

IN THE MATTER OF JANET LEFTON, solicitor

- AND -

IN THE MATTER OF THE SOLICITORS ACT 1974

Mr D J Leverton (in the chair)
Mr L N Gilford
Mr S Howe

Date of Hearing: 27th May 2008

FINDINGS

of the Solicitors Disciplinary Tribunal
Constituted under the Solicitors Act 1974

An application was duly made on behalf of The Law Society on 15th February 2008 that Janet Lefton 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 are that she has been guilty of conduct unbefitting a solicitor in each of the following particulars:-

1. That she was convicted of one offence of perverting the course of public justice and one offence of perjury, and was sentenced to a total of three months imprisonment.
2. That she behaved in a manner unbefitting a solicitor of the Supreme Court. The evidence before the Tribunal included the admissions of both allegations by the Respondent. The Respondent did not appear before the Tribunal, nor did she put before the Tribunal any matters of mitigation.

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

That the Respondent Janet Lefton of Windermere, Cumbria, solicitor, be Struck off the Roll of Solicitors and it further Orders that she do pay the costs of and incidental to the application and enquiry fixed in the sum of £1,555.12 inclusive of VAT.

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

1. The Respondent, who was born on 27th May 1958, was admitted as a solicitor on 1st October 1982.
2. The Respondent last held a practising certificate for the practice year 1990 to 1991. According to Law Society records, at all material times the Respondent was not practising as a solicitor, nor is she now practising, but her name remains on the Roll of Solicitors.
3. At Cardiff Crown Court on 1st March 2007, the Respondent pleaded guilty to both charges, one of perverting the course of public justice and the other an offence of perjury. On 12th April 2007 she was sentenced to a total of three months imprisonment.
4. The Respondent admitted writing a letter to the Gwent Police Camera Safety Unit on behalf of her son, that contained what were deliberate lies. This involved falsely stating that an intended notice of prosecution had not been received; falsely stating that her son had no recollection of who was driving the vehicle on that day, when it was him; and falsely implying that the vehicle might well have been driven on occasion by one of a number of people.
5. The Respondent admitted that she compounded matters by going to a hearing in the Magistrates Court and giving perjured evidence on Oath to the magistrates, denying the receipt of the Notice of Intended Prosecution.
6. On 6th March 2007, on appeal to the criminal division of the Court of Appeal, the Respondent's sentence of three months imprisonment was reduced to six weeks.

The Submissions of the Applicant

7. The Respondent admitted the allegations.
8. The Tribunal was referred to the Certificate of Conviction dated 31st May 2007. The sentencing remarks of Mr Justice Curran on 12th April 2007 and the Judgment of the Court of Appeal dated 20th April 2007.
9. The Tribunal was also referred to the letter of 28th February 2008 from the Respondent's solicitors, Burton Copeland in which the Respondent accepted that there was no mitigation available to her.

The Submissions of the Respondent

10. The Tribunal noted the admissions in the letter of 28th February 2008 from the Respondent's solicitors.

The Findings of the Tribunal

11. The Tribunal found both of the uncontested allegations to have been substantiated.

The Mitigation of the Respondent

12. The Tribunal noted from the letter of 28th February 2008 from the Respondent's solicitors that she accepted that there was no mitigation available to her.

The Tribunal's Decision

13. The Tribunal found the case proved. The Tribunal noted that the Respondent accepted that no mitigation was available to her. Further, that she regrets her offences and apologises for the damage occasioned to the reputation of the profession. It was also noted that there were no records of any previous matters against the Respondent.
14. The Tribunal stressed that the Respondent's conduct was extremely serious and brought the profession into great disrepute and that there was no alternative but to order that the Respondent be struck off the Roll.

Dated this 13th day of August 2008
On behalf of the Tribunal

D J Leverton
Chairman