

THE SOLICITORS DISCIPLINARY TRIBUNAL
constituted under the Solicitors Act 1974

TRIBUNAL

Mr. A. H. Isaacs (President)

Mr. J. N. Barnecutt
(Solicitor Vice President)

Mr. M. C. Baughan
(Lay Vice President)

Solicitor Members

Mr. A. G. Gibson
Mr. R. B. Bamford
Mr. A. Gaynor-Smith
Mr. J. R. C. Clitheroe
Mr. D. J. Leverton
Mrs E. Stanley
Mr. J. C. Chesterton
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
Mrs K. Todner
Mr. I. R. Woolfe
Mr. P. Kempster
Mr. P. Haworth
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Lay Members

Lady Bonham Carter
Mr. D. E. Marlow
Mr. G. Fisher
Mr. D. Gilbertson
Ms A. Arya
Mr. M. G. Taylor
Mrs C. Pickering
Lady Maxwell-Hyslop
Mrs V. Murray-Chandra
Mr. J. Jackson
Mrs S. Gordon

CLERK

Mrs S.C. Elson
Solicitor

DEPUTY CLERK

Mrs. S. Whitfield
Solicitor

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President's Introduction

I drew attention last year, to the Tribunal's heavy workload a broad measure of which can be assessed from the number of sitting days. The statistics for the year to 30 April 2005 show that the number of sitting days was the same as in the previous year. Of these 131 sitting days Tribunal members and the Clerks were occupied on 55 days dealing with long cases (that is cases which lasted more than a day) and this represents 41 per cent of the total number of sitting days.

The statistical information contained in the following pages of this report is intended to be informative but it cannot be seen as more than a very broad indication of the health or otherwise of the legal profession as judged against the regulatory and ethical rules to which it is subject. Although the number of solicitors struck off the Roll was 54, an increase of two by comparison with the previous year, it is still well below the average of the last five years. 42 solicitors were suspended from practice, half for an indefinite period, a further 13 for periods in excess of 1 year and the remainder for shorter periods. 79 solicitors were subjected to fines totalling some £430,000 which are payable to HM Treasury. 17 solicitors were reprimanded. In 12 cases, the Tribunal made no order, a costs only order or the case was dismissed.

Appeals

During the year there were 10 appeals heard against Tribunal decisions and in 1 case an appeal decision was taken to the Court of Appeal. In 6 cases appeals were dismissed including one case which had occupied the Tribunal in 2003 for a period of 19 days (including a four day hearing on an important preliminary issue). In this case, three judges unanimously dismissed the respondent's appeal upholding all of the Tribunal's findings. In another case, a decision by the Tribunal that a solicitor found to have been dishonest should be struck off was upheld on appeal but a two year suspension was substituted for the strike off. This was reversed by the Court of Appeal and the Tribunal's decision restored. Leave to appeal to the House of Lords was refused. The Tribunal respects the view of the Court of Appeal (which had in fact coincided with its own view) that in relation to a finding of dishonesty there was, in the case in question, no room for any finding other than that the Respondent be struck off. Any other finding would be "perceived by the profession and by the public as detrimental". In two other cases, appeals against the severity of a strike off were dismissed, financial dishonesty being an issue in one of the cases but not in the other. In one case the Court directed a rehearing. Further information in relation to appeals against Tribunal decisions is set out on page 12.

The Clementi Report

The Tribunal made submissions to the Clementi review though it believed that this was more concerned with regulation than with the judicial processes which it is the Tribunal's duty to carry out. The Tribunal expressed no view as to who should be responsible for prosecutions before the Tribunal. It has always fiercely asserted its independence from the Law Society and there is no doubt that the Tribunal will continue to assert its independence from whoever is charged with the responsibility of bringing cases before the Tribunal. The Clementi Report voiced no criticism of the Tribunal, indeed it was complimentary. Its recommendation for an annual review of Tribunal powers and the inclusion of statistical information in its Annual Report is I believe largely met by the current report which has built on improved statistical

information over the past few years The Tribunal has been reviewing its procedural rules and awaits further progress following the submission of proposed new rules to the Master of the Rolls.

The Tribunal noted that the Office for the Supervision of Solicitors ceased to exist on 19th April 2004 when the Law Society became responsible for the reference of Respondents to the Tribunal.

Tribunal Independence

The Tribunal reaffirmed its view that it would be desirable that it be funded independently of the Law Society by a direct charge to each practising solicitor: currently estimated to be approximately £8.00 per annum.

Tribunal costs

The overall cost of the Tribunal borne by practising members of the profession was (according to information contained in the Law Society's 2004 Annual Report) £800,001. This is made up of direct costs of £589,247 including premises costs of £222,119 and overhead costs charged by the Law Society. Solicitor members of the Tribunal have continued to give of their time when serving on the Tribunal and are paid only out of pocket expenses. Lay members received out of pocket expenses and a daily fee which is paid by the Department of Constitutional Affairs. The total of Lay Members' expenses and fees amounting in the year to approximately £42,000 is not included in the above figure.

Tribunal Staff

The Tribunal is indebted to its Clerk for her loyal and devoted service to the Tribunal and she is ably assisted by her Deputy, Assistant and staff. The demands made on the Clerk are considerable and the appointment of a further part-time deputy clerk is under consideration. The Tribunal members wish to record their appreciation of the hard work of all the Tribunal staff who carry both a heavy work load and a responsibility for the smooth running of the Tribunal.

On behalf of the profession, I pay tribute to all the members of the Tribunal both solicitor and lay for their dedication and conscientiousness.

Anthony Isaacs
President

A Lay View

There cannot be many people who have not had to consult a solicitor at some stage in their lives. They might do so because they are in trouble with the police or they are buying a house or they want to make a Will or they are getting a divorce. When people consult solicitors they are sometimes vulnerable and unhappy. The advice they get and the way in which it is communicated can make a big difference to their lives. Consequently it is important that the public should be able to respect a solicitor's expertise, to trust a solicitor's judgement and be entirely confident in a solicitor's honesty. The Tribunal's function is to uphold these principles and hold to account those solicitors who fail.

One third of the Tribunal's members are lay people. Every time the Tribunal sits there is one Lay member present. We come from all walks of life and bring many different experiences to the work of the Tribunal. We are equal partners with our solicitor colleagues and we decide cases with them. Our experience particularly enables us to understand the point of view of the client when seeking to do justice in the public interest. The rules of conduct for members of the profession are designed to protect the interests of clients and the public which it is the profession's duty to serve and our task is to ensure so far as we can that those rules are duly upheld in decisions made by the Tribunal.

John Jackson
Lay Member since 2002

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 members of 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 8% in the year to 30 April 2005. The trend towards longer and more complex cases has continued. Members' sitting days continue at a high level. Members' willingness to respond and preside for long hours and the use of two court rooms has enabled the Tribunal to keep pace with its workload though the number of cases outstanding at the year end, which had remained fairly constant over a number of years, showed an increase of some 5 per cent. The burden particularly on the Clerk and her staff remains substantial.

The number of applications to the Tribunal is not directly related to the number of cases concluded. Numbers do not distinguish between those cases which will be concluded quickly and those requiring a lengthy hearing. Consequently a number of applications received in the year under review will not be heard until the following year.

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 all cases heard substantively during the period under review shows that 47 per cent were concluded within six months from the inception of the case before the Tribunal. A further 40 per cent were concluded between

six months and one year. In 13 per cent the substantive hearing took place later than one year from the date of inception before the Tribunal.

The 13 per cent that were outstanding for more than one year represents 21 cases where an earlier substantive hearing was not achieved for a number of reasons including procedural and human rights challenges, one or more supplementary statements adding to the allegations already made having been issued; the ill health of the Respondent or parallel proceedings either in the criminal or civil courts where it would be inappropriate to proceed with the disciplinary hearing until the conclusion of those parallel proceedings.

Some cases may be delayed because the applicant or respondent (or both) are not ready to proceed, most often in cases where the allegations are not admitted and, for example, a further disclosure of documents is necessary.

3. Time limits apply for the service of notices under the Civil Evidence Act and in connection with other procedural matters. The Tribunal expedites cases if the parties seek an early hearing.
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. Over the last two years the Tribunal has seen an increase in the length and complexity of cases. There have been a number of matters where preliminary issues have had to be resolved, for example issues of legal professional privilege, claims of unreasonable delay in bringing the matter to the Tribunal, and whether a hearing should take place in private.
5. 31 cases took one day or more to reach the conclusion of the substantive hearing. Of these, 23 cases took one day, 4 cases took two days, 2 cases took three days, 1 case took six days and 1 case took eight days. In addition 4 interlocutory hearings took up a whole day. These more lengthy cases took up 55 (41%) working days compared to 59 (45%) in the previous year. The Tribunal often sits from 9.30 a.m. to 5.00 p.m. or later to ensure the timely conclusion of matters.

Solicitors struck off the Roll

54 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 clients' money
- Solicitors had a criminal conviction
- Solicitors grossly misled clients
- Solicitors fail to discharge their professional duties honestly and reliably
- 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.

A solicitor lost administrative control of his practice. This led to a lengthy and serious breach of the Solicitors Accounts Rules and misleading and obstructive behaviour towards the Law Society. The Tribunal considered that despite strong factors of personal mitigation such factors must yield to the professional need to mark its disapproval and failure to observe high standards and its determination to secure them. The decision to strike off was upheld on appeal.

Suspension from practice

21 Solicitors were suspended indefinitely

13 Solicitors were suspended for one year or more

8 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 affecting his ability properly to serve his clients.

A solicitor who had been in breach of the Solicitors Accounts Rules; had failed to supervise the work of another solicitor; practised without indemnity insurance and misrepresented his indemnity position to the Law Society. He did not respond to correspondence addressed to him by the Law Society and abandoned his practice. The Respondent was in poor health and had been drinking heavily. He was suspended from practice for an indefinite period.

Fines

Fines are payable to H.M. Treasury and totalled in the year under review £433,200.

79 solicitors were subject to orders imposing fines upon them. Fines ranged from £500 to £25,000.

Fines can be imposed in a wide variety of cases. The following example cannot be regarded as a typical case.

A solicitor was found to have been in breach of Practice Rule 1. He had used his employer's letterhead and facilities in the conduct of a private matter where the use of the firm's name might have given comfort to persons involved in the transaction. The Tribunal ruled that the public needed to be able to rely absolutely on solicitors and be confident that documents ostensibly coming from a firm of solicitors had in fact come from the firm with all of the associated safeguards of professional rules and indemnity insurance cover. The solicitor was ordered to pay a fine of £5,000.

Reprimand

17 solicitors were reprimanded.

A solicitor acted for a client who was well known to him and also for the son of that client in a situation where he believed them to be honest. The son, whose business had been in financial difficulty, asked the solicitor to cash insurance and building society cheques for him as his suppliers refused to accept his own cheques. The solicitor had not been aware of the identity of the payers or the nature of the transactions in which payment arose. The solicitor did not have conduct of any legal business for the son at the relevant time. The Tribunal found the solicitor's approach to be risky and foolish. Solicitors must always be fully aware that they are likely to be targeted by the unscrupulous in order to launder money derived from crime. The solicitor had had a long and unblemished career and was highly thought of. The Tribunal ordered that the solicitor be reprimanded.

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 in previous years, 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.

In a case where a solicitor had employed a solicitor who had been suspended from practice upon bankruptcy the Tribunal ruled that once a solicitor had knowledge of the suspension of another solicitor's Practising Certificate then a breach of section 41 in effect became an offence of strict liability. The Tribunal agreed that the employing solicitor's belief that the Law Society had given consent would be a mitigating factor but it did not provide a defence.

Restoration to the Roll

The Tribunal considered 4 applications for restoration to the Roll. 3 were granted and 1 was refused.

The former solicitor had been struck off the Roll in 1982. He had been an assistant to a sole practitioner where he had been stretched beyond his limits at a time of turmoil in his personal life. His misconduct had involved breaches of the Solicitors Accounts Rules, utilising clients' money and misleading clients. Mitigating circumstances were not made known to the Tribunal making the striking off order.

More than 20 years after being struck off the former solicitor now sought to be restored to the Roll. He had over the years found various temporary employments, some in firms of solicitors. Later he worked for an oil company and studied Russian. He became a Compliance and Money Laundering Officer for an international and substantial company and acquired an expertise in the field of money laundering prevention. He had trained police officers and his application for restoration to the Roll was supported by senior police officers, members of the legal profession and businessmen, all of whom spoke highly of his integrity and trustworthiness. The Tribunal concluded that this was an exceptional case and ordered that the former solicitor be restored to the Roll.

In a case in 1994, a solicitor was struck off for what was said to be an unpremeditated and aberrational alteration of a document which led to conviction for contempt of court. Later he had worked in the profession with the consent of the Law Society and subject to conditions he had scrupulously observed. The facts were unusual and the Tribunal accepted that the former solicitor had matured and had learnt a hard lesson. He had proved himself to be an asset within the profession and, exceptionally, the Tribunal felt able to order restoration of his name to the Roll.

Hearings

During the year under review the Tribunal sat on 131 days (131 in the previous year) for the hearing of applications.

During the period under review the following applications were received.

APPLICATIONS RECEIVED	To 30/4/05	To 30/4/04
Number of applications* involving practising solicitors - relating to 236 (262) solicitors, 2 (4) registered foreign lawyers and 2 (1) recognised bodies.	201	189
Number of applications* in respect of solicitors' clerks - Relating to 15 (11) clerks	15	11
Number of applications for restoration to the Roll	7	8
Number of applications to revoke, quash, review or vary an order under s.43	3	1
Number of applications seeking determination of an indefinite period of suspension	5	2
Number of applications made in respect of former solicitors (i.e. no longer on the Roll)	4	4
TOTAL	235	215

*(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 (as amended by the Access to Justice Act 1999) 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) and the number of sitting days were as follows:

Year ending 30 th April	No. of applications	No. of sitting days
2001	207	114
2002	227	129
2003	205	126
2004	215	131
2005	235	131

Of the applications made in the year ending 30th April 2005, 5 were made directly by members of the public. No prima facie case was established in respect of 3 of them and in one case a prima facie case was found. In one case, apparently concerning an inheritance dispute, the Tribunal was unable to determine the precise complaint in accordance with Rule 14 of the Tribunal's Rules and asked the lay Applicant to reformulate his complaint for further consideration. Applications for Restoration to the Roll, for determination of an indefinite suspension or the revocation of a s.43 Order accounted for 15 matters. The balance was of applications made by the OSS. 8 OSS applications were withdrawn.

The number of cases concluded in the year under review in respect of which a supplementary statement was filed was 38 and in 8 cases two or more such statements were filed.

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.

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
2000	73	38	72	14	7
2001	62	29	78	29	5
2002	77	39	75	4	8
2003	78	39	83	14	6
2004	52	38	70	12	5
2005	54	42	79	17	12

OTHER ORDERS

Figures in brackets relate to the year 2003/04.

- A. There was one case in which an order for costs only was made (0).
- B. There were two cases in which the Tribunal found none of the allegations to have been substantiated (2).

- C. The Tribunal considered 4 applications for restoration to the Roll (7). 3 were granted and 1 was refused.
- D. Orders were made pursuant to Section 43 of the Solicitors Act 1974 in respect of 13 clerks (4).
- E. There were 2 applications for revocation of a Section 43 order (2). 1 Order made by the Law Society was quashed and 1 was refused.
- F. Orders prohibiting restoration to the Roll without the consent of the Tribunal were made in respect of 3 former solicitors (5).
- G. 3 applications were made to determine a period of indefinite suspension (3). 2 were granted and 1 was refused.
- H. In 10 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 (9).
- I. 8 applications were withdrawn (4 in the previous year). (An application may not be withdrawn without the consent of the Tribunal.)

Appeals

Appeals from decisions of the Tribunal lie to the Divisional Court. During the year under review there were 10 such appeals one of which was allowed and related only to the question of costs. One appeal was withdrawn by the Appellant and one was by consent remitted for a rehearing. 6 appeals were dismissed, in one case following the restoration by the Court of Appeal of a decision to strike off made by the Tribunal. The decision in one case is awaited.

Resumé of the current position

As at 30th April 2005 there are 154 current cases, (147 at the same time last year). Of these 63 have been listed for hearing before the summer vacation (70 in the previous year), 8 have been listed for hearing after the summer vacation (15 in the previous year), 50 are to be dealt with on a "pre-listing day" before the summer vacation (35 in the previous year), 33 stand adjourned pending the outcome of further enquiry, or related criminal or civil proceedings or on health grounds (27 in the previous year). Adjourned cases are reviewed on a regular basis.

ANALYSIS OF SUBSTANTIATED ALLEGATIONS AGAINST SOLICITORS DURING THE YEAR UNDER REVIEW

Allegations may be framed in different ways and the analysis has been based on the allegations as framed which have been categorised in seven groups. Spread across the categories below dishonesty and/or a failure to exercise probity, integrity and trustworthiness was found in 17% of cases (16% last year).

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 comply with Solicitors Separate Business Code
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 Solicitors Act 1974 (Accountant's Reports)
breach of condition on Practising Certificate
breach of Solicitors 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 Introduction & Referral Code 1990
breach of Solicitors Publicity Code 1990

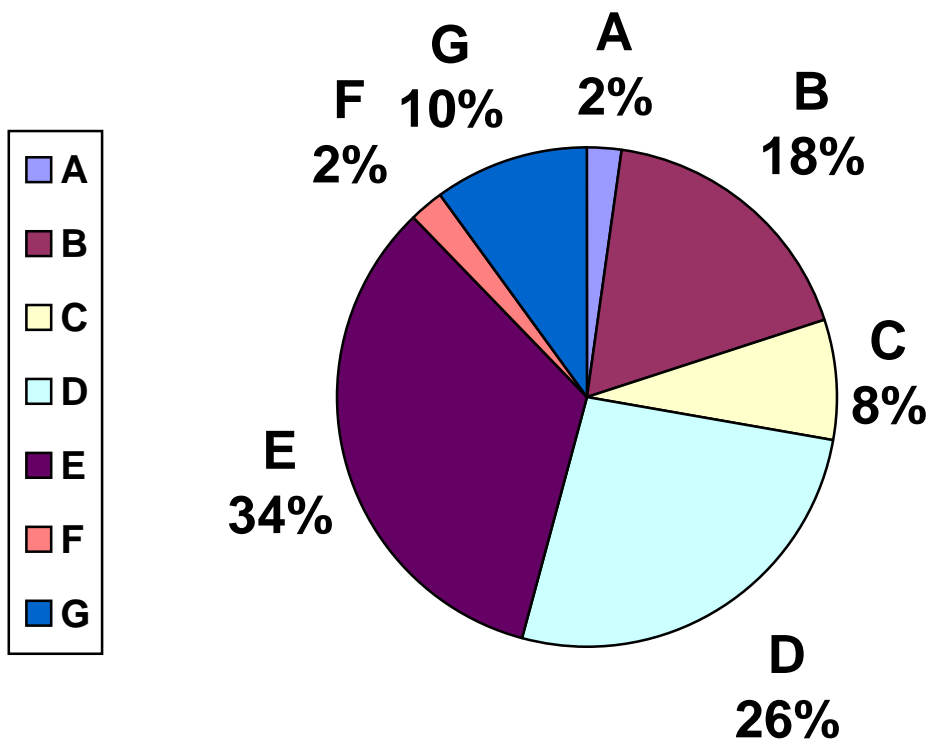
F DELAYS

delay in delivery of papers
delay in professional business

G OTHER

Includes:

false documents
no Practising Certificate
conflict of interest
costs not justified (overcharging)
abandonment of practice



SOLICITORS CLERKS

The table below shows an overview of the Orders made by the Tribunal in respect of solicitors' clerks (including applications for revocation of Section 43 Order) for the last six years.

2000	28
2001	19
2002	20
2003	5
2004	6
2005	15

* The order which may be made under Section 43 of the Solicitors Act is that no solicitor may employ or remunerate a clerk without the consent of the Law Society against whom serious misconduct is established. Most cases involving clerks have been dealt with by the Law Society since it acquired jurisdiction in 2002. Solicitor's clerks' cases only come before the Tribunal if they are contested, or are applications for revocation of a Section 43 Order.

THE COST OF RUNNING THE TRIBUNAL

The costs of the Tribunal according to figures supplied by the Law Society for the calendar year have over the recent past been as follows:-

	Total £'000	Annual cost per practising solicitor £
2000*	526	6.57
2001*	605	7.56
2002**	622	6.22
2003**	745	7.45
2004**	800	8.00

* For 2000-2001, the charge per practising solicitor is an approximate indication based on there being an average of 80,000 practising solicitors.

** For 2002 - 2004 the charge is based on an average of 100,000 practising solicitors.

The lay members are remunerated by the Department of Constitutional Affairs which also is responsible for their expenses (approx £42,000 for the calendar year ended 31st December 2004 (£42,000 for calendar year ended 31st December 2003).

The cost of running the Tribunal is ascertained from figures supplied by the Law Society. Salaries, staff costs and administration expenses and costs of the Tribunal's Court Room and offices account for about £589,247. The balance is a notional overhead charge assessed by the Law Society calculated at the rate of 81% of salary and salary related costs of Tribunal staff.

PART IV

THE MEMBERS OF THE TRIBUNAL

The following members were re-appointed by the Master of the Rolls at the end of January 2005: Andrew Spooner, Boyd Holmes, William Hartley, Laurence Gilford, Gerald Fisher, David Gilbertson and Anjali Arya and the following members were re-appointed at the end of April 2005: Adrian Gaynor-Smith, Richard Bamford and Michael Baughan

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

Brief biographical details of the members of the Tribunal appear on pages 18-22 of this report.

The Tribunal records with regret the death in March 2005 of David Faull, a solicitor member from 1992 to 2001.

STAFF CHANGES

Consideration is being given to current staffing levels in view of the increasing work load caused in the main by longer hearings and more complex subject matter rather than an increase in the number of cases.

BIOGRAPHICAL DETAILS

Solicitor Members

Anthony H. Isaacs (President)

Member of the Tribunal since 1988. Admitted 1960. Partner in City firm 1964- Senior Partner 1987-1996. Specialised in Company and Commercial law. Member of Company Law Committee. DTI Inspector. Nominated (i.e. independent) Member of the Council of Lloyds 1993-1999. Chairman of Lloyds' Investigations Committee 1994-2000. Remains in practise as a consultant to his former firm.

Anthony G. Gibson

Member of Tribunal since 1980.

Admitted in 1965. Partner in a six 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. Member of STEP.

Richard B. Bamford

Member of Tribunal since 1984.

Admitted in 1964. Joined present Cambridgeshire private client practice in 1965; partner 1966; senior partner 1989to 2005 now a consultant to this firm. 50% of time since 1987 spent on administration and legal aspects of (inter alia) navigation on the River Cam and flood defence and land drainage for the Fens area around Ely otherwise trust and property matters.

Adrian Gaynor-Smith

Member of Tribunal since 1984.

Admitted in 1963. Private practice in Malvern from 1965 in partnership with his wife and others. Now semi-retired working as consultant to their former practice. Undertakes contentious and commercial work, commercial conveyancing and advocacy. Has undertaken part time judicial appointments in Welfare Benefits Law, Coroners Courts, Disciplinary Appeals Tribunal (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, of 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 J. Leverton

Member of Tribunal since 1992.

Admitted in 1958.

Former 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 former 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. In partnership in three central London firms since 1983. Deals with all aspects of property law residential and commercial and specialises in leasehold reform and enfranchisement.

J. Colin Chesterton

Member of Tribunal since 1994.

Admitted in 1980.

Partner in a firm in Devon.

Work includes matrimonial, crime, licensing, pollution and welfare benefits. Member of Solicitors Family Law Association.

Jeremy N. Barnecutt (Solicitor Vice President)

Member of Tribunal since 1994.

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

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. Represents the local 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 Commercial Litigation at a firm based in Birmingham, Manchester and Stoke. 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 - specialising in non-contentious work. Member of STEP.

Author of the first six editions of "Matrimonial Conveyancing", first edition of "Declarations of Trust" and contributor to Readers' Digest "Know Your Rights". 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 in December 1991.

Miss Teresa Cullen

Member of Tribunal since 1999.

Admitted in 1983. A partner in a West End firm. Specialises in Matrimonial/litigation. Family mediator (Resolution), Civil and Commercial Law Mediator (ADR Group). Assessor on Family Law Panel; In practice for over 20 years. Member of the Law Society Family Law Panel (Advanced).

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. President Adjudication Panel for Wales.

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. Higher Rights of Audience (Civil).

Mrs Karen Todner

Member of Tribunal since 2002.

Admitted in 1987. Senior Partner in Criminal and Mental Health Practice, established in 1990. Duty Solicitor. Member of Serious Fraud Panel. Member of London Criminal Court Solicitors Association and Criminal Law Society Solicitors Association. President of Mental Health Review Tribunals.

Roger Woolfe

Member of Tribunal since 2002.

Admitted in 1970. Partner in Holborn firm since 1971. Senior Partner since 1994.

Specialises in commercial property work. Particular interest in rules and ethics of the solicitors' profession as Committee Member of City of Westminster and Holborn Law Society.

Peter Kempster

Member of Tribunal since 2002.

Admitted in 1987. Practises in corporate tax with a large London firm. Fellow of the Institute of Chartered Accountants in England & Wales. Vice-President of the Chartered Insitute of Taxation.

Peter Haworth

Member of Tribunal since 2002.

Admitted in 1975. Higher Rights of Audience (Civil) 1997. Consultant Solicitor: specialising in clinical and professional negligence work and commercial litigation. Deputy District Judge, Deputy Master and Costs Judge, Lieutennat Bailiff States of Guernsey.

Former member of the Civil Procedure Rules Committee .

Mrs Heather Baucher

Member of Tribunal since 2002.

Trained with present firm from 1984 – 1986. Admitted 1986. Partner in the Practice since 1989. Practised in Liverpool until 1999 when transferred to London office to head Litigation section. Specialises in Defendant based personal injury, disease, professional negligence and Tribunal work. Sits as a Recorder.

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 1970 - 2002.

David E. Marlow

Member of Tribunal since 1983. Chartered Accountant. Formerly Chief Executive of 3i.

Michael C. Baughan (Lay Vice President)

Member of Tribunal since 1990.

Retired from Lazards where he was a Managing Director from 1986 to 1999: Non-Executive Director of 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 in West London. Chair of Broadland Housing Association providing social and supported housing in Norfolk. Chair of FareShare, a new national charity redistributing surplus good quality food to those in need to combat food poverty across the spectrum of the young to older people. Formerly a Director at the Housing Corporation.

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 Vice Chairman of the Council of Aston University. Also a member of the Regulatory Decisions Committee of the Financial Services Authority and the Disciplinary Committee of the Chartered Institute of Public Finances and Accountancy.

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 development and people management. Formerly Head of Personnel in local government. Chair of an Arts Centre and Non Executive Director of the Crown Prosecution Service. Formerly board member of a housing advice organisation, an HIV/Aids charity and an Asian Women's organisation.

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 Year Honours List. Chairman of the Dorset Police Authority, a Non-legal Member of the Asylum & Immigration Tribunal and a Lay Panel Member of the Healthcare Commission. Fellow of the Institute of Directors.

Mrs Valerie Murray-Chandra

Member of Tribunal since 2002.

Born Jamaica West Indies, grew-up in UK. Acter, writer, broadcaster, JP at Highbury Corner Magistrates Court, panel member at Inner London and City Family Proceedings Court, Lay Advocate, recent (2001) degree in Law and History, former Probation Committee Member involved with grievance and disciplinary hearings as well as employment selection, former proprietor of property enterprise and currently involved in market research.

Mr John Jackson

Member of Tribunal since 2002.

Formerly Company secretary of British Gas and now Clerk to Dulwich College in South London. Has been a non-executive director in the NHS and is currently a lay assessor for the NHS, and until recently a member of the Council of the Institute of Chartered Secretaries and Administrators. He is a prison visitor.

Mrs Sarah Gordon

Member of Tribunal since 2002.

A qualified veterinary surgeon and member of the Royal College of Veterinary Surgeons. 10 years experience of general veterinary practice. Employed by Defra since 1991. Veterinary Manager of the Leicester Foot and Mouth Disease Centre in 2001 then Deputy Head of the Defra FMD Claims Unit. Currently Divisional Veterinary Manager of Lincoln State Veterinary Service Animal Health Office.

STAFF

Susan Elson

Solicitor admitted in 1970. Clerk to the Tribunal.

Accredited Mediator, Sits as part time Immigration Judge; part time Parking & Traffic Adjudicator; a member of the panel of Legal Assessors to the Disciplinary Committee of the Royal College of Veterinary Surgeons; the Health Professions Council and the General Osteopathic Council, 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 President of the Mental Health Review Tribunal.

Valerie Ralph

Assistant Clerk since March 1994 (part time since April 2004). 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, maintenance of the database and computerised case management system 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.

Samantha Pinto

Part time audio secretary since November 2001. Main responsibility is typing the Tribunal's Findings.

Completed a legal secretarial course and obtained various OCR qualifications.

Paul Condon

Part time Assistant Clerk and part time Audio Secretary/Receptionist since March 2004.

Helps the Assistant Clerk and deputises for her in her absence. Audio types Tribunal findings and mans the reception desk. Holds a degree in Music with Sound Recording.