

IN THE MATTER OF GUY DIGBY SEDDON, solicitor

- AND -

IN THE MATTER OF THE SOLICITORS ACT 1974

Mr A H Isaacs (in the chair)
Mr L N Gilford
Mr S Marquez

Date of Hearing: 31st January 2008

FINDINGS

of the Solicitors Disciplinary Tribunal
Constituted under the Solicitors Act 1974

An application was duly made on behalf of The Law Society by Victoria Jane Hunt, solicitor, employed by The Law Society at 8 Dormer Place, Leamington Spa, Warwickshire, C32 5AE on 15th November 2007 that Guy Digby Seddon, 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.

At the opening of the hearing the Applicant sought to amend the allegation. The Tribunal indicated a further amendment that it would consider appropriate. With the agreement of the Respondent the Tribunal consented to the amendment of the allegation and it is set out below in the agreed amended form.

The allegation was that the Respondent had been guilty of conduct unbecoming a solicitor in that he had been convicted of a criminal offence.

The application was heard at the Court Room, 3rd Floor, Gate House, 1 Farringdon Street, London, EC4M 7NS on 31st January 2008 when Victoria Jane Hunt appeared as the Applicant and the Respondent was represented by Dean Armstrong of Counsel.

Preliminary matter

1. An application was made on behalf of the Respondent at the opening of the hearing that the substantive hearing take place in private.
2. The Tribunal had before it two reports, one from a counsellor and another from a consultant psychiatrist, each of which set out the difficulties from which the Respondent had suffered and dealt with his mental state and the continuing risk of self harm.
3. The Tribunal having placed reliance on those reports ordered that the substantive hearing take place in private but refused an application restricting publication of its findings.

The matter proceeded to the substantive hearing.

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

The facts are set out in paragraphs 1 - 3 hereunder:-

1. The Respondent, born in 1977, was admitted as a solicitor on 15th September 2005. At the relevant time the Respondent practised as an associate solicitor in employment with a large City firm, that employment having commenced on 1st September 2003 and ended on 30th April 2007 when the Respondent resigned.
2. On 18th June 2007 the Respondent was convicted of a criminal offence (not involving dishonesty or connected to his practise as a solicitor) and sentenced to a three year community order. The Respondent was ordered to pay compensation and costs.
3. The Respondent had notified the Solicitors Regulation Authority of what had occurred.

The Submissions of the Applicant

4. The Respondent's behaviour leading to his conviction was such that it would bring his own and the solicitors' profession's reputation into disrepute. It was accepted that the Respondent's own solicitors had reported the matter to the professional body. He had also notified his firm. Two of the partners at the firm gave the Respondent character references and the District Judge hearing the case stated that he was "impressed and convinced by the compelling mitigation put forward by the Respondent" when he came to be sentenced and demonstrated leniency in the sentence imposed accordingly.
5. The Respondent told the SRA that he accepted the seriousness of his actions and had made no attempt at the hearing before the Tribunal to minimise the gravity of the offence.
6. The Respondent had indicated that he did not intend to apply to renew his practising certificate for the current practice year or for the foreseeable future. It was said that he appreciated that there was no possibility of his returning to practice until or unless

his personal difficulties had been resolved to the satisfaction of the professionals who were currently helping him.

The Submissions of the Respondent

7. The Respondent accepted that his actions and conviction were seriously damaging to the reputation of the profession. Details of the Respondent's mitigation had been placed before the Tribunal. He had been receiving treatment and counselling running from a time before his conviction. He accepted the gravity of what he had done but was responding to treatment and had made considerable progress since the date of the conviction. It was confirmed that the Respondent had not sought to take out a practising certificate. Indeed his intention was to go with his wife to live abroad.

The Findings of the Tribunal

8. The Tribunal found the allegation which was admitted to have been substantiated. The Tribunal recognised that this was a sad case. The Respondent's action had taken place at a time when he was suffering considerable professional pressures and pressures in his personal life. The Tribunal had given the Respondent credit for reporting the matter to his professional body and to the partners in his firm, for accepting and complying with the sentence imposed upon him by the Magistrates Court and for taking steps to seek to deal with his mental health difficulties.
9. The medical evidence indicated there were prospects of recovery and in all of the particular circumstances of this case the Tribunal considered it appropriate to impose a suspension for an indefinite period of time upon the Respondent. It was right that he pay the costs of and incidental to the application and enquiry. The Respondent had agreed to do so and the figure had been agreed between the Applicant and the Respondent. The Tribunal therefore Ordered that the Respondent be suspended from practice as a solicitor for an indefinite period to commence on 31st January 2008 and it further Ordered him to pay the costs of and incidental to the application and enquiry fixed in the sum of £1,200.00.

Dated this 11th day of March 2008

On behalf of the Tribunal

A H Isaacs
Chairman