

IN THE MATTER OF DAVID CHARLES WOODMAN, solicitor

- AND -

IN THE MATTER OF THE SOLICITORS ACT 1974

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Mr. R.B. Bamford (in the Chair)  
Mrs. E. Stanley  
Mr. R.P.L. McMurtrie

Date of Hearing: 21st March 1995

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## FINDINGS

of the Solicitors' Disciplinary Tribunal  
constituted under the Solicitors Act 1974

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An application was duly made on behalf of the Solicitors Complaints Bureau by Carlton Maurice Edwards, solicitor of Southfield House, 11 Liverpool Gardens, Worthing, West Sussex on 8th December 1994 that David Charles Woodman, solicitor of 288 Romford Road, Forest Gate, London E7 might be required to answer the allegations contained in the statement which accompanied the application and that such Order might be made as the Tribunal should think right.

The Tribunal was subsequently notified that the respondent's address was  
Golf Del Sur, Tenerife, Canary Islands.

The allegations were that the respondent had -

- (a) failed to comply with the Solicitors' Accounts Rules 1986 in that he notwithstanding the provisions of Rule 8 of the said Rules drew out of a client account money other than that permitted by Rule 7 of the said Rules;
- (b) been guilty of conduct unbecoming a solicitor in that he -
  - (i) abandoned his practice;
  - (ii) utilised money held and received by him on behalf of a certain client or certain clients for his own purposes.

The application was heard at the Court Room, No. 60 Carey Street, London WC2 on 21st March 1995 when Carlton Maurice Edwards, solicitor and partner in the firm of Messrs. Marsh Ferriman & Cheale of Southfield House, 11 Liverpool Gardens, Worthing, West Sussex appeared for the applicant and the respondent did not appear and was not represented.

The evidence before the Tribunal included the evidence by affidavit as to service of the proceedings upon the respondent by Mr. W. Fuller, after handing the papers to the respondent's brother at \_\_\_\_\_, Warley, Brentwood, Essex at which time he was told that the respondent's address was \_\_\_\_\_ Golf Del Sur, Tenerife, Canary Islands.

At the conclusion of the hearing the Tribunal ORDERED that the respondent David Charles Woodman, solicitor of 288 Romford Road, Forest Gate, London E7 9HP (subsequently notified to be \_\_\_\_\_ Golf Del Sur, Tenerife, Canary Islands) be struck off the Roll of Solicitors and they further Ordered him to pay the costs of and incidental to the application and enquiry, fixed in the sum of £642.40 inclusive.

The facts are set out in paragraphs 1 to 4 hereunder.

1. The respondent was born in 1946 and admitted as a solicitor in 1977. At the material times he practised as a solicitor on his own account under the style of Woodman Mathews & Co. at 288 Romford Road, Forest Gate, London E7 9HP.
2. The respondent abandoned his practice at 288 Romford Road, Forest Gate in or about November 1991. A bankruptcy order was made against him on 25th November 1991 following the filing of a creditor's petition. The statement of assets and liabilities prepared by the Official Receiver showed that there were unsecured liabilities to clients of the respondent of £74,810.00 with money held on client account amounting to £35,978.00, a shortfall of £38,832.00, there being a total deficiency of £196,795.00.
3. Following resolution of the Solicitors Complaints Bureau (the Bureau) on 11th December 1991 an intervention agent was appointed. The Tribunal had before it a copy of his report.
4. At the time of the hearing claims had been made upon the Law Society's Compensation Fund. Grants had been made out of the Fund in the sum of £210,933.74 and there were outstanding pending claims totalling £69,271.28.

#### **The submissions of the applicant**

5. The respondent had abandoned his practice with a shortfall on client account in the region of £39,000.00. He had given no explanation whatsoever. The shortfall on client account had been ascertained by the Official Receiver, the Bureau had not arranged for its own investigation accountant to inspect the respondent's books of account.

The Tribunal FOUND the allegations to have been substantiated. It was clear that the respondent had behaved in an entirely dishonourable manner without any consideration

for the clients of whose affairs he had conduct. It was right that he should be struck off the Roll of Solicitors and ordered to pay the costs of and incidental to the application and enquiry.

DATED this 24th day of April 1995

on behalf of the Tribunal

*R.B. Bamford*

R.B. Bamford  
Chairman

RECEIVED  
LOW COURT OF THE  
day of May 1995

