

IN THE MATTER OF CHRISTOPHER MICHAEL STILL, solicitor

- AND -

IN THE MATTER OF THE SOLICITORS ACT 1974

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Mr. R.B. Bamford (in the Chair)  
Mr. D.W. Faull  
Mr. G. Saunders

Date Of Hearing: 17th January 1996

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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 Roger Field, solicitor of Inhedge House, 31 Wolverhampton Street, Dudley, West Midlands on the 17th October that Christopher Michael Still of C/o Richard Thorn of Messrs. Richard Thorn & Co., Solicitors, of 5a New Road, Brighton, BN1 1UF 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 allegations were that the respondent had been guilty of conduct unbecoming a solicitor in each of the following circumstances, namely that he had:-

- (i) failed to keep accounts properly written up for the purposes of Rule 11 of the Solicitors Accounts Rules 1991;
- (ii) drawn money from a client account other than as permitted by Rule 7 of the said Rules, contrary to Rule 8 of the said Rules;
- (iii) utilised clients' funds for the purposes of other clients;
- (iv) utilised clients' funds for his own purposes.

The application was heard at the Courtroom, No.60 Carey Street, London, WC2 on the 17th January 1996 when Roger Field solicitor and partner in the firm of Messrs. Higgs & Sons of Inhedge House, 31 Wolverhampton Street, Dudley, West Midlands appeared for the applicant and the respondent did not appear and was not represented.

The evidence before the Tribunal included the admissions of the respondent and exhibits "CMS1" and "CMS2".

At the conclusion of the hearing the Tribunal ORDERED that the respondent Christopher Michael Still of C/o Messrs. Richard Thorn & Co., of 5a New Road, Brighton, BN1 1UF 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 £2,917.87 inclusive.

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

1. The respondent, born in 1946, was admitted a solicitor in 1970. At the material times he practised on his own account under the style of Christopher Still of 52 Norfolk Square, Brighton, East Sussex,. He also carried on practice in partnership under the style of Charles Marlow Still at the same address.
2. Upon due notice to the respondent the Investigation Accountant of the Solicitors Complaints Bureau (the Bureau) carried out an inspection of his books of account of the respondent's sole practice. A copy of the Investigation Accountant's report dated the 19th September 1995 was before the Tribunal. That report revealed that the respondent had practised alone since 1982 and had also practised in partnership under the style of Charles Marlow Still since June 1990. He had conducted a general practice dealing mostly with conveyancing assisted by three part-time staff.
3. The books of account were not in compliance with the Solicitors Accounts Rules 1991. The respondent admitted that he had made false entries therein and that he had made improper transfers from client to office account in respect of costs to which he was not entitled. Some of the respondent's accounting records were not available as they had been stolen in the afternoon of the 4th September 1995 apparently from the respondent's motor car. The books stolen included current client ledger accounts, office account, bank statements, cash books, client ledger balances listings and client account reconciliations.
4. In view of the unavailability of the books it was not considered practicable to attempt to compute the total liabilities to clients. From available documents however it was calculated that there was a minimum liability of £300,730.02 in existence as at the 19th July 1995. A comparison of that figure with the cash available at that date, after allowance for uncleared items, revealed a minimum cash shortage of £152,767.58.

**The Submissions of the Applicant**

5. The respondent had admitted a deficiency on client account in the region of £150,000.00, as a minimum figure. There was no doubt that the respondent had behaved with dishonesty.

6. 28 applications had been made to the Law Society's Compensation Fund which had had at the time of the hearing paid out £10,522.21. The pending claims totalled £432,725.94. As at the date of the hearing no recoveries had been made.
7. At the time of the hearing, the Law Society's intervention Agents were trying to piece together matters and obtain a full picture.

**The Submissions of the Respondent**

8. The respondent accepted and admitted the four allegations made against him and that he had been guilty of conduct unbecoming a solicitor. He accepted that he had done wrong and brought the solicitors profession into disrepute. He accepted that he would be Struck Off the Roll of Solicitors.
9. The respondent had surrendered himself to the Police and was on bail awaiting the commencement of criminal proceedings.
10. The respondent was unable to comment on the figures set out in the Investigation Accountant's report as he had not had access to the records in concerned in recent times. He believed that the records stolen from his car could be reconstituted from other records which had been made available to the Law Society.
11. The respondent wished to assist the Law Society with its investigations into the matter in the interests of his former clients and the profession as a whole. He made himself available to answer any queries.
12. The amount quoted as being the subject of pending claims to the Law Society's Compensation Fund was not accepted by the respondent.


The Tribunal FOUND the allegations to have been substantiated.

On 21st January 1993 the Tribunal found the following allegations to have been substantiated against the respondent: The respondent had been guilty of conduct unbecoming a solicitor in that he had drawn moneys from client account other than as permitted by Rule 7 of the Solicitors Accounts Rules 1986 contrary to Rule 8 of the said Rules, in that he had been in breach of Rules 7 and 8, but had not been guilty of conduct unbecoming a solicitor. A fine of £1,000.00 had been imposed.

The respondent had made clear admissions of taking clients' money and was the subject of a police investigation. Such behaviour would not be tolerated and the Tribunal ORDERED that the respondent be Struck Off the Roll of Solicitors and that he pay the costs of and incidental to the application and enquiry in an agreed fixed sum.

DATED this 26th day of February 1996

on behalf of the Tribunal



R.B. Bamford  
Chairman

