

IN THE MATTER OF ANTONY TERRY LAUGHTON, former solicitor

- AND -

IN THE MATTER OF THE SOLICITORS ACT 1974

Mr R J C Potter (in the chair)
Mr A G Gibson
Mr D E Marlow

Date of Hearing: 19th October 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 Sarah Jane Lakeman, solicitor advocate employed by the Office for the Supervision of Solicitors, Victoria Court, 8 Dormer Place, Leamington Spa, Warwickshire on 2nd May 2006 that Antony Terry Laughton of Trowbridge, Wiltshire, a former solicitor, might be required to answer the allegation contained in the statement which accompanied the application and that such order might be made as the Tribunal should think right.

The allegation was, at a time when he was on the Roll of Solicitors, the Respondent behaved in a manner unbecoming a solicitor, in particular on 8th July 2005 when he was convicted at the Swindon Crown Court following his guilty plea on five counts of forgery and one relating to his being a director of a company whilst an undischarged bankrupt. On 19th August 2005 he was sentenced to 15 months' imprisonment.

The application was heard at the Court Room, 3rd Floor, Gate House, 1 Farringdon Street, London, EC4M 7NS when Paul Milton, solicitor employed by the Law Society at Victoria Court, Leamington Spa appeared for the Applicant and the Respondent did not appear and was not represented.

The Respondent had written a letter to Mr Milton dated 16th October 2006 in which he confirmed that he had misunderstood the situation and he wished to withdraw his objections to the application (the Applicant had indicated that he did not consider that the Tribunal had jurisdiction over him as his name had been voluntarily removed from the Roll of Solicitors). The Respondent indicated that he did not intend to contest the application at the hearing on 19th October 2006 and further indicated his consent to an order in the terms that the Applicant sought.

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

The Tribunal Orders that the Respondent Antony Terry Laughton of Westbury, Wiltshire, 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 £495.

The facts are set out in paragraphs 1 to 6 hereunder:-

1. The Respondent, born in 1960, was admitted to the Roll of Solicitors in 1985 and was removed from the Roll of Solicitors on 12th October 2002.
2. Ten counts had been put to the Respondent at the Swindon Crown Court on 12th May 2005. They were:-
 - (a) Five counts of forgery contrary to Section 1 of the Forgery & Counterfeiting Act 1981;
 - (b) One count of obtaining services by deception contrary to Section 1(1) of the Theft Act 1978;
 - (c) Two counts of obtaining property by deception contrary to Section 15(1) of the Theft Act 1968;
 - (d) One count of acting as a director whilst an undischarged bankrupt contrary to Section 11 of the Company Directors Disqualification Act 1986;
3. Counts 9 and 10 related to forgery concerning acts committed after the Respondent was removed from the Roll of Solicitors. Count 1, which related to acting as a director whilst an undischarged bankrupt, arose in part when the Respondent was on the Roll of Solicitors. Count 8 related to obtaining services by deception arose in part to the time when the Respondent was on the Roll and in part when he was not.
4. The Respondent pleaded guilty to six of the ten counts made against him, five of which related to the making of false instruments and one of being concerned in the promotion, formation and management of a company while an undischarged bankrupt.

The Submissions of the Applicant

5. The Tribunal was invited to consider the sentencing remarks of His Honour Judge Charles Wade when he said:-

“... this was a case which, frankly because of your professional background, was a breach of trust; trust placed in you by those that you were dealing with, people who had placed confidence in you because of your previous background as a professional person and a person with, frankly, good jobs as I have heard. ... dealing with other people’s money in this cavalier fashion and forging documents over this period of time, to try to fool people into letting you have money, is frankly something which can only justify custody.”

6. The Applicant invited the Tribunal to make an order pursuant to Section 47(2)(g) of the Solicitors Act 1974 (a prohibition order). The Respondent had in fact consented to such order being made.

The Tribunal’s Findings

7. The Tribunal found the allegation to have been substantiated.

The Tribunal’s Order and its Reasons

8. The Tribunal made the order sought. Being convicted of offences involving forgery and acting as a director whilst bankrupt could on the part of a solicitor only have a serious adverse effect upon the good reputation of the solicitors’ profession and the confidence that members of the public were entitled to have in the integrity, probity and trustworthiness of members of that profession. The Tribunal made the prohibition order and having considered the Applicant’s application for costs in the sum of £495 ordered the Respondent to pay costs fixed in that sum as in the Tribunal’s view such costs were reasonable.

Dated this 4th day of December 2006
On behalf of the Tribunal

R J C Potter
Chairman