

SOLICITORS DISCIPLINARY TRIBUNAL

SOLICITORS ACT 1974

IN THE MATTER OF ANTHONY HERSHEL BLOK, former solicitor (Respondent)

Upon the application of Inderjit Singh Johal
on behalf of the Solicitors Regulation Authority

Mr R Nicholas (in the chair)
Mrs K Thompson
Mr M G Taylor CBE DL

Date of Hearing: 1st December 2010

FINDINGS & DECISION

Appearances

Mr Inderjit Singh Johal of the Solicitors Regulation Authority, 8 Dormer Place, Leamington Spa, Warwickshire CV32 5AE for the Applicant.

The Respondent did not appear and was not represented.

The application was dated 30 November 2009.

Allegations

1. On 8 July 2009 at the Southwark Crown Court, the Respondent was convicted on indictment of furnishing false information relating to accounts in breach of Rule 1.02 and 1.06 of the Solicitors Code of Conduct 2007.
2. On 30 June 2009, at the Croydon Crown Court, the Respondent was convicted on indictment of six counts, which included:
 - (a) assisting another to retain or control benefit of criminal conduct;
 - (b) perjury;
 - (c) perverting the course of justice;
 - (d) proceeds of crime – money laundering – transfer criminal property;

- (e) proceeds of crime – possess criminal property; and
- (f) proceeds of crime – money laundering – failure to disclose in regulated sector; in breach of Rule 1.02 and 1.06 of the Solicitors Code of Conduct 2007.

Factual Background

1. The Respondent was born in 1937 and was admitted as a solicitor on 1 December 1960. On 11 December 2006 his practising certificate for the year 2005/06 was terminated and on 3 June 2009 his name was removed from the Roll of Solicitors.
2. At the time of his convictions, the Respondent had ceased to practise as a solicitor. He was a former senior partner in the firm of Nick Inge Solicitors, 18 Camberwell Church Street, London SE5 8QU until 26 May 2006. He subsequently practised as a consultant in that firm until 31 December 2006.
3. On 1st July 2009 the Respondent was sentenced to four years imprisonment for assisting another to retain the benefit of criminal conduct. He was also sentenced to four years for perverting the course of justice. He was sentenced to twelve months imprisonment for perjury and he received 12 month sentences for each of the proceeds of crime counts. All sentences were to run concurrently, which in total amounted to four years.
4. On 8 July 2009, he was sentenced to 18 months imprisonment for furnishing false information relating to accounts. That sentence was imposed to run concurrently with the sentences that were imposed on 1 July 2009.
5. The conviction on 30 June 2009 arose out of the Respondent's conduct as a solicitor whereas the conviction on 8 July 2009 related to his conduct outside practice. The convictions disclosed serious dishonesty on his part. The conduct giving rise to the offences of which he was convicted on 30 June 2009 covered a period of some 10 years. During that period the Respondent assisted a dishonest client, a Mr MU, in the retention and control of the proceeds of criminal conduct namely a painting by Sir William Orpen. The Respondent assisted MU by concealing his identity when he knew, or at the very least suspected, that MU had obtained a valuable painting from an elderly and vulnerable lady by deception. The Respondent created a false client file relating to the Orpen painting in which a Mr DH was named as the client when in truth the client was MU. This was done in order to deflect attention from MU. This course of action took place in 2003.
6. The Respondent also misled a court by swearing an affidavit in 1995, in support of an appeal against a production order. The Respondent wilfully made a statement material in those proceedings which he knew to be false or which he did not believe to be true, namely that his client had not disclosed the identity of the person selling the Orpen painting to him.
7. The money laundering offences related to the Respondent receiving and transferring £75,000 in bank notes which he had received from a daughter of a client accused of money laundering. The offences also related to £30,000 in cash being found in envelopes in the Respondent's office. The jury found that the money was criminal

property. The Respondent failed to make disclosure of the £30,000 to a nominated officer or authorised person.

8. The Tribunal reviewed all the documents submitted by the Applicant which included:-
 - (i) Rule 5 Statement together with all enclosures.
 - (ii) Certificate of Conviction from the Croydon Crown Court.
 - (iii) Letter dated 17 August 2010 from Hughmans Solicitors to the Applicant.
 - (iv) Applicant's Schedule of Costs dated 1 July 2010.
 - (v) Letter dated 30 June 2010 from Hughmans Solicitors to the Applicant together with enclosures.

Witnesses

9. No witnesses gave evidence.

Findings as to Fact and Law

10. The Tribunal had considered carefully the submissions of the Applicant and all the documents provided. The Tribunal had been provided with Certificates of Conviction relating to both convictions and had considered in detail the sentencing remarks of the Honourable Mr Justice Bean. The letters from the Respondent's solicitors made reference to the convictions and confirmed the Respondent was now serving a number of prison sentences running concurrently over a period of four years. It was clear to the Tribunal that as a result of these convictions, the Respondent had failed to act with integrity and had behaved in a manner which diminished the trust the public placed in him and in the profession. Accordingly, the Tribunal found the allegations were proved.

Mitigation

11. The Tribunal had been provided with a letter dated 30 June 2010 from Hughmans Solicitors to the Applicant which referred to the Respondent's mitigation and his current medical position.

Costs application

12. The Applicant submitted an application for costs and provided the Tribunal with a Schedule of Costs indicating the total amount was £994.20. The Applicant confirmed he had not pursued any claim for costs for the hearing which had taken place on 8 July 2010 as he did not consider it appropriate for the Respondent to meet those costs.

Previous Disciplinary Sanctions Before the Tribunal

13. The Respondent had appeared before the Tribunal previously on 9 May 2002.

Sanction and Reasons

14. The Tribunal had considered carefully the documents provided and in particular the letter from the Respondent's solicitors dated 30 June 2010. However, notwithstanding these, the Respondent had been found guilty of very serious convictions and was a disgrace to the profession. He could not be trusted and was a risk to the public. He had already removed his name from the Roll of Solicitors and the Tribunal were concerned that he should not be able to practise as a solicitor again, without the permission of the Tribunal. His conduct had been such that he had caused serious damage to the reputation of the profession and he was not fit to practise as a solicitor. Accordingly, the Tribunal granted an Order pursuant to Section 47 (2)(g) of the Solicitors Act 1974 prohibiting the restoration of the Respondent's name to the Roll of Solicitors except by Order of the Tribunal.

Decision as to Costs

15. The Tribunal had reviewed the Schedule of Costs provided by the Applicant and was satisfied this was a reasonable amount. Accordingly, the Tribunal ordered the costs be paid by the Respondent in full in the sum of £994.20.
16. However, the Tribunal was mindful that the Respondent was an elderly man of 73 years of age, in poor health and currently in prison and therefore unable to earn an income. The Tribunal further considered the case of William Arthur Merrick v The Law Society [2007] EWHC 2997 (Admin) and in view of the Respondent's circumstances ordered that the Order for costs was not to be enforced without leave of the Tribunal.

Order

17. The Tribunal Ordered that the Respondent, Anthony Hershel Blok, former solicitor, be prohibited from having his name restored to the Roll of Solicitors except by Order of the Tribunal and it further Ordered that he do pay the costs of and incidental to this application and enquiry fixed in the sum of £994.20 not to be enforced without leave of the Tribunal.

Dated this 21st day of January 2011

On behalf of the Tribunal

R Nicholas
Chairman