

IN THE MATTER OF SIMON CHRISTOPHER JACKSON, solicitor

- AND -

IN THE MATTER OF THE SOLICITORS ACT 1974

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Mr. D J Leverton (in the Chair)  
Mr. J C Chesterton  
Mr. M C Baughan

Date Of Hearing: 30th September 1997

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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 Office for the Supervision of Solicitors by Peter Harland Cadman solicitor of 2 Putney Hill Putney London SW15 on the 7th May 1997 that Simon Christopher Jackson of \_\_\_\_\_, Horfield, Bristol solicitor 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 particulars namely that he had:-

- (a) been convicted of offences of indecent assault and sentenced to a term of imprisonment;
- (b) behaved in a manner unbecoming a solicitor of the Supreme Court.

The application was heard at the Court Room No. 60 Carey Street, London WC2 on the 30th September 1997 when Peter Harland Cadman solicitor and partner in the firm of Messrs

Russell-Cooke, Potter Chapman of 2 Putney Hill Putney London SW15 appeared for the applicant and the respondent was represented by Bruce Weir solicitor of Messrs Bruce Weir Webber & Co. of 155 Chiswick High Road, Chiswick, London W4.

The evidence before the Tribunal included the admission of the respondent and the evidence of Mr Ackland as to the respondent's character.

At the conclusion of the hearing the Tribunal Ordered that the respondent Simon Christopher Jackson of Thetford, Norfolk, IP2D (formerly of Prison Cambridge Road, Horfield Bristol) 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 £778.00 inclusive.

The facts are set out in paragraphs 1 to 2 hereunder:-

1. The respondent, born in 1954, was admitted as a solicitor in 1987. At the material times he practised on his own account under the style of Simon Jackson & Co. at Taunton, Somerset.
2. On the 28th February 1997 the respondent appeared before Bristol Crown Court and pleaded guilty to four offences of indecent assault. On 14th April 1997 the respondent was sentenced to a term of fifteen months imprisonment.

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

3. The respondent had been convicted in four specimen charges of indecent assault on a female. The Tribunal was told that the assaults had been on children to whom the respondent was giving lessons upon the oboe.
4. The Tribunal was referred to the sentencing remarks of His Honour Judge Dyer in the Crown Court in Bristol in particular when he said "what you were doing to those children, as they then were, was for your sexual gratification and that it was repetitive in the case of one girl who said it was measured at least in tens even if it was not fifty times, was the figure that she gave."
5. The Learned Recorder of Bristol went on to say "over a period which ran into years and when acting in a position of trust, you completely misused the opportunities that the teaching of the oboe gave you to obtain some sexual gratification at least by handling these girls above the waist. That conduct was repetitive, it was deliberate. You knew that it was wrong, and you knew, I am quite satisfied, that these children would find it hard to complain. It is one of the features of this type of case that children say, "Well, he is a solicitor, he is a teacher, who is going to believe this if I say it?" and further, as at least one child has said, felt that she herself was to blame, that somehow she was at fault in allowing this to continue, that she should have been firmer. There is no fault in these children, the whole fault is in you and your desire repetitively over a long period time to seek sexual gratification by sexual abuse of these children."

6. The respondent had in committing the offences over a long period of time abused his position of trust as a solicitor and teacher.

**The submissions of the respondent**

7. The respondent had admitted the allegations made against him and had pleaded guilty at the first opportunity. He was convicted some time after he had, of his own volition, stopped teaching the oboe in order to ensure that he was not presented with an opportunity to commit acts of indecent assault.
8. The respondent had always wanted to be a solicitor but since his admission to the Roll had faced a catalogue of professional difficulties. He had been unfortunate in his partnership and other relationships within the solicitors' profession and as a result had lost a great deal of money. This led to the respondent setting up in practice on his own.
9. The first interview the respondent had with police was in September 1996 when the Office for the Supervision of Solicitors was informed. In March 1997 the Law Society's Investigation Accountant inspected the respondent's book of account and found everything to be in order.
10. On the date of the respondent's sentence he arranged for another firm to take over his practice so that the effect of his imprisonment on his clients was minimised.
11. As the result of his convictions and imprisonment the respondent had lost the practice which he worked hard to build up over four years. He was respected within the community and had a wide client base including a number of police officers. The respondent had to offer possession of his home to his mortgagee. The respondent and his wife had separated in May 1993 and had become divorced.
12. The respondent had learnt a great deal about running a business and avoiding pitfalls in running a solicitors' practice. Having avoided any professional misconduct through a period of great professional difficulty, he had put himself in jeopardy through misconduct outside the office.
13. The respondent apologised to the Tribunal for his conduct and for any harm caused to the good reputation of the solicitors' profession. The respondent hoped that he might continue to undertake legal work on his release from prison although he did not intend to restart his old practice.
14. The Tribunal was invited to take note not only of the oral evidence as to the respondent's good character but also to the number of testimonial letters written in his support. The Tribunal was referred also to the statement made by the respondent's sister and the letter from a prison probation officer explaining that the respondent had commenced a sex offender treatment programme which he had found challenging and at times confrontational but he had progressed steadily and had continued to display a willingness and determination successfully to address his offending behaviour.

15. The Tribunal was invited to consider the sentencing remarks of His Honour Judge Dyer when he said he made it clear "these were not the most serious matters of indecent assault to come before the Court." He went on to say that it was true "*[the victims]* by their own exertions they have gone on to higher things; and that is a credit to them." The Learned Judge noted from a report that the respondent believed that he was not doing the children any harm and that they had all gone on to further education, the implication being that they had not been emotionally harmed by his abuse of them. The Learned Judge also bore in mind that the respondent had stopped sexually abusing children on his own volition some years previously.
16. The respondent was a valued member of his community and highly thought of as a solicitor. His offences had been committed outside his practice as a solicitor. He had voluntarily ceased to offend some years before his conviction but nevertheless had paid his debt to society and had undertaken sex offender treatment. The Tribunal was invited to take the view that the appropriate penalty to oppose upon the respondent was a suspension from practice.

### **The Findings of the Tribunal**

The Tribunal found the allegations to have been substantiated, indeed they were not contested. The Tribunal recognises that the offences committed by the respondent were not in any way connected with his position as a solicitor. The Tribunal also recognises that the nature of the offences rendered them not to be the most serious type of abuse of children. However, the respondent did indecently assault female children while he was teaching them to play the oboe, and a teacher of children enjoys a position of great trust. The abuse of such trust by a member of the solicitors' profession brings that profession into considerable disrepute in the eyes of the public and such behaviour will not be tolerated. The respondent was Struck-Off the Roll of solicitors and ordered to pay the applicant's costs in connection with the application and enquiry in a fixed sum.

DATED this 4th day of November 1997

on behalf of the Tribunal

D J Leverton  
Chairman



Findings filed with the  
Law Society on the 7<sup>th</sup>  
day of November 1997