

IN THE MATTER OF TIMOTHY JOHN REED, solicitor

- AND -

IN THE MATTER OF THE SOLICITORS ACT 1974

---

Mr. A G Gibson (in the Chair)  
Mr. A G Ground  
Lady Bonham Carter

Date Of Hearing: 7th August 1997

---

## FINDINGS

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

---

An application was duly made on behalf of the Office for the Supervision of Solicitors by Andrew Christopher Graham Hopper of PO Box 7, Pontyclun, Mid Glamorgan, solicitor, on the 15th March 1997 that Timothy John Reed, solicitor of , London, NW1 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 allegation was that the respondent had been guilty of conduct unbecoming a solicitor in that he had misappropriated funds to which his employer was entitled.

The application was heard at the Court Room, No.60 Carey Street, London, WC2 on the 7th August 1997 when Andrew Christopher Graham Hopper solicitor, of PO Box 7, Pontyclun, Mid Glamorgan appeared on behalf of the applicant and the respondent did not appear and was not represented.

The respondent delivered a letter to the Tribunal which was in their hands on the morning of the hearing.

The evidence before the Tribunal included the admissions of the respondent contained in that letter.

At the conclusion of the hearing the Tribunal ORDERED that the respondent Timothy John Reed of London, NW1 solicitor, 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 £1,520.67 inclusive.

The facts are set out in paragraphs 1 to 6 hereunder.

1. The respondent was admitted a solicitor in 1993 (date of birth 14th September 1963). At times material to the application the respondent was employed as an assistant solicitor by Ms K L Sturtivant, a sole principal solicitor practising as Sturtivant & Co. at 17 Bulstrode Street, London, WIM 5FQ.
2. Upon due notice to the respondent's employer, an inspection of her books of account was carried out by an Investigation Accountant of the Office for the Supervision of Solicitors. It was ascertained that, in round terms, some £14,000 had been received by the respondent from clients in respect of costs properly billed by the firm, but which had been diverted and retained by the respondent for his own use over a period of years. During the course of the inspection the respondent provided a statement, signed by him, in which he admitted these facts. The Tribunal had copies of those documents before them.

#### **The Submissions of the Applicant**

3. The respondent was employed by his sole principal who specialised in immigration problems. He had stolen in excess of £14,000. In order to do that he was obliged to maintain some degree of false records.
4. There had been certain isolated incidents of money being taken by the respondent in the years between 1987 and 1992 in modest sums. The respondent began to take larger sums more frequently from about the time that he qualified as a solicitor.
5. In his letter addressed to the Tribunal the respondent indicated that he suffered from an addiction to gambling. However he had not provided any independent confirmation by way of a medical or psychiatric report.
6. The respondent's former employer had stood the loss - it had not fallen upon the solicitors' profession.

#### **The Submissions of the Respondent**

7. Set out below is the full text of the respondents letter addressed to the Tribunal (which was undated).

"Dear Sir/Madam

First, I would like to apologise for being unable to attend the hearing in person. Having regard to my financial situation and as taking a day off at my present workplace would mean losing a day's pay I have no choice but not to attend.

Whilst I do not deny the breach of the Rules laid before me, I would like to take this opportunity to forward various points in mitigation in the hope that you will be able to show some degree of leniency in your decision with particular regard to any financial penalty or cost award that you may be minded to make.

I have a gambling problem which I now realise is an addiction. I have been in contact with Gamblers Anonymous and therapy has enabled me to face and start to beat this drug. At the time of my resignation from Sturtivant and Co. in February last year I had debts to my credit card companies, loan agencies and banks in excess of £60,000 including a personal overdraft with my bank of £17,000. I had no savings. All these debts and all the money I earned over the previous ten years of working at Sturtivant & Co. had been spent on gambling. Since that date I have had to re-mortgage my small flat to raise some money and have had to come to arrangements with my creditors to extend credit terms and repayment limits. It will take me many years to repay my existing creditors and if the Tribunal decides to impose a financial penalty or costs order on me this will only be a further weight around my neck.

As a result of my gambling addiction I have lost both my livelihood and profession as well as any chance of financial security for the future. I have no university degree as instead of attending university I was encouraged (by the solicitors firm that I was working for as an outdoor clerk in my year off) to train as a Legal Executive. It was direct from this firm that I went with Miss Sturtivant in 1984 to help her start up her own practice. As you will therefore see I have really only ever had one job which started as an outdoor clerk and ended as a solicitor. I have had no other training and no experience of any other profession. At present I am currently working typing data into a computer.

In conclusion I would like to make it clear that it was always my intention to repay the money I took from Sturtivant & Co. and as with all addictions I truly believed that the next bet would win me enough to clear all my debts, I now realise that this is of course not the case and that I can only hope to repay all the sums I owe through hard work and over time. Furthermore I would like to make it clear that I meant no disrespect to the Law Society or the profession and apologise for any embarrassment my actions may have caused.

In the circumstances I hope that you will be able to exercise your discretion and leniency and I look forward to hearing the decision of the Tribunal.

Yours faithfully  
(signed) Tim Reed"

**The Findings of the Tribunal**

The Tribunal FOUND the allegation to have been substantiated. This was a serious matter involving dishonesty. It was a matter for great regret that the respondent who had received encouragement within the solicitors' profession to qualify as one of its number proved to be a person who did not meet the requisite standards of probity integrity and trustworthiness demanded of one of its members. The Tribunal Ordered that the respondent be struck off the Roll of solicitors and further ordered him to pay the costs of and incidental to the application and enquiry.

DATED this 7th day of October 1997

on behalf of the Tribunal



A G Gibson  
Chairman

*Findings filed with the  
Law Society on the 14<sup>th</sup>  
day of October 1997*