

# SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12449-2023

**BETWEEN:**

SOLICITORS REGULATION AUTHORITY LTD

Applicant

and

THOMAS HARLAND CADMAN

Respondent

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Before:

Mr R Nicholas (in the Chair)  
Ms L Murphy  
Dr A Richards

Date of Hearing:  
17 August 2023

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**Appearances**

Victoria Sheppard-Jones, Counsel, employed by Capsticks Solicitors LLP, 1 St George's Road, Wimbledon, London SW19 4DR instructed by the Solicitors Regulation Authority Ltd of The Cube, 199 Wharfside Street, Birmingham B1 1RN for the Applicant.

Geoffrey Williams KC of Farrar's Building, Temple, London EC4Y 7BD instructed by Tuckers Solicitors London WIT 6AF for the Respondent, Mr Cadman who was present.

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**JUDGMENT**

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## **Allegations**

1. The allegation against Mr Cadman, Thomas Harland Cadman, made by the SRA were that, while in practice as a Solicitor:
  - 1.1 On 29 August 2021, he intentionally touched Persons A and B, women over the age of 16, and that touching was sexual, when they did not consent and he did not reasonably believe that they were consenting, resulting in:
    - a. his convictions on 9 February 2022, for three offences of sexual assault, contrary to section 3 of the Sexual Offences Act 2003 at the Swindon Magistrates' Court;
    - b. him being sentenced on 14 March 2022, to a 9-month Community Order, with up to 20 days Rehabilitation Activity Requirement; and a fine of £300.00 for each offence.
    - c. him being ordered to pay a victim surcharge of £95.00 and to contribute to the Prosecution costs in the sum of £85.00.
2. The Applicant relied on Mr Cadman's conviction on his own admission in the Swindon Magistrates' Court on 9 February 2022 for the offences listed at paragraph 1.1 and relied upon the findings of fact upon which those convictions were based as evidence that he was guilty of those offences.

## **Executive Summary**

3. Mr Cadman admitted that by reason of his conviction his conduct had lacked integrity and also amounted to a breach by him of the requirement to behave in a way which maintains the trust placed by the public in him, the profession and in the provision of legal services (respectively Principles 5 and 2 of the Principles 2019).
4. The Tribunal heard evidence in private from Dr Wilkins relating to Mr Cadman's health at the material time. It was also provided with information on the insight Mr Cadman had shown subsequently and the steps he had taken to ensure that there would be no repeat of the misconduct.
5. The Tribunal weighed up all the factors, including the distress caused to Person A and B, and imposed a fine in the sum of £25,000.00.

The Facts can be found [here](#).

The Applicant's Case can be found [here](#).

The Tribunal's Findings can be found [here](#).

Mr Cadman's Mitigation can be found [here](#).

The Tribunal's Decision on Sanction can be found [here](#).

## **Preliminary Matters**

6. Medical evidence to be heard in private
  - 6.1 Prior to commencing the mitigation Mr Williams raised this as a preliminary issue.

- 6.2 Mr Williams said that notwithstanding the importance of matters being heard in public, for the clear reason that justice must be seen to be done, he asked that the portion of the hearing relating to Mr Cadman's health and any matters in cross examination arising from it, be conducted in private as they related to sensitive matters, personal to Mr Cadman. Mr Williams said that the remainder of the hearing would then return to a public hearing once the medical evidence had been heard.
- 6.3 Ms Sheppard-Jones raised no objection to Mr Williams' application. She asked that the Tribunal also respect the anonymity of the victims.

### The Tribunal's Decision

- 6.4 The Tribunal granted the parties' respective requests, and it directed that the matter would be held in private for the discrete and limited purpose of hearing full, unfettered evidence as to Mr Cadman's health. The Tribunal would sit in public following the conclusion of this evidence.
- 6.5 The salient details of the medical evidence would be set out in the full judgment. A redacted and public version of the judgment would also be prepared, excising the detailed medical information. Any application made by a non-party to view the unredacted judgment would require consideration by the Tribunal in the usual way.

### **Documents**

7. The Tribunal considered all the documents in the case which were contained in the electronic bundle.

### **Factual Background**

8. Mr Cadman is a solicitor having been admitted to the Roll on 1 April 2008. At the time of the alleged misconduct, he was the Deputy Director General at the Chartered Institute of Arbitrators.
9. Mr Cadman did not currently hold a practising certificate and his last practising certificate expired in November 2021.

### **Findings of Fact and Law**

10. The Applicant was required by Rule 5 of The Solicitors (Disciplinary Proceedings) Rules 2019 to prove the allegations to the standard applicable in civil proceedings (on the balance of probabilities). The Tribunal had due regard to its statutory duty, under section 6 of the Human Rights Act 1998, to act in a manner which was compatible with Mr Cadman's rights to a fair trial and to respect for his private and family life under Articles 6 and 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.
11. **Allegation 1.1 - On 29 August 2021, he intentionally touched Persons A and B, women over the age of 16, and that touching was sexual, when they did not consent and he did not reasonably believe that they were consenting, resulting in:**

- a. **his convictions on 9 February 2022, for three offences of sexual assault, contrary to section 3 of the Sexual Offences Act 2003 at the Swindon Magistrates' Court;**
- b. **him being sentenced on 14 March 2022, to a 9-month Community Order, with up to 20 days Rehabilitation Activity Requirement; and a fine of £300.00 for each offence.**
- c. **him being ordered to pay a victim surcharge of £95.00 and to contribute to the Prosecution costs in the sum of £85.00.**

### The Applicant's Case

- 11.1 The conduct in this matter came to the attention of the SRA on 30 November 2021, when Mr Cadman made a self-report in which he advised that:

“In October 2021, I was made aware that three women had made allegations that, on the night of Sunday 29 August 2021, I touched their bottoms through clothing without their consent. The allegations are that this conduct took place over a short period of time at a function restricted to local residents at our village pub.

I attended a voluntary interview at Swindon Police Station on 12 October 2021 where I gave my recollection of events. At this stage, no decision has been made as to how the matter will proceed and I have not been charged with any offence. I am reporting this so that the SRA is aware of the position. I will update once I have heard back from the relevant authorities as to whether or not this matter will proceed to charge.”

- 11.2 The matter progressed to charge and on 9 February 2022 at the Swindon Magistrates' Court, Mr Cadman entered guilty pleas to three charges of sexual assault contrary to section 3 of the Sexual Offences Act 2003, which states that:

“3(1) A person (A) commits an offence if-  
 (a) he intentionally touches another person (B),  
 (b) the touching is sexual,  
 (c) B does not consent to the touching, and  
 (d) A does not reasonably believe that B consents.

(2) Whether a belief is reasonable is to be determined having regard to all the circumstances, including any steps A has taken to ascertain whether B consents ... .. (4) A person guilty of an offence under this section is liable-

(a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both,

(b) on conviction on indictment, to imprisonment for a term not exceeding 10 years.”

- 11.3 One of the charges related to Person A and two of the charges related to Person B.
- 11.4 On 14 March 2022, Mr Cadman was sentenced at the Swindon Magistrates' Court to a nine-month Community Order, with one condition to undertake up to 20 days Rehabilitation Activity Requirement, for each offence to run concurrently. He was ordered to pay a fine of £300.00 for each offence, to pay the statutory victim surcharge of £95.00 and Prosecution costs in the sum of £85.00 amounting to a total of £1,080.00.
- 11.5 Ms Sheppard-Jones said that by virtue of the fact that Mr Cadman was sentenced to a Community Order, he did not fall within the mandatory notification/reporting requirements. As the matter was dealt with in the Magistrates' Court there were no formal sentencing remarks available. However, the legal advisor sitting on the case confirmed that the Magistrates considered that the offences fell into the lowest category in the sentencing guidelines. Furthermore, they took into account Mr Cadman's good character, "the type of work he does", and his character references when considering the sentence.
- 11.6 Mr Cadman's convictions and sentence were reported in the press and reference was made to his profession as a solicitor.

#### Allegation 1.1

- 11.7 The offences took place on 29 August 2021, at the Red Lion Pub in Castle Easton.

#### *Person A*

- 11.8 Person A provided a statement to the police dated 30 August 2021. In summary, Person A and Mr Cadman were known to each other. They, and other acquaintances, were socialising at the pub on the evening on 29 August 2021. Person A was in attendance with her husband and son. Mr Cadman was in attendance with his partner.
- 11.9 At approximately 22:30, Person A was on the way back to her table having been to the toilet. She stopped to speak to her son. She had her back to the bar at the time. Whilst speaking with her son, she felt "two hands grabbing both my buttocks. I could feel his fingers moving on my jeans. It immediately made me jump. 10 being the very painful and 0 not hurting at all, I would describe the force he used as an 8. The pain went straight away."
- 11.10 As she turned around, she saw Mr Cadman stood directly behind her and identified him as the person responsible for groping her. Person A felt shaken and upset. She told Person B, who is a friend, but Person A did not consider that Person B had heard what she said and Person B advised her to go home.
- 11.11 Approximately 5-10 minutes later, Person A was standing in a similar position, with her back to the bar, when she felt the same thing again. She "immediately arched my back and I saw [Mr Cadman] standing there again. I would describe the force he used as a 6. Again, this went straight away."

- 11.12 Person A moved away and went to speak with her husband to say that she needed to go home. Person A did not receive injuries as a result of Mr Cadman's assault.

*Person B*

- 11.13 Person B provided a statement to the police dated 31 August 2021. In summary, she too was known to Mr Cadman and his partner, and was a friend of Person A.
- 11.14 Person B was in attendance at the pub with her husband. She stated that at some point in the evening Person A leaned into her and told her something, but she could not hear what it was. However, she could see that Person A was upset and so advised her to go home, thinking that she had argued with her son.
- 11.15 After Person A left, Person B remained standing inside the pub, when Mr Cadman approached her. Mr Cadman asked her if her husband had gone to the toilet, to which she said yes. She then stated that:

“He placed his hand around my waist on [sic] squeezed my buttock. I can't recall which hand he used, but the Buttock that he touched was furthest away, so his hand was right around my back. 10 being very painful, and 0, not hurting at all, I would say the force he used was a 6. I was in immediate shock and pushed him away with one hand and told him to get off me. He then used one hand and tried to pull my cheek towards and I thought he may have been trying to kiss me. This wasn't a gentle grab, but didn't hurt. I pushed him away again and said, “NO”.”

- 11.16 Person B confronted Mr Cadman in front of their circle of friends. He apologised and offered to buy Person B a drink, which she refused. Moments later, Mr Cadman waked past her and “brushed his hand across both of my buttocks. I said that he had just done it again and started to get upset.” Mr Cadman was asked to leave the pub by the landlord.
- 11.17 Person B did not receive any injuries resulting from the assault.

*Victim Impact statements*

- 11.18 Persons A and B gave victim impact statements dated 12 March 2022, setting out the effect of the offences on them. Person A stated that the incident had affected her “greatly”. She felt nervous around men whilst on her own and has found herself ensuring that her husband knows where she is. She described seeing Mr Cadman in the village and feeling “sick and scared” when she saw him. She suffered nightmares and felt worried when her husband goes away, as Mr Cadman lives in the same village as her.
- 11.19 Person B stated that: “this continues to worry me massively. I am very worried that Mr Cadman is still in the village and it keeps me awake thinking about it. I am very upset he lives here”. She stated that she would be scared if she saw him in the village and that she did not like being alone in her house.
- 11.20 Ms Sheppard-Jones outlined the alleged breaches.

### Principle 5 SRA Principles (integrity)

- 11.21 By committing sexual assaults, resulting in his convictions and sentence, Mr Cadman failed to act with integrity, i.e., with moral soundness, rectitude and steady adherence to an ethical code.
- 11.22 In Wingate and Evans v Solicitors Regulation Authority [2018] EWCA Civ 366, it was said that: “In professional codes of conduct, the term ‘integrity’ is a useful shorthand to express the higher standards which society expects from professional persons and which the professions expect from their own members ... The underlying rationale is that the professions have a privileged and trusted role in society. In return they are required to live up to their own professional standards.” (paragraph 97).
- 11.23 In Beckwith v SRA [2020] EWHC 3231 (Admin), it was held that, “There can be no hard and fast rule either that regulation under the Handbook may never be directed to the regulated person’s private life, or that any/every aspect of her private life is liable to scrutiny. But Principle 2 or Principle 6 may reach into private life only when conduct that is part of a person’s private life realistically touches on her practise of the profession (Principle 2) or the standing of the profession (Principle 6). Any such conduct must be qualitatively relevant. It must, in a way that is demonstrably relevant, engage one or other of the standards of behaviour which are set out in or necessarily implicit from the Handbook.” (paragraph 54).
- 11.24 The SRA’s Guidance, “Acting with integrity”, last updated on 1 September 2022 states that, “In the Beckwith case the court considered the application of the principle of integrity to a solicitor’s private life and was clear that the conduct must touch realistically upon the individual’s practice of the profession and in a way that is demonstrably relevant.
- 11.25 We take the approach that the closer any behaviour is to the individual’s professional activities, workplace or relationships, and/or the more it reflects how they might behave in a professional context, the more seriously we are likely to view it. However, where no such connection exists we will still take action where the conduct is sufficiently serious and morally culpable as to call into question whether they meet the high personal standards expected from a member of the solicitors’ profession.”
- 11.26 Whilst the misconduct in this matter took place outside Mr Cadman’s professional practice, the sexual misconduct was so serious, that it resulted in criminal convictions for three offences of sexual assault. In those circumstances, it was said by the Applicant that Mr Cadman failed to meet the high standards expected of him and acted in such a morally objectionable manner, that his conduct lacked integrity within the meaning of the regulatory framework. Accordingly, he had breached Principle 5 of the SRA Principles 2019.

### Principle 2 SRA Principles (maintaining trust)

- 11.27 The conduct alleged also amounted to a breach by Mr Cadman of the requirement to behave in a way which maintains the trust placed by the public in them and in the provision of legal services.

11.28 In Bolton v Law Society [1993] EWCA Civ it was said that members of the public are entitled to expect that a “solicitor will be a person whose trustworthiness is not, and never has been, seriously in question.” Otherwise, “the whole profession, and the public as a whole, is injured. A profession’s most valuable asset is its collective reputation and the confidence which that inspires”.

11.29 Public trust in Mr Cadman as a solicitor and in the profession is undermined by Mr Cadman’s convictions for sexual assault. These convictions were also reported in the press which referred to Mr Cadman as a solicitor. Accordingly, it was alleged that Mr Cadman breached Principle 2 of the SRA Principles 2019.

#### The Respondent’s Case

11.30 Mr Williams confirmed that Mr Cadman admitted all allegations and breaches of the Principles set out against him by the Applicant.

11.31 Mr Williams informed the Tribunal that the underlying and contributory circumstances to the misconduct would be set out in mitigation. Additionally, he would be calling Dr AJ Wilkins, Consultant Psychiatrist, to give evidence regarding Mr Cadman’s health preceding, at the material time and subsequent to the admitted misconduct.

#### The Tribunal’s Findings

11.32 The Applicant was required to prove the allegations on the balance of probabilities. The Tribunal had due regard to the Mr Cadman’s rights to a fair trial and to respect for his private and family life under Articles 6 and 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

11.33 The Tribunal reviewed all the material before it and was satisfied on the balance of probabilities that Mr Cadman’s admissions were properly made.

11.34 The Tribunal found the factual basis of the allegations and the alleged breaches of the Principles proved to the requisite standard.

#### **Previous Disciplinary Matters**

12. There were no previous findings.

#### **Mitigation**

#### Medical Evidence

13. REDACTED.

14. REDACTED.

15. REDACTED.

16. REDACTED.



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45. REDACTED.

#### Mr Williams' Submissions on Mitigation

46. Mr Williams accepted that whilst the complained of behaviour had occurred in a social setting it had resulted in a criminal conviction for a sexual offence. This made it a matter which raised issues for the Regulator and the Tribunal.

47. Mr Williams referred the Tribunal to the events which took place on the day of the misconduct and as described by Mr Cadman to Dr Wilkins who included this narrative in his report.

48. Mr Cadman had difficulty remembering the details of what took place but was aware that he had gone to the village pub on the Sunday night. The pub had opened on Sunday nights for villagers only and this was the first time that he had attended.

49. Mr Cadman arrived at the pub with his partner in the early evening. He had had lunch earlier in the day and they were due to return home to eat their evening meal at around 7pm. Mr Cadman had not intended to stay at the pub for very long. Mr Cadman sat at a table in the pub with his wife and ordered red wine.

50. Mr Cadman's partner was drinking white wine as well as gin and tonics. They continued drinking until their next-door neighbours arrived who then joined them at their table. Mr Cadman's last recollection was that he went inside the pub and that it was still light. Mr Cadman remembered nothing then until the following day. He described waking up feeling hungover which for him was unusual. Mr Cadman's partner told him that she had been asked by the publican to take him home and had assumed that he was very drunk. She managed to get him to bed unassisted and she told him that they had had a "*reasonably normal conversation*" on the way home.

51. Mr Cadman said his partner had helped him fill in the gaps in his memory the following day. He was not aware and neither had his wife been aware of anything untoward. It was six weeks later that he became aware of the complaints and was interviewed by the police.

52. Mr Cadman therefore had no direct recollection of the events and later learned the details. He wrote letters of apology to the victims before he was interviewed by the police, and these were handed to the police officer at the time of his interview.

53. Mr Williams said that quite properly Mr Cadman had reported himself in a timeous manner to the SRA and he had co-operated fully during the entire process of its investigation and following the issuing of the Tribunal's proceedings. This was to his credit.

54. Mr Williams stated that Mr Cadman was thoroughly remorseful for the conduct which had brought him to the Magistrates' Court and then to the Tribunal. Mr Cadman deeply regretted his behaviour which had brought shame upon him and upon the profession. The incident which had taken place within no more than an hour (although not continuously within that period) and had resulted in the loss of his job, a role at which he had excelled, and one forming the latest chapter of a successful career in the law and a previously unblemished disciplinary record. He had brought upon himself significant damage to his personal reputation and upon his standing within his local community.
55. Be that as it may, Mr Williams said that, foremost, Mr Cadman wished to apologise to Person A and B, both of whom had been significantly affected by his behaviour as set out in their victim impact statements made for the criminal proceedings.
56. Mr Cadman also wished to apologise to his local community, the wider public and the profession for his behaviour which had been unequivocally unacceptable.
57. Mr Williams referred the Tribunal to the medical evidence it had heard from Dr Wilkins which provided a broader context for conduct which had not been foreshadowed by any past similar or indicative behaviour on the Mr Cadman's part, and which had not been repeated in the subsequent two years. This had been a complete aberration and a marked divergence from Mr Cadman's true character and mode of behaviour, socially and professionally.
58. REDACTED.
59. REDACTED.
60. REDACTED.
61. Mr Williams drew the Tribunal's attention to a bundle of 14 separate character testimonials, some prepared by individuals who had known Mr Cadman for much of his life.
62. Mr Williams said that individually and collectively they presented an eloquent picture of Mr Cadman. All spoke of his honesty, integrity, and his gentlemanly behaviour to those with whom he came into contact. They had never seen him act in a sexist or misogynistic way nor use force of any kind.
63. All were aware of the circumstances of the offences and each stated that this was completely out of character for Mr Cadman, and not the man they knew.
64. As a further mark of his character Mr Cadman had voluntarily not renewed his Practising Certificate and had chosen to remain outside the legal profession until the disciplinary matters had been resolved.
65. Mr Williams informed the Tribunal that Mr Cadman had pleaded guilty at the Magistrates' Court. The Magistrates had been informed by the CPS Prosecutor that the matter had fallen into the lowest category of seriousness for sexual assault. Appraised of all the circumstances, the Magistrates imposed the sentence they did, and one which did not require Mr Cadman to sign the sexual offences register.

66. Mr Cadman had shown considerable insight on his conduct and Mr Williams referred the Tribunal to a letter dated 16 December 2022 prepared by Probation Officer/Practitioner, Ms Day. In the letter Ms Day stated, amongst other things that Mr Cadman had completed his Community Order, including 5 days rehabilitation activity which Probation considered sufficient in his case. Also, the following:

“It became clear through working ... with yourself, and through getting to know you better, that a small number of sessions would be required. You were very open with me from the beginning of your order, and it was evident that you had already made the steps to address the areas of your life in which you had been struggling with and were linked to your offence. This includes accessing support around maintaining your abstinence from alcohol and seeking out support for your mental health. Both of which I understand have had a positive impact on you and although challenging, you still continue with your regular counselling sessions and find these incredibly beneficial for your mental health. Due to the work that you were already completing outside of Probation to address you risk factors, I deemed it not necessary to complete all 20 sessions of your rehabilitation activity requirement days. Throughout the course of your order, your compliance was always positive. I have had no concerns regarding your behaviour or attitude, and it has been a pleasure to work with you. You have demonstrated a great deal of remorse for your behaviour and through our conversations you have evidenced a real understanding of the impact of your behaviour, not only on those involved but also on those around you and on yourself.

Due to the positive progress made whilst on your order, I have assessed that you now pose a low risk of serious harm to the public. This is the lowest possible level someone can be assessed as. It has been a pleasure to work with you and I wish you all the best for the future.”

67. Mr Williams described the letter as ‘remarkable’ and a strong indication that Mr Cadman presented as a low risk to the public.
68. Mr Williams asked the Tribunal to weigh up all the circumstances in this matter, including the expert evidence provided by Dr Wilkins, the wealth of character evidence and Mr Cadman’s level of insight on his behaviour and the remedial steps he had taken to ensure that it would never be repeated.
69. It was right that this required a disposal marking the seriousness of the misconduct and the consequential damage to the reputation of the profession. However, all the evidence indicated that the public would not be placed at risk by Mr Cadman.

#### Applicant’s Submissions on Sanction

70. Ms Sheppard-Jones asked for permission to be heard on sanction.
71. The application was refused by the Tribunal on the basis that it would not be assisted by such submissions. The Tribunal was an expert Tribunal and competent to consider sanction in its usual way.

**Sanction**

72. The Tribunal considered the Guidance Note on Sanction (10<sup>th</sup> Edition - June 2022) (“the Sanctions Guidance”). In doing so the Tribunal assessed the culpability and harm identified together with the aggravating and mitigating factors that existed.
73. The Tribunal observed that Mr Cadman had by his own plea, been convicted of a serious offence, namely sexual assault against two victims, Person A and Person B, who had set out in their respective victim impact statements the shock of the incident and the lingering aftereffects. The Tribunal recognised the trauma they had experienced and in no way sought to diminish the sense of damage they felt. That said, the CPS had placed Mr Cadman’s action within the lowest range of this type of offending and the Magistrates had retained jurisdiction to deal with the matter instead of committing Mr Cadman to the Crown Court for sentence. In the event, the Magistrates imposed the most minimal sentence the circumstances had permitted.
74. However, the Tribunal also recognised that its function was different to that of the Magistrates’ Court in that it was concerned solely with a matter of professional misconduct and that criminal convictions for sexual assault could only be described within this context as nothing less than very serious.
75. The question of culpability was a difficult concept for the Tribunal to assess as this case represented a divergence from the traditional type of professional misconduct which usually came before the Tribunal in which issues relating to motivation and culpability were more straightforward to determine.
76. REDACTED.
77. REDACTED.
78. REDACTED.
79. REDACTED.
80. REDACTED.
81. REDACTED.
82. There was no evidence that this had been planned misconduct. Whilst there had been three separate incidents in the course of an hour the Tribunal did not find this to have been a pattern or a course of ingrained misconduct and found it to have been a one-off event brought about by the combination of very unfortunate circumstances, both for Mr Cadman and the victims.
83. The Tribunal noted that Mr Cadman’s previous professional experience was not relevant to the exercise in determining sanction save that his general maturity should have guided him away from the risk.

84. Mr Cadman had not misled the Regulator or failed to co-operate in a meaningful way with the investigation and he had been very open and frank in his dealings with the Regulator and the Tribunal.
85. The Tribunal next considered the issue of harm. Whilst there had been no direct harm to any member of the public through his work as a solicitor, Person A and Person B had been caused harm by Mr Cadman's physical actions, and as set out in their victim impact statements.
86. The consequential damage to the reputation of the profession by the Mr Cadman's misconduct could only be judged as severe given the convictions for sexual assault and breaches of Principle 2 and Principle 5 of the Principles 2019. Such breaches could not be viewed as inconsequential as the public would trust a solicitor to exercise judgment and control in matters concerning alcohol and to not lose control in the manner in which he did on the day of the incident. Mr Cadman's conduct had been a marked departure from the complete integrity and probity expected of a solicitor.
87. The Tribunal then considered aggravating factors.
88. Mr Cadman had been convicted of criminal offences of a sexual nature. However, there was no dishonesty and no attempt by him to conceal his conduct or to place the blame on others.
89. With respect to mitigating factors the Tribunal noted that Mr Cadman had no previous disciplinary findings recorded against him and hitherto he had had an unblemished career.
90. These matters had occurred over 2 years ago and there had been no repeat of the misconduct. Mr Cadman had demonstrated genuine insight by recognising the factors which had contributed to the misconduct, and he had addressed them appropriately in ways which were explained to the Tribunal by Mr Williams, and which had been set out in the letter prepared by Ms Day, the Probation Officer.
91. The Tribunal next considered sanction and in doing so it adopted an approach to find one which would neither be unfair nor disproportionate.
92. Given that Mr Cadman had been convicted of 3 offences of sexual assault and he had also admitted breaches of Principle 2 and 5 the Tribunal considered that to make No Order or to impose a Reprimand would not be appropriate.
93. Whilst noting that the criminal offences were intrinsically very serious the Tribunal decided that given all the circumstances it had heard that to strike Mr Cadman from the Roll would be disproportionately severe.
94. This left the Tribunal with two options namely, a fine or suspension. The Tribunal noted that the likelihood of future misconduct and that protection of the public (important as that was) was not the overriding consideration rather it was reputation of the profession which had suffered serious harm and Mr Cadman had fallen short of the standards required of him by his profession.

95. In the ordinary course of events the Tribunal would not have been subject to any criticism had it decided to impose a suspension, either indefinite or fixed term.
96. REDACTED.
97. REDACTED.
98. For these reasons, having weighed up all the factors in the case, including the distress caused to Person A and Person B the Tribunal determined that a fine in the mid-range of Level 4 of the Indicative Fine Bands *for conduct assessed as very serious* would be a fair and proportionate sanction.
99. The Tribunal imposed a fine of £25,000.00 upon Mr Cadman.

### **Costs**

100. Ms Sheppard-Jones applied for the Applicant's costs in the sum of £3,600.
101. Mr Williams did not oppose the application.

### The Tribunal's Decision on Costs

102. The Tribunal found the case had been properly brought by the Applicant as it had raised allegations of an intrinsically serious and concerning nature requiring the Tribunal's scrutiny. The public would expect the Applicant to have prepared its case with requisite thoroughness and, in this regard, it had properly discharged its duty to the public and the Tribunal.
103. The Tribunal found that it was appropriate for the Applicant to recover its costs in full which neither unreasonable nor disproportionate.
104. The Tribunal therefore ordered Mr Cadman to pay the Applicant's costs in the sum of £3,600.

### **Statement of Full Order**

105. The Tribunal Ordered that the Respondent, THOMAS HARLAND CADMAN solicitor do pay a fine of £25,000.00, such penalty to be forfeit to His Majesty the King, and it further Ordered that he do pay the costs of and incidental to this application and enquiry fixed in the sum of £3,600.00.

Dated this 4<sup>th</sup> day of September 2023  
On behalf of the Tribunal

*R Nicholas*

R Nicholas  
Chair

**JUDGMENT FILED WITH THE LAW SOCIETY**  
**04 SEPT 2023**

