

IN THE MATTER OF TRACY PHADERA STEVENSON, solicitors clerk

- AND -

IN THE MATTER OF THE SOLICITORS ACT 1974

Mr. G B Marsh (in the Chair)

Mr. J N Barnecutt

Mr. K J Griffin

Date Of Hearing: 12th December 1996

FINDINGS

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

An application was duly made on behalf of the Law Society by David Rowland Swift solicitor of 19 Hamilton Square, Birkenhead on the 26th June 1996 that an order be made by the Tribunal directing that as from a date to be specified in the order no solicitor should except with the permission of the Law Society for such a period and subject to such conditions as the Society might think fit to specify in the permission employ or remunerate in connection with the practice as a solicitor Tracy Phadera Stevenson of Streatham, London, SW2 a person who was or had been a clerk to a solicitor within the meaning of the Solicitors Act 1974 or that such order might be made as the Tribunal should think right.

The allegation was that the respondent had been convicted of criminal offences which disclosed such dishonesty that in the opinion of the Law Society it would be undesirable for her to be employed by a solicitor in connection with his practice, namely :-

- (i) at the Crown Court sitting at Croydon on the 5th May 1989 the respondent was convicted of nine offences of obtaining property by deception and sentenced to six months imprisonment suspended for eighteen months;
- (ii) at the Crown Court sitting at Isleworth on the 17th October 1991 the respondent was convicted of attempted handling of stolen goods and was sentenced to nine months imprisonment;
- (iii) at the Crown Court sitting at Croydon on the 9th December 1993 1991 the respondent was convicted of forgery and placed upon probation for a period of two years.

The application was heard at the Court Room, No.60 Carey Street, London, WC2 on the 12th December 1996 when David Rowland Swift solicitor and partner in the firm of Messrs. Percy Hughes & Roberts of 19 Hamilton Square, Birkenhead appeared for the applicant and the respondent did not appear and was not represented.

The evidence before the Tribunal included evidence as to due service of the proceedings and Civil Evidence Act notices. The Tribunal had before it copy certificates of conviction.

At the conclusion of the hearing the Tribunal ORDERED that as from the 12th December 1996 no solicitor should except in accordance with permission in writing granted by the Law Society for such a period and subject to such conditions as the Society might think fit to specify in the permission employ or remunerate in connection with the practice as a solicitor Tracy Phadera Stevenson of Streatham, London, SW2 a person who was or had been a clerk to a solicitor and the Tribunal further ordered that she pay the costs of and incidental to the application and enquiry fixed in the sum of £1,007.46 inclusive.

The respondent's address was subsequent to the application ascertained to be London, SE27.

The facts are set out in paragraphs 1 and 2 hereunder.

1. The respondent, born in 1965, was not a solicitor and was employed as a solicitor's clerk undertaking work as a police station representative by a number of solicitors in the Brixton area including the firm of Cremin Small solicitors of Atlantic Road, Brixton. The respondent was employed in that capacity from 1993 until 1995.
2. A police officer had stopped the respondent whilst she was driving because her vehicle did not display an excise licence. The policeman recognised her as a person who had attended at police stations on behalf of clients of firms of solicitors. Subsequently her criminal convictions came to light.

The Submissions of the Applicant

3. In the circumstances it was right that the respondent's employment within the solicitors' profession should be subject to control.

The Tribunal FOUND the allegation to have been substantiated. The respondent had been convicted of serious offences involving dishonesty and it was right that an order should be made in respect of her pursuant to section 43 of the Solicitors Act 1974. The respondent should also pay the costs of and incidental to the application and enquiry in a fixed sum.

DATED this 29th day of January 1997

on behalf of the Tribunal



G B Marsh
Chairman

Findings filed with the
Law Society on the 3rd
day of February 1997