

IN THE MATTER OF ALAN IAN HENRY CRAIG, former solicitor

- AND -

IN THE MATTER OF THE SOLICITORS' ACT 1974

Mr A H Isaacs (in the chair)
Mr P Kempster
Mrs C Pickering

Date of Hearing: 17th November 2005

FINDINGS

of the Solicitors Disciplinary Tribunal
Constituted under the Solicitors Act 1974

An application had been duly made on behalf of the Law Society by Andrew Miller, solicitor employed by the Law Society at Victoria Court, 8 Dormer Place, Leamington Spa, Warwickshire, CV32 5AE on 12th August 2005 that Alan Ian Henry Craig, a former solicitor c/o Mr A Blatt, Murdochs Solicitors, 45 High Street, Wanstead, London, E11 2AA, 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:-

- (1) Failed to keep accurate accounting records as required by Rule 32 of the Solicitors Accounts Rules 1998;
- (2) Withdrawn monies from client account other than as permitted by Rule 22 of the Solicitors Accounts Rules 1998;
- (3) Applied client monies to the payment of costs or purported costs without delivering to the client a bill of costs, or other written notification of the costs incurred, as required by Rule 19 of the Solicitors Accounts Rules 1998;

- (4) Conducted himself in a manner tending to compromise the good repute of the solicitors' profession contrary to Rule 1(d) of the Solicitors Practice Rules 1990.

In a second statement also dated 12th August 2004 the Applicant alleged that the Respondent had been guilty of conduct unbecoming a solicitor in that he had appropriated client monies for his own use. It had been agreed between the parties that at the hearing on 17th November 2005 this allegation, which the Respondent denied, should not be dealt with substantively.

The application was heard at the Court Room, 3rd Floor, Gate House, 1 Farringdon Street, London, EC4M 7NS when Andrew Miller appeared as the Applicant and the Respondent was represented by Andrew Blatt of Messrs Murdochs Solicitors of Wanstead.

The evidence before the Tribunal included the admissions of the Respondent.

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

The Tribunal Orders that the Respondent, Alan Ian Henry Craig c/o Mr A Blatt, Murdochs Solicitors, 45 High Street, Wanstead, London, E11 2AA, a former solicitor, be prohibited from having his name restored to the Roll of Solicitors except by Order of the Tribunal and it further Orders that he do pay the costs of and incidental to this application and enquiry fixed in the sum of £4,198.80.

The Tribunal heard the matter in private having been satisfied by medical evidence that a public hearing might seriously prejudice the Respondent's health.

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

1. The Respondent, born in 1953, was admitted as a solicitor in 1978. On 30th November 2004 his name was removed from the Roll of Solicitors following his application for removal pursuant to the Solicitors (Keeping of the Roll) Regulations 1999.
2. The evidence before the Tribunal consisted of a written report, The Law Society's Investigation Officer dated 18th August 2004, written submissions of the Respondent and his formal admission of the four allegations set out above.

The Tribunal's Findings

3. The Tribunal found the allegations substantiated, and the Respondent agreed to the making of an order under section 47(2)(g), of the Solicitors Act 1974.

The Tribunal's Decision and its Reasons

5. The Tribunal ordered that the Respondent shall not be restored to the Roll of Solicitors without further order of this Tribunal. The Respondent had agreed the Applicant's costs.

6. The Tribunal did not consider the allegation made in the second of the Applicant's statements. With the agreement of both parties the Tribunal ruled that the allegation contained in the second Rule 4 statement should lie on the file.

Dated this 6th day of January 2006
On behalf of the Tribunal

A H Isaacs
Chairman