

IN THE MATTER OF DENNIS ALPHONSO CUMMINGS-JOHN, solicitor

- AND -

IN THE MATTER OF THE SOLICITORS ACT 1974

Mr A G Gibson (in the chair)
Mr R J C Potter
Mr G Fisher

Date of Hearing: 2nd February 2006

FINDINGS

of the Solicitors Disciplinary Tribunal
Constituted under the Solicitors Act 1974

An application was duly made on behalf of The Law Society by Michael Robin Havard solicitor and partner in the firm of Morgan Cole Solicitors of Bradley Court, Park Place, Cardiff, C10 3DP on 22nd July 2005 that Dennis Alphonso Cummings-John of Balham High Road, London, SW12 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 against the Respondent were that he had been guilty of conduct unbecoming a solicitor in that:-

1. He failed to deliver an Accountant's Report within the permitted time for the accounting period ending 31st December 2002 contrary to Section 34 of the Solicitors' Act 1974 (as amended) and the rules made hereunder;
2. He failed to deliver an Accountant's Report within the permitted time for the accounting period ending 31st December 2003 contrary to Section 34 of the Solicitors' Act 1974 (as amended) and the rules made hereunder.

By a supplementary statement of Michael Robin Havard dated 21st December 2005 it was further alleged against the Respondent that he had been guilty of conduct unbecoming a solicitor in each of the following respects namely that:-

3. He failed to deliver an Accountant's Report within the permitted time for the accounting period ending 31st December 2004 contrary to Section 34 of the Solicitors' Act 1974 (as amended) and the rules made thereunder;
4. He conducted himself in a manner which was likely to compromise or impair his good repute and that of the Solicitors' profession contrary to Rule 1(d) of the Solicitors' Practice Rules 1990;
5. He failed to pay counsel's fees within three months of the delivery of the fee note;
6. He failed to maintain and preserve properly written up books of accounts, ledgers and records in breach of Rule 32 of the Solicitors' Accounts Rules 1998;
7. As a principal in the practice of D A Cummings-John, Solicitors, he failed to exercise proper supervision of staff contrary to Rule 13 of the Solicitors' Practice Rules 1990;
8. He failed to exercise proper supervision of staff engaged in carrying out work on behalf of the firm;
9. As a principal in the practice of DA Cummings-John Solicitors, he failed to take out and maintain qualifying insurance for the period following 1st October 2004 contrary to Rule 4 of the Solicitors Indemnity Insurance Rules 2004;
10. He failed to reply to correspondence from The Law Society.

The application was heard at the Court Room 3rd Floor, Gate House, 1 Farringdon Street, London, EC4M 7NS on 2nd February 2006 when Michael Robin Havard appeared as the Applicant. The Respondent was not present nor represented during the opening of the case by the Applicant. After the Tribunal had reached its decision in relation to liability the Respondent attended the Tribunal and was present in person for the remainder of the hearing.

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

The Tribunal Orders that the Respondent, Dennis Alphonso Cummings-John of Balham High Road, London, SW12, solicitor, be struck off the Roll of Solicitors and it further Orders that he do pay the costs of and incidental to this application and enquiry to be subject to a detailed assessment unless agreed between the parties.

The facts are set out in paragraphs 1 to 41 hereunder:-

1. The Respondent born in 1968 was admitted as a solicitor in 1997 and his name remained on the Roll of Solicitors.
2. At all material times, the Respondent was practising on his own account under the style of D. A. Cummings-John Solicitors formerly of 11 Balham High Road, London, SW12 and subsequently of 198-200 Balham High Road, London, SW12 9BP.

Allegation 1

3. The Accountant's Report for the Respondent's firm for the year ending 31st December 2002 should have been filed by 30th June 2003.
4. The Respondent requested and was granted four extensions of time for the filing of the Report, the final extension expiring on 30th November 2003. Details of the correspondence between the Respondent and The Law Society in relation to the extensions were set out in the Rule 4 Statement.
5. By letter of 28th January 2004, The Law Society wrote to the Respondent stating that the Accountant's Report for the period ending 31st December 2002 was still outstanding despite the extensions being granted to the Respondent to 30th November 2003. The Respondent did not reply. By letter of 25th February 2004 The Law Society wrote to the Respondent asking for an explanation for the delay, and when The Law Society could expect to receive the Accountant's Report.
6. By letter of 17th March the Respondent replied setting out the basis on which he had experienced difficulties in submitting the Accountant's Report. By letter of 4th May 2004 the Respondent stated that his accountants had notified him that they had prepared the accounts which would be forwarded within the next two weeks.
7. By letter of 20th May 2004 The Law Society informed the Respondent that the matter was being referred for formal adjudication, attaching a copy of the Report which would be considered. The Respondent replied by letter of 28th June 2004 indicating difficulties his new accountants had experienced in obtaining information from the Respondent's bank.
8. By a decision of the Adjudicator dated 18th August 2004 the Respondent was expected to deliver the Accountant's Report for the year ending 31st December 2002 within 28 days of being notified of the decision, failing which his conduct would be referred to the Intervention and Disciplinary Unit for formal proceedings to be taken against the Respondent in the Tribunal. If the Respondent complied with the decision of the Adjudicator he would be reprimanded severely for his failure to deliver the Accountant's Report.
9. By letter of 24th August 2004 The Law Society forwarded a copy of the Decision of the Adjudicator to the Respondent. In the circumstances the Respondent had had until 15th September 2004 in which to deliver the Accountant's Report for the year ending 31st December 2002.
10. The Respondent's Accountants sent to The Law Society the Accountant's Report for the period ending 31st December 2002 on 4th November 2004.

Allegation 2

11. The Accountant's Report for the Respondent's firm for the year ending 31st December 2003 should have been submitted to The Law Society on or before 30th June 2004.

12. By fax of 30th June 2004 the Respondent requested from The Law Society an extension of eight weeks to enable him to file the Accountant's Report for the year ending 31st December 2003.
13. By letter of 2nd July 2004 The Law Society informed the Respondent that the Compliance Directorate would consider his request. By Decision of 18th August 2004 the Respondent was granted an extension to 25th August 2004 but was informed that no application for a further extension would be entertained.
14. By letters of 15th September 2004 and 29th November 2004 The Law Society wrote to the Respondent stating that the Accountant's Report remained outstanding and asking for an explanation for the delay. No reply was received.
15. The Accountant's Report for the year ending 31st December 2003 was submitted on 20th May 2005.

Allegation 3

16. The Accountant's Report for the year ending 31st December 2004 was due to be delivered to The Law Society on or before 30th June 2005.
17. In his letter of 20th May 2005 (enclosing the Accountant's Report for the previous period ending 31st December 2003) the Respondent stated that he had instructed his Accountants to prepare a "cease to hold" set of accounts for the period January 2005 to May 2005 and asked permission to file the "cease to hold" accounts together with the accounts for the period ending 31st December 2004.
18. By letter of 16th June 2005 from The Law Society, the Respondent was informed that the Accountant's Report for the period ending 31st December 2004 was due no later than 30th June 2005 and that, if he required an extension, such an application should be made in writing no later than 30th June 2005. The Respondent did not reply to that letter.
19. By letter of 25th July 2005 The Law Society wrote to the Respondent stating that they had not received the Accountant's Report for the period ending 31st December 2004. Again, the Respondent did not reply.
20. By letter of 22nd August 2005 The Law Society wrote again to the Respondent informing him that the Accountant's Report for the year ending 31st December 2004 should have been submitted on or before 30th June 2005 and asking for an explanation for the delay to be sent within 14 days of that letter. The Respondent did not reply to that letter. The Accountant's Report for the year ending 31st December 2004 remained outstanding.

Allegations 4 and 5

21. On 4th April 2005, a "Withdrawal of Credit Direction" was issued in respect of "DA Cummings-John, Solicitors", and the General Council of the Bar forwarded this document to The Law Society with a Schedule of Complaints which detailed the fees in respect of which the Bar Council had received complaints from individual

Chambers. The fees related to invoices submitted in 2002, 2003 and 2004, the total sum outstanding being £18,633.36.

22. By letters of 4th May 2005 and 23rd May 2005 The Law Society wrote to the Respondent asking him to provide a detailed response by a specified date. The Respondent did not reply to the letters. The Law Society wrote again on 1st June 2005 asking for a full explanation within eight days. On 10th June 2005 the Respondent replied providing an explanation.
23. By letter of 15th June 2005 The Law Society wrote to the Respondent indicating that they were intending to forward a copy of his letter to the General Council of the Bar.
24. By letter of 16th June 2005 Ms M of Fees Collection of the Bar Council wrote to The Law Society indicating a chronology which illustrated the lack of response on the part of the Respondent in relation to the numerous complaints that had been made in respect of outstanding fees.
25. By letter of 20th June 2005 The Law Society sent to the Respondent a copy of the letter from Ms M, asking for details of the steps he intended to take and when, in order to settle the outstanding fees. The Respondent did not reply.
26. By letter of 20th July 2005 The Law Society wrote to the Respondent indicating that the matter would be referred for a formal Decision. The Respondent did not reply. By letter of 8th August 2004 The Law Society informed the Respondent that the information had been forwarded for the purposes of Adjudication.
27. An Order was made by the Adjudicator on 15th August 2005 indicating that if the Respondent discharged his liabilities within 28 days he would be severely reprimanded but, if he failed to do so, the matter would be referred to the Tribunal. This Order was sent by The Law Society to the Respondent under cover of a letter dated 23rd August 2005. The Respondent did not reply.
28. By letter of 12th September the Respondent was informed by The Law Society that he had until close of business on 20th September 2005 in which to discharge all fees.
29. In a telephone conversation with The Law Society on 26th September 2005 Ms M of the Bar Council stated that some fees had been paid but others remained outstanding and by letter of 28th September 2005 she clarified that the fees set out in the schedule attached to her letter of 16th June 2005 remained outstanding.
30. By letter of 30th September 2005 The Law Society wrote to the Respondent informing him that the matter would now be referred to the Intervention and Disciplinary Unit for the commencement of disciplinary proceedings.

Allegations 6 to 9

31. An inspection of the Respondent's books of account was commenced on 24th January 2005 and the resulting Report dated 18th February 2005 was before the Tribunal.

Allegation 6

32. The Report noted at paragraphs 5-15 that the Respondent was unable to produce any accounting records or client account bank reconciliation statements. The Respondent stated that he had retained a book keeper who had carried out reconciliations on the computer until around June 2004. Manual reconciliation statements had been prepared until September or October 2004. The Respondent was however unable to produce any bank reconciliation statements which related to the period either before or after June 2004. As a consequence of these matters it was not possible for the Investigation Officer to determine the firm's liability to clients or the amount of client cash available.

Allegations 7 and 8

33. The Investigation Officer established that there was a minimum cash shortage of £970.63, £950 of which was caused by the misappropriation of client funds by a former employee. Details were set out at paragraphs 10-12 of the Report. The Respondent was able to produce statements relating to payments made on behalf of the client to the former employee and also a letter from the Respondent to his former employee seeking an explanation. The Respondent was not however able to produce the file relating to the client nor any evidence that he had properly supervised the conduct of the work undertaken on behalf of the client. The Respondent had not at the time of the inspection notified the police or his professional indemnity insurers about the matter.

Allegation 9

34. The Report set out at paragraphs 19-22 details of the Respondent's firm's Professional Indemnity Cover.
35. The firm had Professional Indemnity Cover with St Paul's Travellers Insurance Company Limited ("St Paul's") for the indemnity period 1st September 2002 to 30th September 2004 but for the period post 1st October 2004, the firm did not have Professional Indemnity Cover. Despite that fact, when the Respondent signed the form of application for his Practising Certificate for 2004/05 on 28th October 2004, he indicated that indemnity insurance was in place for the practising year 2004/05.
36. The Respondent told the Investigation Officer that he had genuinely believed that he had renewed his cover and explained difficulties he had had following relocation with the receipt of post.
37. By detailed letter of 10th March 2005 The Law Society wrote to the Respondent asking him for his explanation in relation to the various matters raised and allegations made in the Report of Mr Norton. The Respondent did not reply and the Law Society wrote again on 4th April 2005.
38. By letter of 4th April 2005 the Respondent replied to the letter of 10th March indicating his intention to wind down his practice and asking for a further 21 days in which to reply substantively. By letter of 13th April 2005 The Law Society granted the extension and asked for information relating to the Respondent's contact details. He did not reply. The Law Society wrote again on 26th April.

39. On 28th April the Respondent contacted The Law Society who requested a substantive response to their earlier letters by 6th May 2005. The Respondent did not provide any response.
40. By letter of 31st May 2005 The Law Society informed the Respondent that powers of intervention had become exercisable. By letter of 25th August 2005 The Law Society informed the Respondent that the matter was being referred for formal adjudication. The Respondent did not reply to either letter. The matter was referred to the Tribunal by decision of the Adjudicator on 29th September 2005 and the Respondent was informed of the referral by letter of 30th September.

Allegation 10

41. The Respondent failed on 12 occasions between 10th March 2005 and 25th August 2005 to reply to correspondence from the Law Society.

The Submissions of the Applicant in relation to Service of Proceedings

42. The proceedings had been issued on 21st July 2005 and following receipt of further evidence the supplementary statement had been filed on 22nd December 2005. The Applicant had sent a copy of the supplementary statement to the Respondent on 21st December impressing upon him that this was advance notice prior to the matter being sent to a member of the Tribunal for consideration of a prima facie case. On 9th January 2006 the Applicant had sent a letter to the Respondent enclosing the date of hearing, the supplementary statement and bundle and the Rule 4 Statement and bundle. These had been sent by DX to the firm A-Z Law Solicitors where the Respondent was based. The Applicant had telephoned several times and had finally been able to speak to the Respondent on 11th January when the allegations had been discussed. The Respondent had confirmed receipt of the letter of 9th January and had spoken of difficulties in dealing with the matter due to stress. The Applicant had invited the Respondent to acknowledge service to avoid personal service but he had not done so. The papers had therefore been served on the Respondent personally and an Affidavit of service was handed to the Tribunal.
43. The Respondent had spoken with the Applicant on the telephone on 1st February and he had accepted that he had been served. He said that he had been in contact with his accountants and he asked for an adjournment. The Applicant had informed him he should attend the hearing and seek an adjournment from the Tribunal.
44. The Applicant had attempted to contact the Respondent at the offices of A-Z Law Solicitors immediately prior to the hearing without success.
45. In relation to the Respondent's indication on 1st February that he would be seeking an adjournment, the Applicant said that given the length of time since the initial proceedings were issued, his instructions were to request that the matter proceed to a substantive hearing.

The Decision of the Tribunal in relation to Service of Proceedings

46. The Tribunal considered carefully the submissions of the Applicant and was satisfied that the Respondent had received due notice of the proceedings and of the date of the substantive hearing. Although the Respondent had indicated to the Applicant that he would be seeking an adjournment, no such application had been made to the Tribunal, the Respondent was not present at the hearing and had not contacted the Tribunal and the Applicant had made proper efforts to contact the Respondent prior to the hearing. The Tribunal had a duty to proceed with disciplinary hearings expeditiously consistent with fairness and in all the circumstances the Tribunal considered that it was right to proceed with the substantive hearing.

Submissions of the Applicant in relation to the Substantive Hearing

47. In relation to allegations 1 and 2 the Applicant submitted that in the circumstances and having been afforded extensions of time in respect of the delivery of the Accountant's Reports for both 2002 and 2003, the Respondent was in breach of Section 34 of the Solicitors Act 1964. The Reports had been submitted later than the time allowed by the extensions.
48. The Accountant's Report which was the subject of allegation 3 remained outstanding.
49. In relation to allegations 4 and 5 fairly substantial sums in cumulative terms remained outstanding to Counsel despite the Respondent writing to say that matters were being resolved.
50. In relation to allegation 6 the Respondent's failure had had serious consequences as the Investigation Officer had been unable to determine the firm's liability to clients and there would also be the consequential effect that the Respondent would be unable to deliver Accountant's Reports.
51. Allegations 7 and 8 related to a former employee who had received cash on account of costs and in respect of whom there were separate proceedings under Section 43. The allegations against the Respondent related to his inability to produce a file or any indication that he had exercised supervision. The Applicant had considered that it would be unfair to allege a breach of the Accounts Rules against the Respondent in respect of the former employee's actions, the Respondent's failure being rather that he could not show any monitoring of the file or provide any evidence of systems or processes for supervision.
52. The Applicant had received no response from the Respondent in relation to allegation 9 so did not know whether there was any explanation for the clearly misleading statement on the application for a practising certificate.
53. The Applicant's supplementary statement set out the details of 12 occasions on which the Respondent had failed to reply to correspondence from The Law Society (allegation 10).
54. It was right to say in the absence of the Respondent that the Applicant's discussions with the Respondent on the telephone illustrated to the Applicant that the Respondent was finding it difficult to cope with any aspect of the proceedings.

The Decision of the Tribunal in relation to Liability

55. The Tribunal in the absence of the Respondent treated the allegations as denied. The Tribunal considered carefully the documentation including representations made by the Respondent in the course of correspondence and also considered the submissions of the Applicant. No evidence had been put forward by the Respondent to challenge the documentation and the Tribunal was satisfied that each of the allegations was substantiated.
56. The Tribunal pronounced its finding in relation to liability and heard the Applicant's application for costs. The Tribunal retired to consider penalty. During its deliberations the Respondent arrived at the Court Room at approximately 11.00 am. The Tribunal therefore resumed the hearing to hear submissions from the Respondent.

Application for an Adjournment

57. The Respondent said that he had left home to attend the hearing in plenty of time but had had to return to deal with personal matters. He clarified that this was because he had left gas appliances switched on. He said that was unable to telephone the Tribunal and had had no access to a telephone although telephoning had crossed his mind. The Respondent still wished to seek an adjournment.
58. The Respondent indicated that he did not dispute the allegations but wished to put in more detail regarding the circumstances by obtaining representation. He had not had sufficient time to obtain representation for the current hearing as he needed to obtain sufficient funds. He had tried to find a Counsel to act pro bono. His firm had collapsed in nightmare circumstances.
59. He anticipated that he would have dealt with the Accountant's Reports prior to returning if the matter was adjourned but admitted to the allegations as they presently stood.
60. The Applicant in objecting to the Respondent's application submitted that the Respondent had been aware of the first set of proceedings since July. Subsequent correspondence had been sent to an address where it would reach the Respondent and he had not replied.
61. The Respondent had acknowledged that he had received the supplementary statement on 9th January even though it had been personally served on him later. The Respondent had not suggested any reason why he could not have acted more quickly in relation to the Rule 4 Statement and, in the submission of the Applicant, also the supplementary statement.

The Decision of the Tribunal in relation to the Application for an Adjournment

62. The Respondent had been aware of the time at which the matter was listed before the Tribunal. He had indicated that he had to return home but that he had been unable to inform the Tribunal that he would be late having no access to a telephone. The Tribunal noted however that the Respondent's mobile phone rang twice in the Court Room. The Tribunal having not been made aware by the Respondent that he was on his way had proceeded with the matter and had found all the allegations substantiated.

It appeared that the Respondent had not yet instructed any legal representation despite having received the Rule 4 Statement in July 2005. The Respondent had accepted that he had received the supplementary statement on 9th January 2006. The Respondent had indicated that he did not intend to dispute the allegations rather he wished to put forward matters in mitigation. Although the Tribunal had retired to consider penalty, the Tribunal was content to postpone that consideration in order to hear submissions from the Respondent in mitigation. The Tribunal did not consider that the Respondent's application for an adjournment set out circumstances sufficiently exceptional to justify an adjournment of the substantive hearing even had the substantive hearing not already commenced. In the event the case had been outlined in the Respondent's absence and the allegations found substantiated. The Respondent's application for an adjournment was refused.

The Submissions of the Respondent in Mitigation

63. With regard to the filing of Accountant's Reports, the Respondent's firm had initially done a tremendous amount of work for the Legal Services Commission in immigration matters. The Respondent had then had difficulties in his practice including two sets of litigation against partners. The Respondent had then taken over the firm, changed its name and relocated. He had put all his funds back into the practice but then had been unable to get a Legal Services Commission contract which had brought about financial ruin. The Respondent could not afford to pay his accountants to prepare the closing Accountant's Report. He only had £700 in his client account. He had done 90% legally aided immigration work. The Respondent did not deny the allegations relating to the Accountant's Report and the indemnity insurance. He had been trying his best. He had spoken to his accountants to whom he owed money. One option would be to change accountants but the Respondent did not think that was right.
64. The Respondent had intended to merge with another practice but had been unable to do so and had started to wind down his firm. He had had to pay rent. He had not had enough money to pay his professional indemnity insurance.
65. The Respondent had closed his firm and was now employed on a consultancy basis with profit share in another practice, A-Z Law Solicitors. He had balanced his options in order to discharge his liabilities. He wished to stay in employment to pay his debts.
66. In relation to allegations of unpaid Counsel's fees, one of these had related to not obtaining money from a client in advance and the trusted client then disappearing. £90,000 had been paid to Counsel in this case and only one day's fees was outstanding. The Respondent had sought advice as to what to do about Counsel's fees and was trying to make representations to the Bar Council. The Counsel involved had been willing to agree terms but the Respondent had not been able to compile and put together the documentation.
67. The Respondent had considered seeking more part-time employment but this was on hold because of personal and business pressures.
68. With regard to the failure to supervise, the clerk in question had been employed on a short term basis with a view to then providing traineeship. The clerk had been referred to the Respondent by his own former principal. The matter in respect of

which the £950 had been misappropriated had been referred to the clerk but had not come through the Respondent, as work came through trainees who went out to Law Centres. The Respondent had subsequently located the file although he could not find it at the time of the inspection. He had had problems with his filing because of the relocation. He had been unable to afford proper storage facilities for his many files.

69. The Respondent accepted that he had not subsequently produced the file to the Investigation Accountant as it had not occurred to him that it needed to be physically produced. He had replied to one of the letters regarding this matter. The money had never been recorded on the file.
70. The Respondent submitted that when the money was taken the client was not a client of his firm as the file had not been opened. The clerk, although employed by the Respondent had acted in this matter in a different capacity and indeed the money had been taken out of office hours. The clerk had mentioned the client when he left the firm and the Respondent regretted taking the client on. Such a thing had never happened in his practice before. Trainees and employees were fully aware of the accounts procedures in the small office and he expected his staff to be honest. The Respondent did not know what level of supervision he could have provided. The clerk might have been employed in some other legal business and could have purported to take the money on behalf of some other organisation. He had been made responsible for something of which he had no knowledge.
71. With regard to the failure to keep accounting records, the Respondent had had a bookkeeper and the records were supposed to be computerised. Over the years books had been misplaced. The Respondent had found “bits and pieces”. After the inspection the Respondent had produced some of the accounts.
72. Obtaining payment from the Legal Services Commission took time and thousands of pounds worth of work had been rejected because of the failure of Counsel to provide fee notes. The Respondent needed time to sort out his affairs.

The Findings of the Tribunal

73. The Tribunal had found the allegations to have been substantiated (paragraph 55 above). The Respondent in his submissions made subsequent to that finding had accepted his liability for the allegations but put forward submissions in mitigation which had been carefully considered by the Tribunal.
74. The Respondent had failed to provide two Accountant’s Reports on time. One Accountant’s Report remained outstanding. The purpose of Accountants’ Reports was to ensure that The Law Society could monitor what was happening in a solicitor’s practice so that the public could be reassured that money they entrusted to solicitors was dealt with properly.
75. Some £18,000 of fees was outstanding to Counsel. Counsel could not recover fees by litigation and relied on solicitors to comply with their obligations in respect of the fees.
76. The Respondent had failed to maintain his books of account. It was vital that solicitors’ books of account were kept properly so that solicitors could know how

much money was held on behalf of each client and The Law Society could monitor the situation. The Investigation Accountant had been unable to establish the liability to clients because of the failure to maintain the books.

77. The Respondent had not had professional indemnity insurance after 2004. Solicitors were required to have such insurance against their own negligence. The Respondent has said in mitigation that he was unable to fund his insurance or indeed pay for the Accountant's Reports. These were essential requirements for solicitors.
78. There was an obligation on any solicitor as part of their professional duty to reply to correspondence from the regulatory body. The Respondent had failed to reply to twelve letters from The Law Society. This was unacceptable behaviour on the part of any solicitor.
79. The Tribunal was gravely concerned at the chaotic state of the Respondent's practice in relation to these important matters. He appeared to have been incapable of managing the affairs of his practice. The Respondent's mitigation had largely related to financial difficulties but that could not excuse his failures and did not even provide explanation for his failures to reply to The Law Society and his failure to maintain and preserve properly written up books of account. The Investigation Accountant's Report made clear the extent of that failure. The substantiated allegations were serious. The public could not be protected when a solicitor showed such extensive disregard for his professional obligations. In the interests of protecting the public and upholding the reputation of the profession in the eyes of the public, the Tribunal was satisfied that the Respondent should not be allowed to continue in practice.
80. The Tribunal Ordered that the Respondent, Dennis Alphonso Cummings-John of Balham High Road, London, SW12, solicitor, be struck off the Roll of Solicitors and it further Ordered that he do pay the costs of and incidental to this application and enquiry to be subject to a detailed assessment unless agreed between the parties.

DATED this 28th day of March 2006
On behalf of the Tribunal

A G Gibson
Chairman