

IN THE MATTER OF JOHN WILLIAM BURROWS, solicitor

-AND -

IN THE MATTER OF THE SOLICITORS ACT 1974

Mr A G Ground (in the chair)
Mr L N Gilford
Lady Maxwelll-Hyslop

Date of Hearing: 30th May 2002

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 ("OSS") by Geoffrey Williams, solicitor and partner in the firm of Geoffrey Williams & Christopher Green Solicitor Advocates, of 2A Churchill Way, Cardiff CF1 4DW on 18th October 2000 that John William Burrows of Hornby Road, Liverpool might be required to answer the allegations contained in the statement which accompanied the application and that such orders might be made as the Tribunal should think right.

The allegation against the Respondent was that he had been guilty of conduct unbecoming a solicitor in that he had been convicted of two offences of making a false instrument and five offences of procuring execution of valuable security by deception and had been sentenced to a term of imprisonment in respect thereof.

The application was heard at the Court Room, 3rd Floor, Gate House, 1 Farringdon Street, London EC4M 7NS on 30th May 2002 when Geoffrey Williams solicitor and partner in the firm of Geoffrey Williams & Christopher Green Solicitor Advocates, of 2A Churchill Way, Cardiff CF1 4DW appeared as the Applicant and the Respondent did not appear and was not represented.

At the conclusion of the hearing the Tribunal ordered that the Respondent John William Burrows of Warrington, Cheshire, 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 £2,937.50.

The facts are set out in paragraphs 1 to 5 hereunder: -

1. The Respondent, born in 1948, was admitted as a solicitor in 1986 and his name remained on the Roll of Solicitors. The Respondent did not currently hold a Practising Certificate.
2. The Respondent was formerly employed as an assistant solicitor by Messrs Steele & Son of Station Chambers, Fernlea Avenue, Barnoldswick, Colne, Lancashire. Such employment ceased on or about 26th March 1996.
3. The Respondent appeared in the Liverpool Crown Court in two separate trials which concluded on 3rd March and 1st September 2000 respectively. He was tried and convicted upon indictment of two offences of making a false instrument and five offences of procuring the execution of valuable securities by deception.
4. On 15th September 2000 the Respondent again appeared in the Liverpool Crown Court and was sentenced in relation to these seven convictions. An immediate term of four years six months imprisonment was imposed upon the Respondent.
5. A copy of the Certificate of Conviction was before the Tribunal.

The Submissions of the Applicant

6. The delay in bringing this matter before the Tribunal was due to the appeals of the Respondent following his convictions.
7. Permission to appeal had been refused by a single Judge in respect of some of the convictions and the Respondent had said he intended to seek permission to appeal from the Court of Appeal.
8. Should the eventual outcome be favourable to the Respondent there would be remedies open to him in respect of the disciplinary proceedings and a division of the Tribunal on 26th April 2002 had directed that the substantive hearing should proceed.
9. In the submission of the Applicant this was a case of the most appalling dishonesty committed by a man shortly before he was admitted as a solicitor at a time when he was a legal executive, and who was a solicitor at the time of his conviction.
10. He had forged the will of the client and had substituted it for the genuine will which was held in the firm's safe having named different beneficiaries. He had then used that forged will, submitting it for probate.
11. The Respondent had also used a system operated by the firm which enabled clients who were identified to the bank by a fee earner of the firm to cash cheques of the

firm. The Respondent had presented himself at the bank with an accomplice and had cashed five cheques.

12. The sentencing remarks of Her Honour Judge Steel spoke for themselves.
13. Amongst other matters Judge Steel had spoken of the effect of such conduct on the victims and the impact of the offences on the public and on public confidence in the profession.
14. This matter was at the highest end of misconduct.

The Findings of the Tribunal

15. Having considered the documentation before it the Tribunal found the allegation to have been substantiated.
16. The Respondent had been convicted of serious offences of dishonesty committed in the course of working in a solicitors' practice. The Tribunal noted the sentencing remarks of Her Honour Judge Steel in which she said that the Respondent had chosen his victims with care and that they were vulnerable and trusting. Shortly after the commission of these offences the Respondent had qualified as a solicitor. Such appalling conduct seriously damaged the confidence of the public in the profession. The Respondent could not be allowed to remain as a member of the profession.
17. The Tribunal ordered that the Respondent John William Burrows of Warrington, Cheshire, 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 £2,937.50.

DATED this 22nd day of August 2002

on behalf of the Tribunal

A G Ground
Chairman