

IN THE SOLICITOR'S DISCIPLINARY TRIBUNAL

The Solicitors Regulation Authority

v

Mr Joseph Dawson

Response to the SRA's Rule 12 Document

The Allegations

1. The allegation against the Respondent, Joseph Elliott Dawson, made by the SRA is that, whilst in practice as a Solicitor at Leigh Day Solicitors ("the Firm"):

- 1.1 On or around 20 and 21 June 2023, he:

- 1.1.1 created a letter falsely dated 26 May 2023, which stated that documents for inspection were enclosed;

- 1.1.2 sent, or caused to be sent, the letter falsely dated 26 May 2023 to the defendant's solicitor in a personal injury case under cover of correspondence dated 21 June 2023, which stated the 26 May 2023 letter had previously been sent.

In doing so, he breached any or all of:

- 1.2.1 Principle 2 of the SRA Principles 2019 ('the Principles'),

1.2.2 Principle 4 of the Principles;

1.2.3 Principle 5 of the Principles; and

1.2.4 Paragraph 1.4 of the Code of Conduct for Solicitors, RELs and RFLs ('the Code').

1.2 On or around 20 June 2023, provided misleading information to his employer in respect of when the documents for inspection were first disclosed to another party in litigation. In doing so, he breached any or all of:

1.2.1 Principle 2 of the Principles;

1.2.2 Principle 4 of the Principles;

1.2.3 Principle 5 of the Principles; and

1.2.4 Paragraph 1.4 of the Code

Response to the allegations

Allegation 1.1 and 1.1.1. On or around 20 and 21 June 2023, he:
created a letter falsely dated 26 May 2023, which stated that documents for inspection
were enclosed;

1. On Monday 22 May 2023 Mr Dawson prepared a covering letter for Kennedys LLP along with the accompanying documents for inspection, while working from home. The covering letter was generated using a previous template, which may have mistakenly retained the “sent by email” header; the documents were intended to be sent by post, as they included physical media (CD-ROMs). The reference to ‘sent by email’ was incorrect and was an oversight by Mr Dawson; he should have altered this to read ‘sent by post’.
2. Mr Dawson returned to the office in the following days and completed the process. The covering letter along with several CD’s were placed in an envelope and left by Mr Dawson in the post trays in the post room during the evening on Thursday 25 May 2023. Mr Dawson’s expectation was that the administrative staff in the post room would then arrange for the envelope to be posted the following day.
3. The covering letter was properly dated the 26 May 2023 because this was the date when the documents for inspection were due to be franked and posted to Kennedys.
4. The documents were not sent by recorded delivery; Mr Dawson does not believe that this was a mandatory Firm policy at the time.
5. The allegation is denied on the basis that the letter was not falsely dated, it was dated the 26 May 2023 because that was the date that it was going to be franked/posted. The original letter was therefore produced prior to the 20 or 21 June 2023.

6. The corresponding breaches of the principles are therefore not accepted on the basis of paragraphs 1-4 above.

Allegation 1.1.2: sent, or caused to be sent, the letter falsely dated 26 May 2023 to the defendant's solicitor in a personal injury case under cover of correspondence dated 21 June 2023, which stated the 26 May 2023 letter had previously been sent.

7. On 20 June 2023, while on annual leave, approximately a month after having sent the correspondence which included the letter dated 26 May 2023, Mr Dawson was contacted by Clare Campbell regarding an email from the opposing solicitor stating that the documents had not been received. Mr Dawson was surprised by this, firstly because he had sent the documents and secondly because Kennedys had not previously raised the fact that this had not been received, despite the fact that Mr Dawson had spoken with them on numerous occasions over the previous 4 weeks concerning other topics on the same matter.
8. Mr Dawson immediately checked the case management system and discovered that the letter on the system appeared blank. Mr Dawson therefore recreated the letter using the same file note that he had used to produce the earlier version. Clare Campbell was aware of the recreation of the letter at the time it was happening, she was fully aware that the recreated letter was to be sent out to the solicitor for the Defendant. Ms Campbell did not instruct Mr Dawson not to send the letter.
9. The letter was not falsely dated, it reflected an accurate duplication of a letter which had been produced on 25 May 2023 (dated 26 May 2023) and which Mr Dawson believed had been sent by post to Kennedys with all of the required enclosures. It was recreated using the file note which formed the basis of the original letter which was dated 26 May 2023. The attachment file was prefixed with 'COPY' in order to indicate that it was a reproduction.

10. The case management system at Leigh Day allows regeneration of letters from previous entries, which can auto-save and overwrite content. This provides a convenient way to generate a letter with certain fields completed, such as the address and/or reference number, which the system would not always do if you created a new letter. The original letter was saved correctly, but an IT system error must have caused the content to be lost.
11. Mr Dawson believes that at this time the Firm's IT systems had a sporadic history of similar IT problems which resulted in documents not being properly saved or being deleted from the system.
12. Mr Dawson does not accept that the Firm's IT system at all times worked accurately and as such does not accept that their records are an infallible record of all of the conduct which occurred on client files. Mr Dawson is unable to instruct his own expert to assess the Firm's system and to produce an independent expert report on the basis that the Firm would presumably not allow this due to client confidentiality. If the Firm are willing to allow an independent expert access to their systems, the SRA should notify Irwin Mitchell LLP.
13. The presence of the line "sent by email" was a remnant from the template letter from which this letter was generated and not reflective of the actual method of dispatch (which was by post).
14. The allegation is denied. The letter was not falsely dated; it was a copy of a letter which had been produced on 25 May 2023 (dated 26 May 2023). The corresponding breaches of the principles are not accepted on the basis of paragraphs 6-8 above.

Allegation 1.2 On or around 20 June 2023, provided misleading information to his employer in respect of when the documents for inspection were first disclosed to another party in

litigation.

15. Mr Dawson provided an accurate and honest account of what he understood had occurred to his employer, namely that he had finalised a letter on 25 May 2026 and believed that it had been sent to Kennedys by post with the required documents for inspection.

16. The corresponding breaches of the principles are not accepted.

Statement of Truth

17. I believe that the facts and matters stated in this statement are true

A handwritten signature in blue ink, appearing to read 'J E Dawson', is written over a light blue horizontal line.

Signed:

Joseph E. Dawson

10 September 2025

Date: