

IN THE MATTER OF CELESTE DANIELA SCOTECE, solicitor

- AND -

IN THE MATTER OF THE SOLICITORS ACT 1974

Mr. A. H. B. Holmes (in the chair)
Mr. D. Potts
Mr. D. E. Marlow

Date of Hearing: 4th October 2007

FINDINGS

of the Solicitors Disciplinary Tribunal
Constituted under the Solicitors Act 1974

An application was duly made on behalf of The Law Society by Jennifer Johnson solicitor employed by The Law Society at the Solicitors Regulation Authority at 8 Dorner Place, Leamington Spa, Warwickshire CV32 5AE on 14th June 2007 that Celeste Daniela Scotece solicitor of Sheridan Way, Sherwood, Nottingham, 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 she had been guilty of conduct unbecoming a solicitor in that:-

1. On 15th March 2007 she was convicted at Derby Crown Court of possession with intent to supply cannabis, a Class C controlled drug.
2. She gave an untrue explanation of her conduct to The Law Society during The Law Society's investigation of the matter.

The application was heard at the Court Room, 3rd Floor, Gate House, 1 Farringdon Street, London, EC4M 7NS on 4th October 2007 when Jennifer Johnson appeared as the Applicant and the Respondent did not appear and was not represented.

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

At the commencement of the hearing the Applicant gave details to the Tribunal of due service of the date of the hearing on the Respondent and the Tribunal gave consent for the substantive hearing to proceed in her absence.

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

The Tribunal ORDERS that the Respondent, CELESTE DANIELA SCOTECE of Sheridan Way, Sherwood, Nottingham, Swinderby, Lincoln, solicitor, be STRUCK OFF the Roll of Solicitors and it further Orders that she do pay the costs of and incidental to this application and enquiry fixed in the sum of £1,092.00.

The facts are set out in paragraphs 1 to 7 hereunder:-

1. The Respondent born in 1975 was admitted as a solicitor in 2002.
2. The Respondent was formerly employed as an assistant solicitor by The Johnson Partnership but was currently not practising.

Allegation 1

3. On 6th September 2006 The Johnson Partnership wrote to The Law Society reporting that the Respondent had been arrested on 31st August 2006 whilst attending the cell block at a Magistrates Court to attend upon a client of the firm. She was arrested and searched and a quantity of cannabis was found concealed in her underwear. During the interview she made no comment and later that day was bailed to return to the Police Station in November 2006. The letter to The Law Society confirmed that the Respondent had resigned from the firm on the same day.
4. The Respondent pleaded guilty on 15th March 2007 to possession with intent to supply cannabis, a class C controlled drug, and she was sentenced on 19th April 2007 to fifteen months imprisonment. A copy of the Certificate of Conviction was before the Tribunal.
5. A copy of the Learned Judge's sentencing remarks was before the Tribunal, in which the Learned Judge stated that the Respondent had manipulated the process of the court and arranged for a client, Mr S, who was serving a custodial sentence to be brought to court so that the Respondent could supply him with the cannabis that she was carrying.

Allegation 2

6. After receiving the letter referred to above, The Law Society's Regulation Unit wrote to the Respondent on 27th November 2006 seeking her explanation and full details of the circumstances which led to her arrest. The Respondent replied by letter of 16th February 2007 enclosing an explanation in which the Respondent stated that she had been in possession of cannabis for her own personal use, she had kept it with her when visiting the prison so as not to leave it on her employer's premises and she denied intending to supply Mr S or anyone else with the cannabis.

7. The explanation given was untrue as the Respondent later admitted on 15th March 2007 possessing cannabis with intent to supply.

The Submissions of the Applicant

8. The Solicitors Regulation Authority regarded this as a very serious matter. Such a conviction would in any circumstances be serious but it was an aggravating factor that the Respondent had been intending to supply her client in prison.
9. This was damaging to the reputation of the profession. His Honour Judge Hamilton had said in his sentencing remarks:-

"The effect that you have had upon the profession of solicitor, of bringing the whole matter of the profession into disrepute by your gross breach of trust, I suspect now that solicitors may frequently be searched when going to see clients. It was always regarded that solicitors and barristers never needed to be searched because they had personal integrity, because they were people who are officers of the court who could be trusted. You have destroyed all that by your disgraceful conduct".

10. The Applicant sought her costs in the sum of £1,092.00 in accordance with a costs schedule sent to the Respondent.

The Findings of the Tribunal

11. The Respondent had admitted the allegations which were also substantiated on the documentation before the Tribunal.
12. This was a very serious matter which had damaged the reputation of the profession and the Tribunal was mindful of the sentencing remarks of His Honour Judge Hamilton. The Respondent had been convicted of a serious offence committed in the course of her practice as a solicitor. It was right that she no longer remain a member of the profession and the Tribunal would so Order. It was also right that the Respondent pay the Applicant's costs.
13. The Tribunal Ordered that the Respondent, CELESTE DANIELA SCOTECE of Sheridan Way, Sherwood, Nottingham, Swinderby, Lincoln, solicitor, be STRUCK OFF the Roll of Solicitors and it further Ordered that she do pay the costs of and incidental to this application and enquiry fixed in the sum of £1,092.00.

Dated this 5th day of December 2007
On behalf of the Tribunal

Mr A H B Holmes
Chairman