommunications, and a graduate of the Royal College of Defence Studies, London. Awarded an MBE in the 1982 Falklands Campaign and a CBE in the 1998 New Years Honours List. An Independent Member of the Dorset Police Authority, a Lay Member of the Immigration Appeal Tribunal and a Regional Chairman of the NHS Complaints Review Panel. Fellow of the Institute of Directors.

## **STAFF**

### **Susan Elson**

Solicitor admitted in 1970. Clerk to the Tribunal for seventeen years. Accredited Mediator, Part time Immigration Adjudicator; part time Parking & Traffic Adjudicator; a member of the panel of Legal Assessors to the Disciplinary Committee of the Royal College of Veterinary Surgeons; member of Disciplinary Board of Royal Institution of Chartered Surveyors. Experience of legal work in private practice and in industry.

### **Sheila Whitfield**

Solicitor admitted in 1982. Joined the Solicitors Disciplinary Tribunal in 1998 as part time Deputy Clerk to provide cover for the full time Clerk and to enable the use of double courts. MA Cantab (Modern Languages)  
Worked in private practice in a City firm and subsequently in local government, specialising in the law relating to Mental Health and Incapacity.  
Sits as a part time Chairman of the Mental Health Review Tribunal.

### **Valerie Ralph**

Assistant Clerk since March 1994. Main responsibilities include listing of cases, members rota and answering general correspondence.  
Previously worked for South West Essex Magistrates Services, originally as a Court Assistant and then as a Trainee Court Clerk.  
Diploma in Magisterial Law: Fellow of the Institute of Legal Executives. (October 2002)

### **Elizabeth Aldred**

PA to the Clerk and Tribunal Secretary since August 1995. Duties include day to day administration of the Tribunal as well as preparation for AGM and Training Days.  
BA (Hons) in Law and Business Studies and MSc in Criminal Justice Studies.

### **Christine Bannister**

Part time Audio Secretary since July 1994. Main responsibility is typing the Tribunal's Findings.

### **Christine Donnelly**

Full time Audio Secretary since March 2001. Main responsibility is typing the Tribunal's Findings.  
Previously worked for a number of City legal practices in varied areas of law over the past twenty years.

### **Janine Ralph**

Administrative Assistant since October 2000. Duties include responsibility for archives and general office administration.  
Previously worked in Travel, having passed COTAC exams, and also for the Automobile Association.

### **Samantha Pinto**

Part time audio secretary since November 2001. Main responsibility is typing the Tribunal's Findings.  
Recently completed a legal secretarial course and obtained various OCR qualifications.