

IN THE MATTER OF PAUL WINTER-MORRIS, solicitor

- AND -

IN THE MATTER OF THE SOLICITORS ACT 1974

Mr A H Isaacs (in the chair)
Mr W M Hartley
Lady Maxwell Hyslop

Date of Hearing: 24th February 2004

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 (the OSS) by Hilary Susan Morris a solicitor employed by the Law Society by the OSS at Victoria Court, 8 Dorner Place, Leamington Spa, Warwickshire CV32 5AE on 27th November 2003 that Paul Winter-Morris solicitor at Wolverhampton, 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 by virtue of his conviction at the Birmingham Crown Court on 12th March 2003 when he was found guilty on three indictments of assisting another person to obtain or control benefit of criminal conduct, contrary to Section 93A (1) (a) of the Criminal Justice Act 1988 as amended for which he was sentenced to a term of five years imprisonment.

The application was heard at the Court Room, 3rd Floor, Gate House, 1 Farringdon Street, London EC4M 7NS on 24th February 2004 when Hilary Susan Morris appeared as the Applicant and the Respondent did not appear and was not represented.

The evidence before the Tribunal included the Certificate of Conviction and the completed Tribunal questionnaire which was returned to the Tribunal's office following service of the proceedings.

At the conclusion of the hearing the Tribunal made the following Order:-

The Tribunal order that the Respondent, Paul Winter-Morris of Ashbourne, Derbyshire (formerly of Wolverhampton) solicitor, be struck off the Roll of Solicitors and they further order that he do pay the costs of and incidental to this application and enquiry fixed in the sum of £887.86.

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

1. The Respondent was born in 1949 and was admitted as a solicitor in 1975. At all material times the Respondent was a partner in the firm of AH Brooks & Co at Derby Street, Leek, Staffordshire.
2. The Respondent acted for Mr E. Customs and Excise prosecuted the Respondent and Mr E for their involvement in the laundering of large sums of money which in the case of the Respondent amounted to £8 million. The Respondent was found guilty of three indictments of assisting another to retain or control benefit of criminal conduct. He was found not guilty on one indictment. He was sentenced to five years imprisonment on each count to run concurrently.

The Submissions of the Applicant

3. The Respondent's criminal activity had taken place during the course of his practice as a solicitor.
4. The Tribunal was invited to consider the sentencing remarks of His Honour Judge McCreath at Birmingham Crown Court on 19th March 2003 and in particular when he said:-

“I am alive to the consequences to you of your conviction in terms of your professional ruin and all that will follow from that ... but you, Paul Winter-Morris, allowed yourself to play an important role in the laundering of a very large sum of money and did so, in my judgement, and I have sat through this case and heard all the evidence and heard your explanation, you did so in my judgement knowing that it represented the proceeds of criminal conduct. Central to the part you played was your position as solicitor. So in doing what you did you brought disrepute not only to yourself but on your whole profession. The sentence I pass must reflect that and of course the very substantial sum of money involved, in this case eight million pounds.”

The decision of the Tribunal

5. Behaviour on the part of a solicitor which results in conviction and a sentence of imprisonment is wholly unacceptable and serves only seriously to damage the good reputation of the solicitors' profession. The Tribunal ordered the Respondent to be struck off the Roll of Solicitors and further ordered him to pay the Applicant's costs in a fixed sum.

Dated this 19th day of March 2004
On behalf of the Tribunal

A H Isaacs
Chairman