
SOLICITORS DISCIPLINARY TRIBUNAL

INDEPENDENT

IMPARTIAL

TRANSPARENT

ANNUAL REPORT

1 JANUARY-31 DECEMBER 2017

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ABOUT THE TRIBUNAL

The Solicitors Disciplinary Tribunal (the SDT) was created by the Solicitors Act 1974 as a statutory tribunal. It is responsible for protecting the public interest and maintaining public confidence in the reputation of legal service providers, in particular the solicitors profession, by adjudicating on alleged disciplinary breaches of the Solicitors Regulation Authority's (SRA) rules and regulations and certain appeals.

Solicitor and Lay Members are appointed to the SDT by the Master of the Rolls following an open selection process, in accordance with a published Appointment Protocol. Solicitor Members are practising solicitors of at least 10 years' standing. Lay Members are drawn from a diverse range of personal and professional backgrounds. Part of their role is to represent the views of the general public. Lay Members are neither solicitors nor barristers. To ensure that the SDT is (and is perceived to be) independent of The Law Society (TLS), the approved regulator of the solicitors profession, and the SRA (TLS's independent regulatory arm), individuals who are employed by or serve as Council or Board Members of either body cannot be appointed as Tribunal Members.

The Tribunal's first instance disciplinary procedures are governed by the Solicitors (Disciplinary Proceedings) Rules 2007 (the SDPR) (S.I. 2007 No. 3588) which came into force on 14 January 2008. The Solicitors Disciplinary Tribunal (Appeals and Amendment) Rules 2011 (S.I. 2011 No. 2346) and the Solicitors Disciplinary Tribunal (Appeals) (Amendment) Rules 2011 (S.I. 2011 No. 3070) came into force on 1 October 2011 and 23 December 2011 respectively. These Rules govern the SDT's appeal jurisdiction, including appeals in respect of Alternative Business Structures (ABS) licensed by the SRA.

Since the enactment of the Legal Services Act 2007, the SDT's administrative and financial arrangements have been managed wholly independently from TLS. The SDT is assisted in its administration by Solicitors Disciplinary Tribunal Administration Limited (SDTAL), a company limited by guarantee and controlled by the SDT. The registered office of SDTAL is Gate House, 1 Farringdon Street, London, EC4M 7LG, where the SDT's five court rooms, discussion rooms, and administrative offices are also based.

The SDT's budget is approved annually by the Legal Services Board (LSB) and paid to SDTAL by TLS under a Memorandum of Understanding (dated 6 August 2016) signed by the LSB, the SDT, SDTAL and TLS and published on the Tribunal's website.

The SDT reports annually to the LSB on its performance against targets relating to the progress of cases (but not the number of cases prosecuted which is outside the SDT's control).

Names and dates of forthcoming hearings are published on the SDT's website approximately two weeks in advance. Hearings are held in public and Judgments published in full on the website, unless a Division of the Tribunal specifically directs otherwise. Visitors, including members of the public and the press and providers of legal services, are welcome to sit in court to observe the proceedings. In 2013, the SDT established a User Group Committee attended by key stakeholders. Meetings are held under the Chatham House Rule with a summary of decisions and discussions published on the SDT's website.

COMPOSITION OF THE TRIBUNAL

**As at 31 December 2017, the Tribunal was comprised of 47 Members including Officers
(32 Solicitor and 15 Lay Members)**

Officers

President—Mr Edward Nally
Solicitor Vice-President—Ms Alison Banks
Lay Vice-President—Mr Millius Palayiwa

Solicitor Members

Mr JA Astle	Ms A Horne
Mr P Booth	Mr P Housego
Mr JC Chesterton	Mr M Jackson
Ms T Cullen	Mr P Jones
Mr JP Davies	Mrs A Kellett
Ms J Devonish	Mr P Lewis
Ms H Dobson	Ms N Lucking
Mr W Ellerton	Mrs J Martineau
Mrs C Evans	Mr MN Millin
Mr J Evans	Mr R Nicholas
Mr CB Forde	Mr H Sharkett
Mr A Ghosh	Mr T Smith
Mr LN Gilford	Mr AN Spooner
Mr D Green	Mr G Sydenham
Mr R Hegarty	Mr S Tinkler

Lay Members

Mrs L Barnett OBE JP	Mr S Howe JP
Dr S Bown	Dr P Hurley
Mrs N Chavda JP	Dr P Iyer
Mr G Fisher*	Mr S Marquez
Mrs S Gordon	Mrs L McMahon-Hathway
Mr M Hallam JP	Mr R Slack
Mr S Hill	Mrs C Valentine

*Retired 25 January 2018

REAPPOINTMENT AND RETIREMENT OF MEMBERS IN 2017

The following Members retired on 30 April 2017:	
Solicitor Members	Lay Members
Mr KW Duncan	Mr M Baughan
Mr AG Gibson	Lady Bonham Carter
Mr D Glass	Mr DE Marlow
Mr IR Woolfe	Mrs V Murray-Chandra JP
	Mr P Wyatt
The following Members were reappointed in 2017:	
Solicitor Members	Lay Members
Mr J Astle	Mrs L Barnett OBE JP
Ms A Banks	Mrs N Chavda JP
Mr JC Chesterton	Mrs S Gordon
Ms T Cullen	Mr M Hallam JP
Ms J Devonish	Mr S Hill
Mr D Green	Mr S Howe JP
Mr R Hegarty	Mr S Marquez
Mr P Housego	Mrs L McMahon-Hathway
Ms N Lucking	Mr M Palayiwa
Mrs J Martineau	Mr R Slack
Mr E Nally	
Mr R Nicholas	
Mr S Tinkler	

COMPOSITION OF THE SDTAL ADMINISTRATIVE TEAM AND BOARD

THE ADMINISTRATIVE TEAM

CLERK AND CHIEF EXECUTIVE OFFICER/COMPANY SECRETARY OF SDTAL

Susan Humble

SENIOR DEPUTY CLERK

Geraldine Newbold

DEPUTY CLERKS

Catherine Comiskey, Solicitor*	Lubna Shuja, Solicitor
Audrey Osborne, Solicitor	Anne-Marie Roberts, Solicitor
Jonathan White, Solicitor	

ADMINISTRATIVE STAFF

Marta Bagusaite—Senior Case Management Assistant
Stuart DeBoos—Financial Controller
Anita Etentuk—Case Management Team Assistant
Klaudia Lyczkowska—Office Services Assistant
Daveena Ogene, Solicitor—Head of Case Management
Josephine Passafiume—Receptionist/Courtroom Assistant
Joanne Thomas—Listing and Document Manager
Emma Tully—PA to the Clerking Team
Karen Wood—Head of HR and Office Administration

*Left 31 March 2018

THE SDTAL BOARD

CHAIRMAN—Edward Nally

DIRECTOR—Alison Banks

DIRECTOR—Millius Palayiwa

DIRECTOR—Laurence Gilford

DIRECTOR—Lesley McMahon-Hathway

OUR VISION, OUR CORE VALUES AND OUR MISSION

OUR VISION

The SDT's vision is to be the leader amongst professional and regulatory tribunals in the United Kingdom, particularly in developing and implementing strategies which demonstrate consistent best practice and value for money for our stakeholders, and in particular the public and the solicitors profession.

OUR CORE VALUES

The SDT, the SDTAL, our Members and our staff are committed to being independent, impartial, transparent, effective, and efficient.

OUR MISSION

The SDT's mission is:

- To determine all cases, brought by the SRA or by Lay Applicants, in accordance with the principles of natural justice, paying due regard to the SDT's duty to protect the public from harm and maintain public confidence in the reputation of legal service providers, and in particular the solicitors profession.
- To conduct SDT and SDTAL business in a way which is consistent with our commitment to be independent, impartial, and transparent with all our stakeholders.
- To contribute as the SDT considers applicable and appropriate to the achievement of the Legal Services Act 2007 Regulatory Objectives.

OUR OBJECTIVES

OUR OVERRIDING OBJECTIVE

The SDT's overriding objective is to ensure that all cases brought before it are dealt with justly and in accordance with the SDT's duty to protect the public from harm and to maintain public confidence in the reputation of providers of legal services.

OUR SUBSIDIARY OBJECTIVES

To determine allegations brought against Respondents, in all cases applying the principles of law and natural justice.

To increase understanding amongst the public and the solicitors profession of the SDT's powers, procedures, and decision-making processes.

To deal with matters in accordance with the SDT's duty to be independent, impartial, and transparent.

To ensure that all relevant evidential material is available to the SDT in a timely fashion and accessible format throughout the proceedings and at the final hearing.

To deal fairly with Applicants and Respondents, their representatives, and others appearing before the SDT.

To deal with cases proportionately.

To enhance the SDT's reputation.

To deal with cases efficiently and expeditiously.

THE PRESIDENT'S REPORT

I am pleased to present my Report for the calendar year 2017. The year has been a dynamic and interesting one for the Tribunal.

I have observed again that the cases before us have become more complex and, in listing terms, tend to be of longer duration. This is an inevitable consequence of some wide ranging and serious allegations. It can often, too, reflect the considered views of those representing the parties as to how long cases will detain the Tribunal.

This year marked some particularly significant cases which were of a high media profile. I do not propose to mention those cases specifically, as they are well known, and I believe the way in which the Tribunal handled them is a tribute to the Staff and Members who were involved, and the diligence applied in seeking a just outcome does appropriate credit to all concerned.

It has been an interesting feature of the year that Agreed Outcomes have become more popular. I have said before that I believe that Agreed Outcomes and indeed Regulatory Settlement Agreements are an important and proper part of the regulatory machinery. Used effectively they can provide a realistic route for the parties to dispose of cases without the full focus of a contested Hearing before the Tribunal. The approach can generate savings of cost, can acknowledge the reality of the situation that faces an individual Respondent, and applied properly can present the Tribunal with an appropriate way forward to dispose of a case justly.

There is a word of caution in all this, however, that needs to be directed both at the Solicitors Regulation Authority in their role as Applicants for such Outcomes, and individual Respondents and their advocacy teams. The Tribunal is still exercising a Judicial function and will not rubber stamp Agreed Outcomes which feel too lenient, or too draconian, or which are not fully articulated in terms of the range of agreed facts. Experience of Agreed Outcomes through the year demonstrates that the Tribunal is on occasion having to refer matters back for further information and, in some cases, we are simply unable to approve Agreed Outcomes where these factors arise.

There has been considerable focus on the Tribunal's work through the year both in the Higher Courts and indeed in the legal press. Inevitably, where the stakes are as high as they are before the Tribunal, Appeals will arise and some have produced some rather interesting and significant decisions. I view the scrutiny of the Divisional Court of our Judgments as helpful, even if on occasion they do not agree with the conclusions of a particular Division of the Tribunal! Appeals inform the Tribunal as to the proper approach that as an expert Tribunal we need to follow in the exercise of our Judicial discretion. My experience is that on the overwhelming majority of occasions we get things right, but there is no place for complacency within our Tribunal, and we strain to take on board and work with any learning points that arise from particular Appeals and their consideration by the Higher Courts.

THE PRESIDENT'S REPORT CONT'D

There has also been some very useful clarification in the Leading Case of *Ivey v Genting Casinos (UK) Limited* of the test for dishonesty, and the Tribunal has quickly adjusted to that clarification in applying the proper test for dishonesty as articulated by the Supreme Court.

The Tribunal does not stand still in relation to the review of our own internal governance, and our preparation for the future. With that in mind we have adopted during the year a Code of Conduct for Tribunal Members, and we have suggested and submitted to the Master of the Rolls a draft Appointment Protocol for his consideration upon which he will no doubt be consulting later this year. This is an essential anticipatory step for the next time we need to make new appointments to the Tribunal over forthcoming years.

We have also undertaken a review of our existing Disciplinary Tribunal Rules. We have decided that it is appropriate to review those Rules and will be bringing forward draft new Rules for consideration during 2018. It is our intention to consult on the much debated topic of the Standard of Proof. I am very aware that there is considerable interest in this topic, and have indicated that the Tribunal will grasp the nettle and will consult upon the standard. It is my intention that we will include an express reference to the Standard of Proof in the adoption of our new Rules when the time comes, so all stakeholders should watch this particular space.

Once again this year I am indebted to the Staff Team at the Tribunal led by our Chief Executive Officer and Clerk, Susan Humble. Their application, professionalism and care for the work they do makes the Tribunal the success that I believe it is. I must also add thanks to the Members whose great commitment to their roles is evident to me whenever I sit as a Tribunal Chairman. I believe the Tribunal is in good hands and long may that continue.

I should also like to acknowledge the support of my colleagues on the Board of Solicitors Disciplinary Tribunal Administration Limited who have provided me with unstinting and welcome advice in our work together on the Tribunal's behalf.

During the year we saw the retirement of several of our distinguished and longer serving Tribunal Members, whose terms of office came to a natural end. Prudent advance planning has meant that new Members have taken their place through the Appointments Process that we undertook in 2015 so the Tribunal is and remains well equipped to deal with the cases that are before us and in the pipeline to reach us over the coming year.

Finally I should acknowledge with gratitude the constructive and healthy engagement that we have with our key stakeholders. Within the boundaries of our respective roles, relationships with the Legal Services Board, the Solicitors Regulation Authority, The Law Society and others are both constructive and cordial, each respecting our different roles. I am also indebted for the advice and interest shown towards the Tribunal by the Master of the Rolls, The Right Honourable Sir Terence Etherton, for which I am again most grateful.

Edward Nally
President

THE CLERK'S VIEW

This 'Clerk's View' of the SDT is an opportunity to review the organisation's core strategies. The SDT is rightly proud of its pledge to be independent, impartial, and transparent. These values are the solid foundations upon which the SDT ensures that every case is dealt with justly.

Over recent years the SDT has introduced a number of case management strategies aimed at improving the process and to increase its transparency. Standard Directions are made at the start of proceedings and include a final hearing date so that all parties know what will happen and by when. Each step of the way is mapped out, a feature which is particularly important for those solicitors and their employees who represent themselves at hearings and who may not come from a litigation background. The absence of mystery surrounding the process, emphasised by the fact that the majority of hearings are held in public, is not only of benefit to the parties but also to observers of the system in action. The public and the media can see that cases in which they have an interest are subject to rigorous enquiry, with no stone left unturned. Members of the profession are able to identify what misconduct looks like, not by means of dry regulations in the pages of a handbook, but by reading about or witnessing the live drama of an SDT case.

The SDT has worked hard to analyse and improve the way in which it supports vulnerable service users. We have introduced online forms which are easy to complete. These include provision for applications for special measures, including witness screening, translators, and facilities for evidence to be given by video link and telephone, all available in appropriate cases. Work in this area will continue into 2018, with the introduction of plain English guidance for lay applicants and solicitors and their employees acting in person. Allegations of misconduct of a sexual nature by solicitors is likely to be a theme for future cases brought by the SRA. These will require particularly careful and sensitive handling. SDT Members and staff will receive additional training to ensure that they have all the necessary skills, building on the foundation of the recently published updated Equal Treatment Bench Book.

Case management requirements can, of course, increase the burden on the parties, and indeed the SDT, in terms of time and cost. This will not always be welcome but is an inevitable consequence of making sure that cases are completely ready for hearing with accurate time estimates before well-prepared tribunals of highly-experienced Members. The SDT is currently exploring with the members of its User Group Committee, including those who act for solicitors in proceedings, technology-based initiatives to reduce the overall cost of cases. The introduction of electronic document management is the first major step on the path towards achievement of the ultimate objective of a paperless office. The cost and time savings to be secured in the medium to long-term by reducing the amount of paper compiled into bundles will be significant. The environmental benefit will be an important bonus, acknowledging that the SDT has a wider societal role to play and does not operate in a bubble. Savings will be reflected in the costs bills charged by the advocates for both sides to their clients and will assist in reducing the overall expense of running the SDT, paying back the investment in technology.

THE CLERK'S VIEW (CONT'D)

Enhancements were made to the SDT's website in 2017, to improve the existing format and make the site more accessible, particularly in respect of Judgment search facilities. A deliberate decision was made not to start from scratch by throwing away features that work well with all the expense that would have entailed. Our strategy is to build on our current website by adding new visitor-friendly features without embarking on an expensive redesign. In 2018, interactive pages will be introduced, enabling those unfamiliar with our office at Gate House to click their way around the building, from front door to courtroom, before setting foot over the threshold. This is part of the work being done to reduce the inevitable anxiety felt by those attending hearings; even experienced advocates are nervous on occasion and seeing what awaits in advance can be helpful.

The SDT continues to perform well against its Performance Measurements in an environment which regularly throws up unknown unknowns even though the path to a hearing is so well-travelled. Requests from third parties, including the police and the press, for access to the documentary evidence considered by Tribunals when reaching decisions are now a regular feature. In 2017, in direct response, the SDT introduced a published 'Disclosure Policy' so that those making requests, who often have a very personal interest in the case, can find out what they need to do to make applications more transparently. This does not mean that third party disclosure will be granted routinely: such decisions will remain the responsibility of SDT Tribunals. Decisions may be made in unopposed, straightforward cases without a hearing to keep costs manageable. We also have to be alert to Data Protection Act and, of course, General Data Protection Regulation provisions (the latter in force from 25 May 2018). Very little is as simple as it initially seems, and that is part of the intellectual challenge of working at the SDT in whatever capacity.

I am leaving the SDT in June 2018 after well over 7 working years here. It has been a time of enormous change, not only for the SDT itself but also for the legal regulatory market in general. My intention has always been that the SDT should be a disciplinary tribunal able to hold its metaphorical head high, to compete with the best. It is appropriate that a profession which sets great store by the rule of law and the administration of justice should reflect those ideals in its own disciplinary body. A key part of the success of the SDT in the performance of its public duties is its staff, as demonstrated by the reaccreditation by Investors in People in July 2017. The people who work at Gate House show empathy and patience beyond quantification towards everyone who makes contact. Together they form a staff team of which any CEO can be very proud. It is right that I publicly pass on my heartfelt gratitude to them here for their support and friendship over the years.

In the elegant words of that most elegant of sportsmen, Pele: 'Success is no accident. It is hard work, perseverance, learning, studying, sacrifice and most of all, love of what you are doing or learning to do'. By that definition the SDT has had an extremely successful 2017, and I have no doubt that future years will be ever more successful. The best is yet to come.

Susan Humble
Clerk/CEO

A LAY MEMBER'S PERSPECTIVE

In November 2015, some 10 months after submitting an application to be considered for membership of the SDT, I was one of 19 successful new Members invited to Gate House to be welcomed and briefed about what was expected of us.

"It's a big deal", said Susan Humble, Chief Clerk and CEO about our appointment. At the time I wondered whether this was an easy compliment designed to get the new troops on board and in line. More than two years later, having sat with many divisions of the Tribunal and through many hearings, I have a more personally informed understanding of why being a Member of the SDT is, indeed, a very big deal.

Whether a case involves allegations of extreme misconduct, a technical breach of the Rules, or something in between, every solicitor is entitled to a fair hearing. My experience is that Tribunal Members demonstrate a strong personal responsibility to ensure that that right is protected. Fairness is not limited to procedural issues. I would hope that solicitors appearing before the Tribunal experience some of the respect, care and thoughtfulness which I believe we bring to the proceedings, despite their unwelcome nature to those who are called to account.

For me the big deal is the responsibility for delivering a fair outcome for a fellow professional facing the case presented by the SRA. Preparation and attention to detail are key - and time consuming. On the first day of a hearing, no matter how early I arrive with my files of flagged, tagged and highlighted documents, the clerk's presence and detailed preparation is always evident and my colleagues demonstrate similarly detailed scrutiny. The occasional quiet comment about an ambiguity in the evidence tells me that we have all done our homework and expect to be held accountable for our decisions. My experience has been that members of a Division work together, exchanging observations made during preparation, to reduce the risk that we miss a potentially important or troubling issue that might not be presented to us. This sense of responsibility is heightened when a solicitor is unrepresented.

So what does a fair outcome look like to a Lay Member of the Tribunal? All Members bring their own work and life experiences to the interpretation of evidence and the exercise of judgement. My own experience includes many years as an NHS doctor and even more representing doctors whose professional practice was under scrutiny. I have witnessed the effect of an investigation by a professional regulator on the personal, professional and psychological wellbeing of an individual who has lost their compass. Being a member of a profession brings rights and privileges which can easily be taken for granted in an increasingly pressured work environment. It also brings responsibilities, which may be a heavy mantle and one which cannot easily be shrugged off, but it comes with the territory.

A LAY MEMBER'S PERSPECTIVE (CONT'D)

As a member of the public and as a potential client I believe that maintaining the highest standards within the legal profession, commanding the trust and confidence of the public, is an issue which should carry greater weight, in terms of public interest, than the personal circumstances of an individual solicitor.

A final thought on fairness of sanction. I look for insight as a barometer of future risk. This is not the same as evidence of punishment or acceptance of punishment. In my experience, genuine insight is one of the most valuable attributes an erring solicitor can bring to demonstrate their fitness to practise. But here's the rub - it has to be home grown and the real thing.

Stephanie Bown

SDT Lay Member

HIGHLIGHTS OF 2017

Improvements in Case Management

Throughout 2017 we continued to review and improve our case management procedures, introducing changes to enhance the speed, efficiency and smooth-running of cases, including:

- ◇ The introduction of the Clerks' Court, to address areas of non-compliance at an early stage and avoid delays later in the proceedings.
- ◇ A review of roles within the Case Management Team to ensure work is effectively distributed, including recruiting a new Case Management Team Assistant and creating a Senior Case Management Assistant role from within the Tribunal's existing staff.
- ◇ The introduction of online forms for pre-hearing applications, such as adjournments or the variation of directions, so that applications contain the relevant information at the outset and delays in processing requests are minimized. Electronic versions of the forms can be found on the Tribunal's website, as part of our commitment to progressing to a paperless office environment.
- ◇ The completion of a Decision Sheet by a clerk or Tribunal Member, to increase transparency of decision making.

Investors in People

We were delighted to achieve Investors in People reaccreditation, reflecting the efforts of everyone in the staff team. It was good to see that the external assessor recognized the progress the Tribunal had made since its original accreditation in January 2015.

Website

We redesigned and relaunched the SDT's public website and Member portal, moving it to a more user-friendly and cost-effective cloud-based platform. We have also developed an online interactive courtroom tool which will especially benefit parties unfamiliar with the Tribunal's offices and procedures.

Policies

We continued to review our staff and Member policies, including the introduction of new Reward and Recognition and Learning and Development frameworks for staff, and the introduction of a Code of Conduct and a 360° online appraisal feedback process for all Tribunal Members with coaching on development areas.

Improving the Finance function

We restructured our finance function in 2017 to improve access to high-quality financial expertise, bringing accountancy work in-house and creating a new (part-time) role of Financial Controller.

THE YEAR AHEAD

Key strategies for implementation in 2018 include:

The Paperless Office

We are continuing to develop the use of technology as part of our progress towards paperless working in our offices, courts, and retiring rooms. This includes moving our IT infrastructure to the cloud, reviewing and, where necessary, amending our case management systems, and investing in cost-effective IT hardware.

In particular, we are exploring the introduction of a digitised case platform to manage the secure electronic filing of court bundles and conduct of Tribunal proceedings, including discussions with the Tribunal's key stakeholders about how such a platform could benefit Tribunal proceedings. In addition to the potential cost savings, a system of this kind will enhance security when sharing court documents with Tribunal Members and parties.

Improving information for parties

We plan to introduce guidance notes for Lay Applicants and unrepresented Respondents about Tribunal proceedings, to ensure that all Tribunal users understand what happens when an application is made to the Tribunal in respect of Solicitors, Registered Foreign Lawyers, Registered European Lawyers and Recognised Bodies, and what to expect when a case is referred to a hearing.

User-Satisfaction

We aim to develop and implement research into user-satisfaction by creating a survey that can be shared with parties and their legal representatives at the conclusion of proceedings.

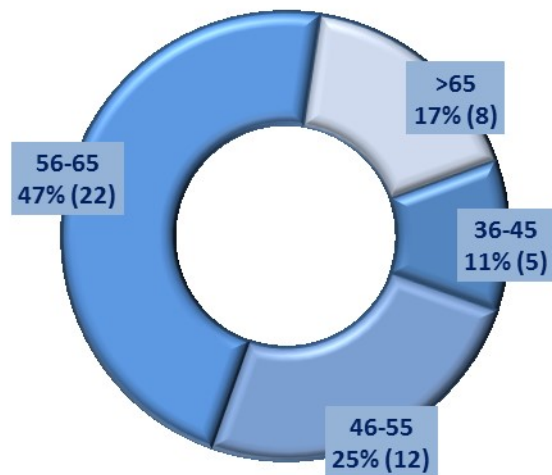
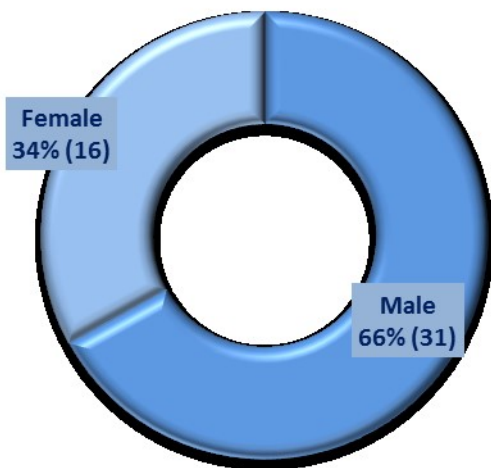
Data Protection and the General Data Protection Regulation (GDPR)

We are updating our data protection policies, procedures, and training to ensure we remain compliant with data protection legislation, including the GDPR when it comes into effect in May 2018. To support us in this, our new Data Protection Officer and Deputy Clerk joined the staff team in April 2018.

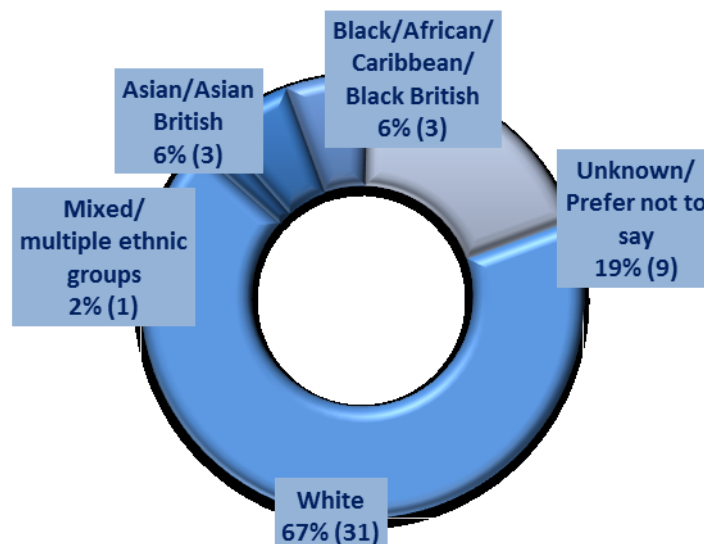
DIVERSITY

The SDT is committed to equality of opportunity, and aims to treat everyone fairly and with respect, regardless of their background. We welcome diversity in our workforce and membership which we believe helps us to meet the needs of the solicitors profession and the public. We will not discriminate against anyone because of race, sex, sexual orientation, gender reassignment, religion or belief, marital or civil partnership status, age, disability, or pregnancy and maternity.

The charts below show the diverse make-up of the SDT membership as at 31 December 2017:



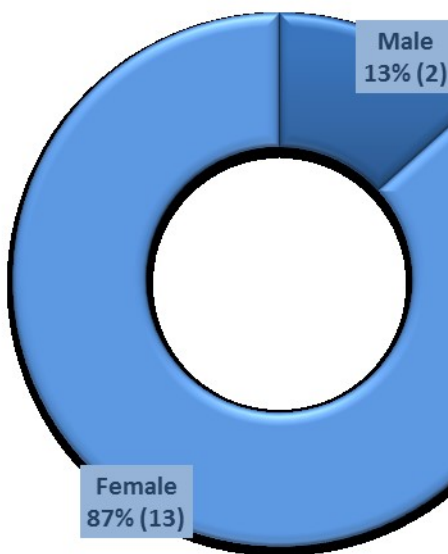
ETHNIC ORIGIN



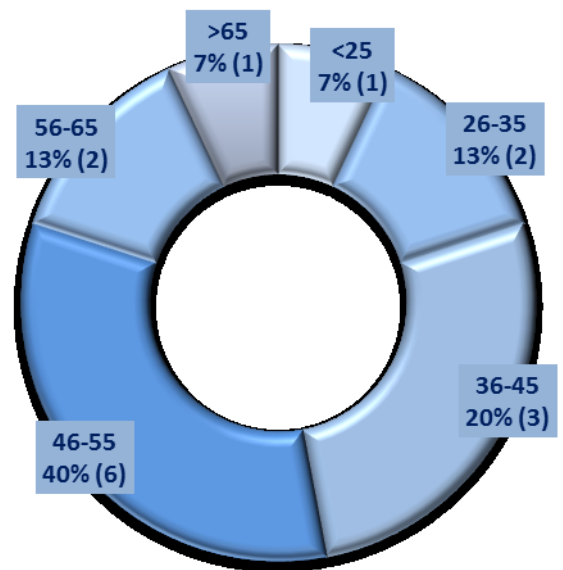
DIVERSITY (CONT'D)

The charts below show the diverse make-up of the SDTAL Administrative Team as at 31 December 2017:

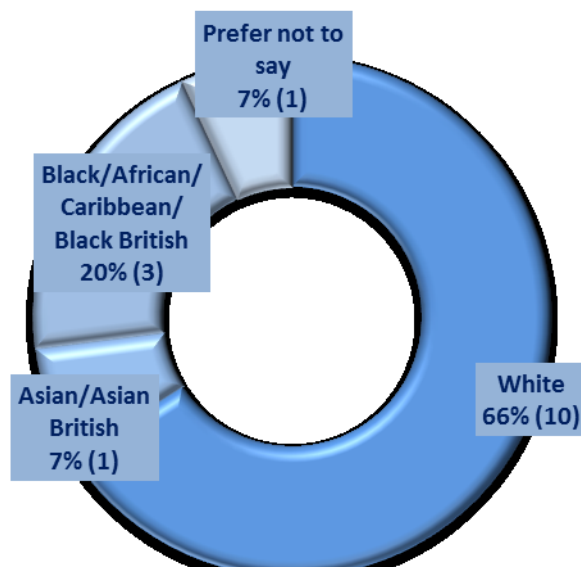
GENDER



AGE



ETHNIC ORIGIN



APPLICATIONS

The Tribunal sat on 266 days
in 2017

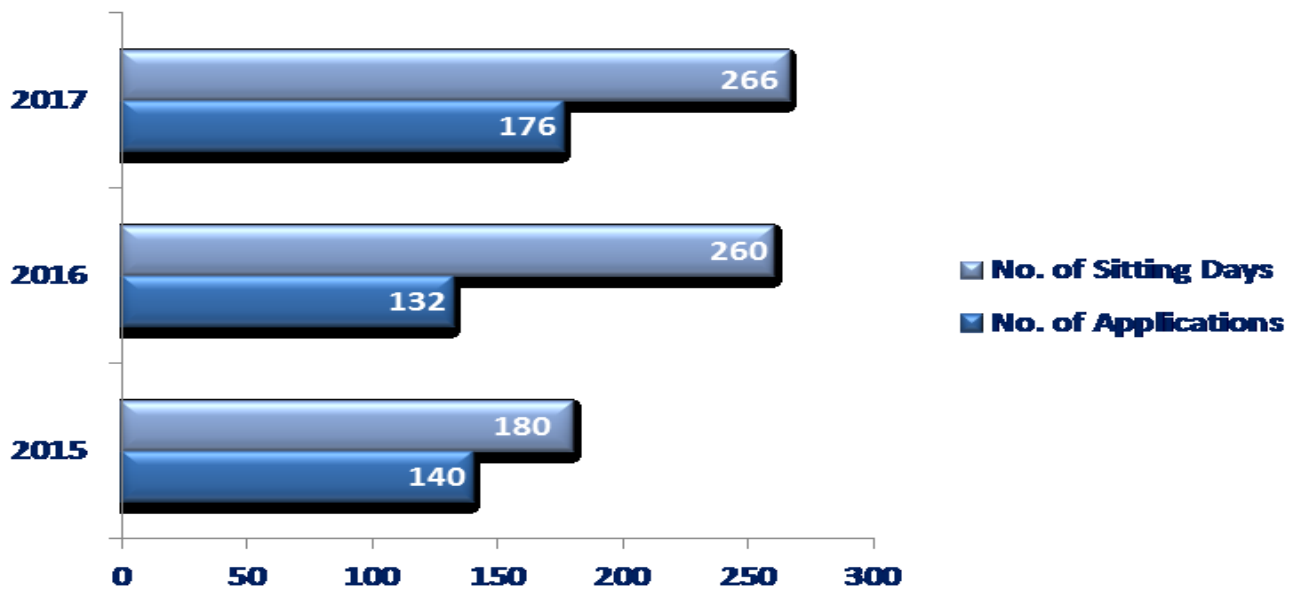
176 new Applications were
received—an increase of
33.33% on 2016

The Tribunal lost
approximately 98 days due to
Adjournments

APPLICATIONS RECEIVED	01/01/17- 31/12/17	01/01/16- 31/12/16	01/01/15- 31/12/15
Applications involving practising solicitors, including: <ul style="list-style-type: none"> Registered Foreign Lawyers –2 Registered European Lawyers - 1 Recognised Bodies – 7 Clerks - 8 Lay Applications – 11 	152	119	123
Applications in respect of solicitors' clerks alone	1	1	2
Applications by struck off solicitors for Restoration to the Roll	4	2	6
Applications to revoke, quash, review or vary an Order under Section 43 ¹ made either by the SRA or the Tribunal, appeals under Section 44E Solicitors Act 1974	4	4	3
Applications seeking to end an indefinite period of suspension	3	3	3
Applications made in respect of former solicitors (i.e. solicitors no longer on the roll)	0	0	0
Applications to vary conditions on practice imposed by the Tribunal	2	2	2
Applications for rehearing	0	0	1
Applications for enforcement of costs order	6	1	0
Cases returned to SDT by High Court/Court of Appeal for reconsideration following successful appeal	2	0	0
Other Applications	2	0	0
TOTAL	176	132	140

¹An Order made pursuant to Section 43 of the Solicitors Act. Section 43 (as amended by the Legal Services Act 2007) applies to those who are not admitted solicitors and who are employed or remunerated by solicitors.

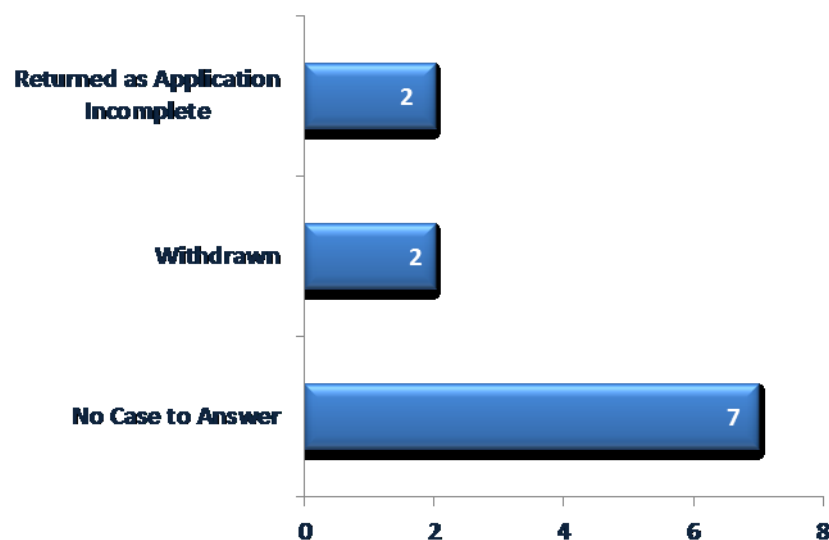
COMPARISON OF APPLICATIONS/SITTINGS



The total number of Applications received during 2017 was 176 and the Tribunal sat on 266 days. The comparison with previous years is shown above.

LAY APPLICATIONS

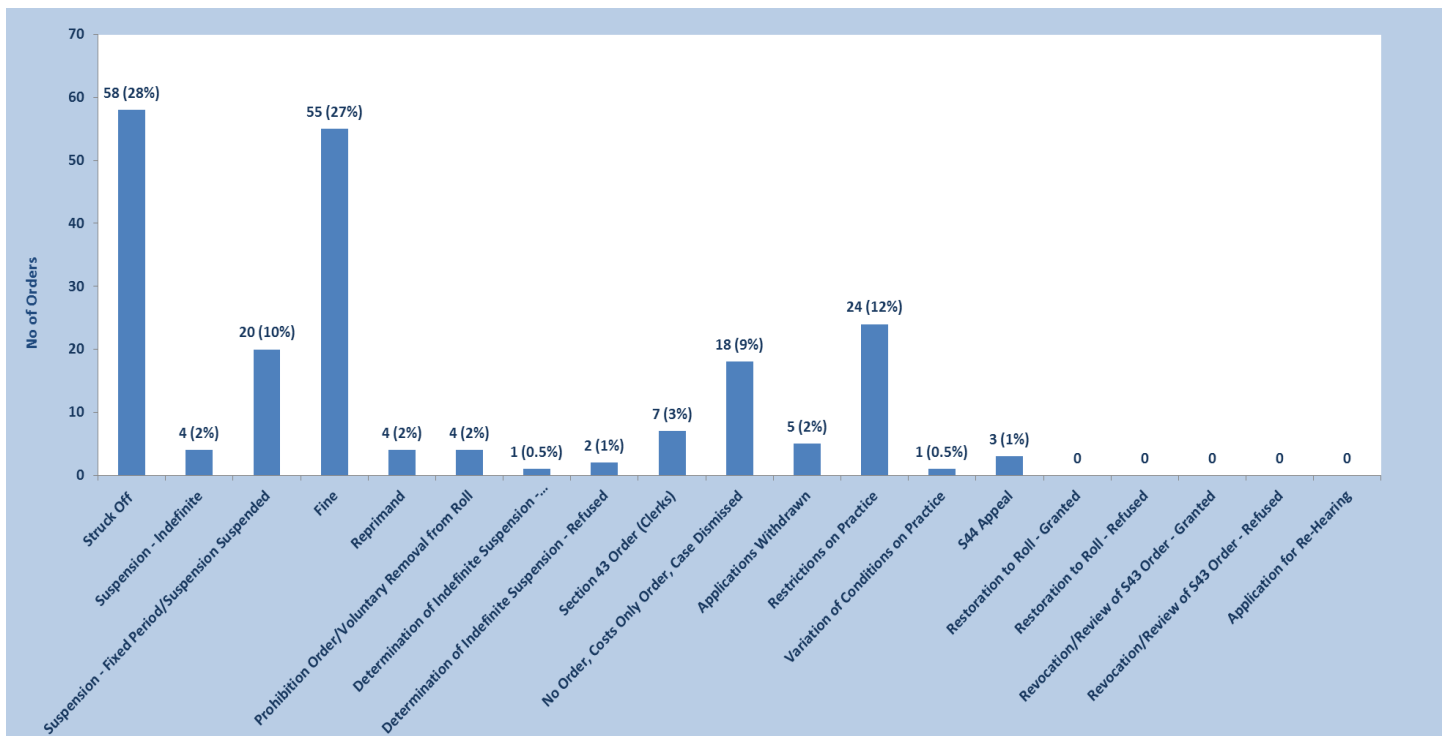
11 of the Applications received during the period under review were made by members of the public. A Lay Applicant has the right of appeal to the High Court against the Panel's decision not to certify an application as showing a case to answer. The chart below shows how the 11 Lay Applications were determined:



BREAKDOWN OF ORDERS MADE BY THE TRIBUNAL

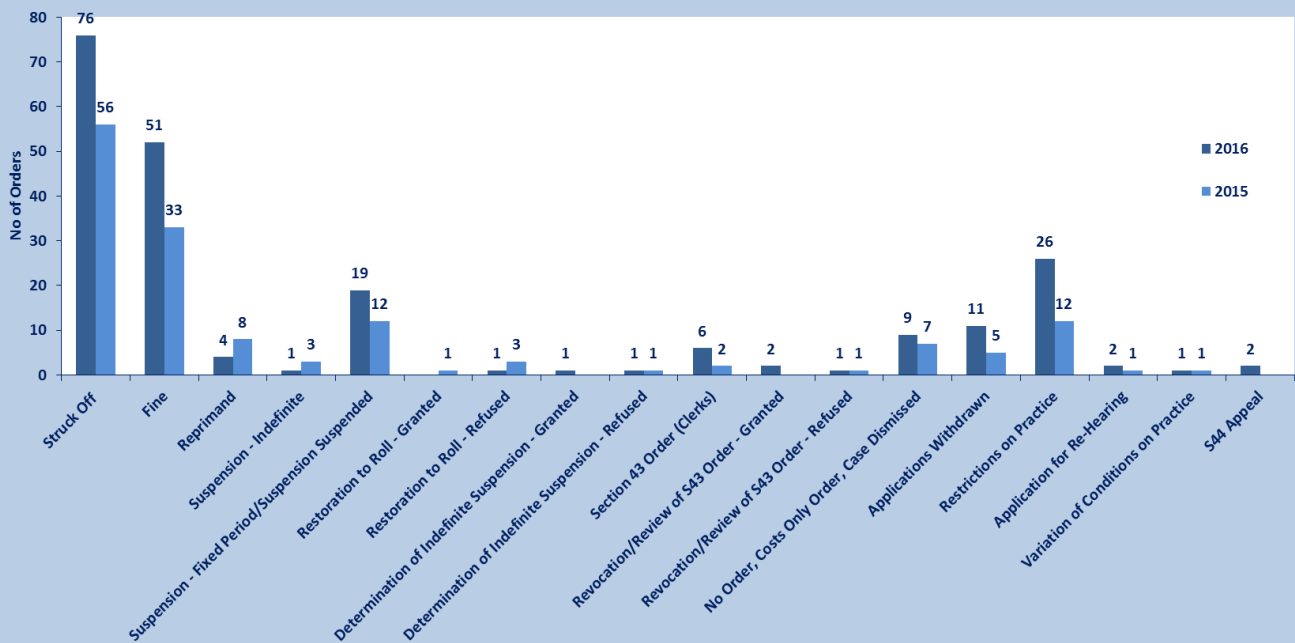
The charts below show a breakdown of the Orders made by the Tribunal during 2017, together with a % breakdown of the sanctions imposed. A comparison with previous years is shown on the next page. A distinction needs to be made between Applications received and Orders made. This is because some Orders relate to Applications made before the beginning of 2017, and some Applications made during 2017 will be completed after the end of the year.

Orders made in 2017



BREAKDOWN OF ORDERS MADE BY THE TRIBUNAL (CONT'D)

Orders made in 2016/2015



BREAKDOWN OF ORDERS MADE BY THE TRIBUNAL (CONT'D)

The Tribunal's written Order is handed to the parties at the conclusion of the hearing and filed with the SRA (under powers delegated by TLS to the SRA) within 24 hours, unless the Tribunal directs otherwise. The Order is usually sent to the SRA by email immediately after it has been made. In 2017 the Orders made by the Tribunal were as follows:

Solicitors Struck off the Roll

58 solicitors were struck off the Roll. Examples of conduct leading to strike off included:-

- ◆ Dishonestly misappropriating client money
- ◆ Criminal conviction
- ◆ Overcharging clients
- ◆ Grossly misleading clients and/or their employers by creating false documents
- ◆ Failing to discharge professional duties honestly and/or reliably

A solicitor may apply to be restored to the Roll in specified circumstances. However, where the Order striking the solicitor off the Roll was made as a result of dishonesty, the solicitor faces an almost insurmountable obstacle to restoration.

Suspension from Practice

- ◆ 8 solicitors were suspended for 12 months or less
- ◆ 9 solicitors were suspended for more than 12 months
- ◆ 3 solicitors received a suspended fixed period suspension (1 for 12 months and 2 for 2 years), subject to adherence to conditions imposed on practice
- ◆ 4 solicitors were suspended for an indefinite period

In each case the solicitor's offences were serious but not so serious as to justify permanent removal of a right to practise. Included in these cases are those where the Respondent suffered from a serious illness or addiction affecting their ability to serve clients properly.

Determination of Indefinite Suspension

In the case of an indefinite suspension i.e. a suspension which has no fixed end date, the solicitor can apply for the period of suspension to be brought to an end in specified circumstances. In 2017, 3 such cases were heard, 1 of which was granted and 2 applications refused.

BREAKDOWN OF ORDERS MADE BY THE TRIBUNAL (CONT'D)

Reprimand

4 solicitors received a reprimand in 2017.

Section 43 Orders

7 orders were made under Section 43 of the Solicitors Act in respect of individuals who were employed or remunerated by solicitors but were not themselves solicitors.

Fines

The total figure for fines imposed in 2017 was **£1,548,501**. HM Treasury is responsible for the collection of fines and enforcement, and is provided with a copy of the Fine Order by the Tribunal. The SDT has no statutory role in enforcing such orders. Fines are imposed in a wide variety of cases. Under the Legal Services Act 2007, the level of fine that may be ordered by the SDT was lifted to an unlimited amount.

Costs

The total sum of costs awarded in favour of the SRA was **£2,725,193** of which £47,915 was ordered not to be enforced without leave of the Tribunal. Cases lasted longer and were more complex in terms of the investigations carried out by the SRA. The quoted costs figure does not include cases where costs were referred by the Tribunal for detailed assessment by a High Court Costs Judge. These cases are generally those where the largest amounts in costs were claimed by the SRA e.g. in 2017 the Leigh Day proceedings. The SDT is not routinely informed of the outcome of detailed assessment.

Appeals to the SDT

Appeals against internal decisions of the SRA are made to the Tribunal under:-

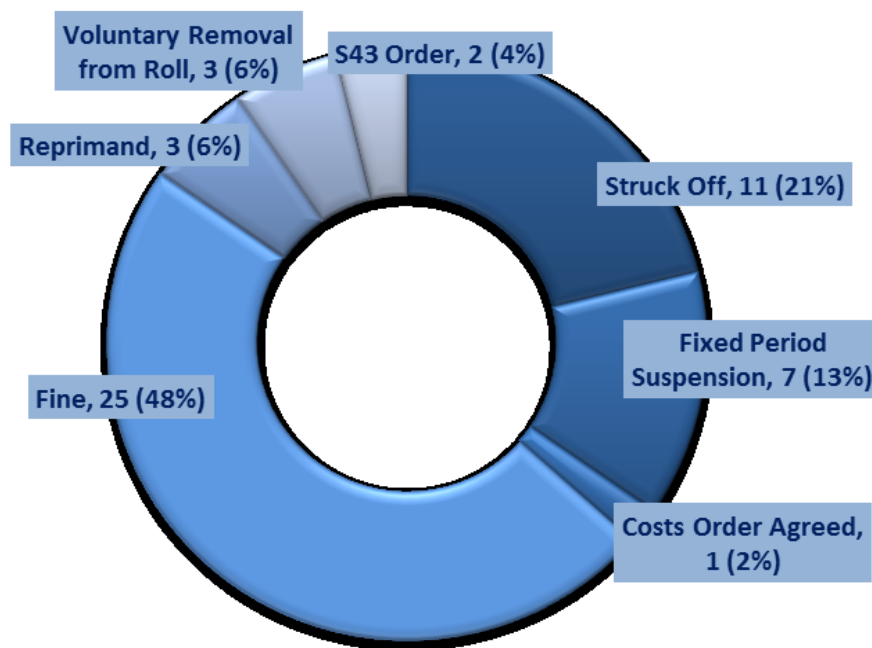
- Section 44E of the Solicitors Act 1974 (as amended)
- Paragraph 14C of Schedule 2 to the Administration of Justice Act 1985
- Section 46 of the Solicitors Act 1974 (as amended) as applied by Article 4(3) of the Legal Services Act 2007 (Appeals from Licensing Authority Decision (No 2) Order 2011) in respect of decision of the Law Society (delegated to the SRA) under Part 5 of the Legal Services Act 2007 and licensing rules made by the Society (ABS Appeals)

There were 4 Appeals made to the SDT against internal decisions of the SRA under Section 44E in 2017. No appeals were made under Paragraph 14C or Section 46.

BREAKDOWN OF ORDERS MADE BY THE TRIBUNAL (CONT'D)

Agreed Outcomes

During 2017, 35 SRA Applications were dealt with by way of Agreed Outcome. A proportion of these 35 cases involved more than one respondent (solicitor or other) and 52 individual sanctions were imposed, broken down as follows:-



In the cases where a Fixed Period Suspension was imposed and in one Fine Order case, conditions on practice were also imposed.

To obtain an Agreed Outcome, the relevant parties jointly submit for approval by the Tribunal a signed agreement containing a statement of the facts and the proposed penalty, explaining why the suggested Order is in line with the Tribunal's published Guidance Note on Sanctions. This document will ideally be submitted to the Tribunal up to, but no later than, 28 days before the final hearing date (unless the Tribunal directs otherwise). The time limit is intended to maximize the benefit of costs savings arising from completion of the case without a full hearing.

If approved, the Agreed Outcome will be published with a brief supporting Judgment from the Tribunal. The Tribunal may direct that publication must not take place, either for a fixed period ending on a specific event e.g. conclusion of the case against other respondents, or indefinitely e.g. sensitive data detailed in the agreement.

LENGTH OF HEARINGS AND SUMMARY ANALYSIS OF THE TRIBUNAL'S CASELOAD

This table provides a breakdown of the length of substantive hearings and applications made before the Tribunal e.g. for Restoration to the Roll or ending of Indefinite Suspension. Case Management and Agreed Outcome hearings are excluded.

LENGTH OF HEARING	01/01/2017- 31/12/2017	01/01/2016- 31/12/2016	01/01/2015- 31/12/2015
LESS THAN 1 DAY	10	18	28
1 DAY	46	74	45
2 DAYS	25	26	13
3 DAYS	4	13	8
4 DAYS	2	6	3
5 DAYS	7	3	3
6 DAYS	0	1	1
7 DAYS	0	0	0
8 DAYS	1	0	0
9 DAYS	1	0	0
10 DAYS	0	2	0
11 DAYS	0	0	1
14 DAYS	1	0	0
15 DAYS	0	0	0
16 DAYS	0	0	2
7 WEEKS	1	0	0

The Tribunal ordinarily sits from 10.00am to 5.00pm (and often earlier and later) to ensure the timely conclusion of cases. Principles of natural justice dictate that the comfort and stamina of the parties must always be taken into account when deciding how early or late to sit. The Tribunal and its staff are mindful of the requirements of the Equality Act 2010, and will try to accommodate requests for reasonable adjustment (the Equality Act 2010 does not apply to the exercise of judicial functions which includes listing of hearings). The Tribunal invites the parties to express their views before deciding whether to adjourn a hearing part-heard or to continue the hearing to complete the case on the date fixed with a late finish.

MANAGING CASES

The Application Process

- ◇ Proceedings start with an Application made under Rule 5 (solicitor) or Rule 8 (clerk) of the Solicitors (Disciplinary Proceedings) Rules (SDPR) and delivery of a Statement with supporting documents to the Tribunal. Applications may be made by the SRA or private individuals (known as Lay Applicants). However, Lay Applicants can bring cases only against solicitors. In some cases the Applicant may be a former solicitor making an application to be restored to the Roll or a solicitor applying to end a suspension or to vary conditions on practice imposed by the Tribunal.
- ◇ The Application is, in all cases, initially considered on the papers, without an oral hearing, by a single Solicitor Member, under Rule 6 of the SDPR.
- ◇ If the Solicitor Member is minded not to certify that there is a case to answer, or in his or her opinion the case is one of doubt or difficulty, the Application, Statement and supporting documents are considered, again on the papers without an oral hearing, by a panel of 3 Members (2 Solicitor Members and 1 Lay Member).
- ◇ The Applicant is informed whether a case to answer has been certified or not.
- ◇ Since 25 October 2013, for all first instance proceedings certified as showing a case to answer, Standard Directions are issued by the Clerk and served on the parties, in accordance with Practice Direction No. 6, 'Practice Direction on Case Management for First Instance Proceedings'. Standard Directions can be varied by agreement between the parties and with the approval of the Tribunal if an application is made within 21 days (and exceptionally in other circumstances).
- ◇ Since March 2017, a substantive hearing date is fixed immediately after the case has been certified. The length of time allocated for the hearing is based on the time estimate provided by the SRA and confirmed by the Clerk or another member of the clerking team after a careful review of the papers on which the Application is to be certified.
- ◇ For cases with a time estimate of more than 2 days, a case management hearing (CMH) is allocated. The CMH takes place either at the Tribunal's offices, or by telephone conference call or video link, no sooner than 42 days after the date proceedings were served, unless the parties agree that the CMH should take place more quickly. The CMH may be conducted either by a 3-member Tribunal or by the Clerk, the Senior Deputy Clerk, or a deputy clerk.

MANAGING CASES (CONT'D)

Standard Directions

- ◇ The Respondent is directed to send to the Tribunal and every other party an Answer to the Application, stating which allegations (if any) are admitted and which (if any) are denied. The Answer must be provided by the date stated in the Standard Directions, and which expires before the date fixed for a CMH (if applicable).
- ◇ If, by the specified date, the Respondent fails to deliver their Answer, the parties are required to attend the Clerks' Court, either in person or by telephone. The Clerks' Court was introduced in February 2017 as a measure to help with the effective management of cases. At the Clerks' Court, the reasons for default are explored and a further (and final) 7 days granted to comply with the direction. At the same time the parties are given the date for a Tribunal CMH (i.e. a CMH heard before a Division of the Tribunal) fixed for the day after expiry of the 7 days period. Costs of attendance at the Clerks' Court are reserved to the Tribunal CMH for a decision.
- ◇ If the Respondent delivers an Answer within 7 days, the Tribunal CMH is vacated. If the Respondent does not deliver an Answer within 7 days, the Division at the CMH can make any order it wishes, including for costs against the Respondent, to be paid immediately.
- ◇ No less than 28 days before the substantive hearing, all parties are required to send a Certificate of Readiness to the Tribunal and the other parties. On receipt of the Certificate of Readiness, it may be decided that a further CMH is needed. This date will be fixed at short notice so that any further Directions can be made to make sure that the substantive hearing can go ahead.
- ◇ If a Certificate of Readiness is not filed on time, non-compliance is referred to the Clerks' Court, as outlined above. Failure by a party to deliver a Certificate of Readiness by the deadline specified does not delay the substantive hearing which will go ahead on the date fixed.
- ◇ Time limits apply for the service of notices under the Civil Evidence Act and other procedural matters. The Tribunal encourages and accommodates requests from the parties to expedite hearings. This is important, as sometimes the parties want to complete their case as quickly as possible.

MANAGING CASES (CONT'D)

- ◇ The allocation of a hearing date for medium to long cases (i.e. with a time estimate of between 2 days and several weeks) depends on the availability of the parties, advocates, witnesses, Tribunal Members, clerks, and courtrooms. The Tribunal will do its best to work round the dates when parties and advocates are unavailable. However, Practice Direction No. 6 envisages that dates for substantive and CMH will almost always be fixed without reference to the parties.
- ◇ A party can apply for the hearing date to be varied, with the agreement of the other party/parties and an explanation supported by evidence as to why the variation is required. Applications of this kind are treated as an application to adjourn the hearing date. In the absence of a persuasive reason for delay, the date is likely to be retained and the parties expected to be available, with the risk that the hearing proceeds in their absence if they do not attend. The Tribunal's published 'Policy/Practice Note on Adjournments' must be considered when making or consenting to applications for adjournment.

ANALYSIS OF ALLEGATIONS

Allegations are framed in different ways which can be broadly categorised into the following 7 groups:

A CRIMINAL CONVICTIONS

B SOLICITORS' ACCOUNTS RULES BREACHES

C CLIENT MONEY Improper utilisation/misappropriation

D FAILURES

- Failure to pay Counsel's/agent's fees
- Failure to comply with undertaking
- Failure to comply with SRA direction/resolution
- Failure to account
- Failure to provide costs information
- Failure to supervise
- Failure to comply with Solicitors' Separate Business Code 1994
- Failure to respond to SRA/others
- Failure to comply with Solicitors' Indemnity Insurance Rules

E BREACHES

- Breach of the SRA Principles 2011
- Breach of the SRA Code of Conduct 2011
- Breach of the SRA Code of Conduct 2007
- Breach of the SRA Accounts Rules 2011
- Breach of authorisation and practising requirements
- Breach of client protection rules

F DELAYS

- Delay in delivery of papers
- Delay in professional business

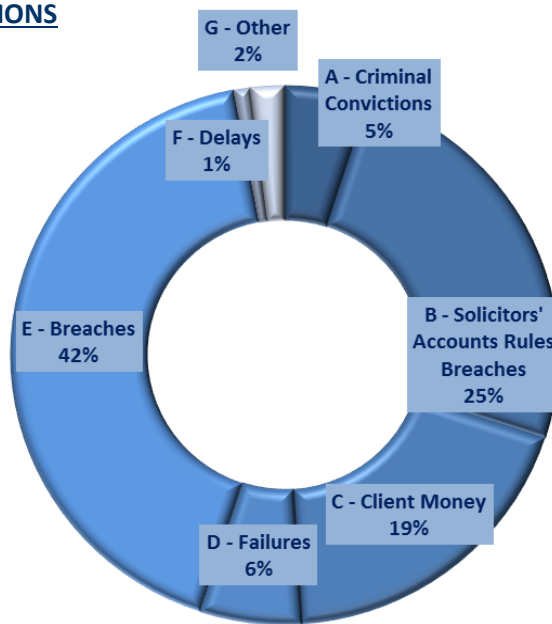
G OTHER

- Includes:
- Making false documents
- Practising without a current Practising Certificate

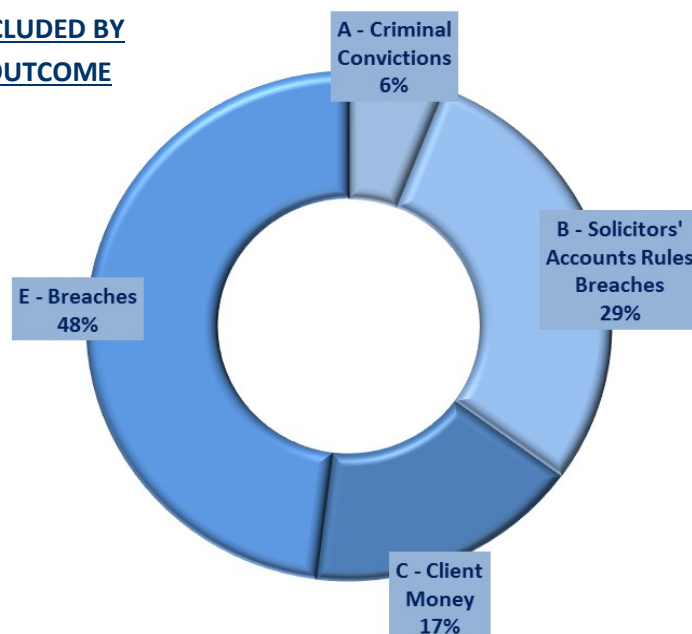
ANALYSIS OF ALLEGATIONS CONT'D

The breakdown of substantiated allegations and allegations concluded by way of Agreed Outcome are shown in the following charts.

SUBSTANTIATED ALLEGATIONS



ALLEGATIONS CONCLUDED BY WAY OF AGREED OUTCOME



THE ADMINISTRATIVE COST OF RUNNING THE TRIBUNAL

Since 1 July 2008, the SDT has been responsible for payment of its own administrative costs and makes an annual budget application for its funding for the following year, for consideration and approval by the LSB. Once the budget has been approved, the SDT makes a formal application to TLS for payment of funds, under a Memorandum of Understanding (dated 6 August 2016) signed by the LSB, the SDT, SDTAL, and TLS, and published on the Tribunal's website.

Any surplus at the end of each year is adjusted once SDTAL's accounts have been audited by external auditors and filed at Companies House.

In accordance with the Legal Services Act 2007, the full cost of funding the SDT comes from a levy on the solicitors profession, included in the annual practising certificate fee. A comparison of the annual cost of the Tribunal over the past 3 years is shown below:

CALENDAR YEAR	TOTAL BUDGET FOR YEAR (£000)	ANNUAL COST PER REGULATED SOLICITOR (£)
2015	2,752	20.26
2016	2,908	20.97
2017	2,905	20.39

The cost is based on the 2017 budgeted figure divided by the number of regulated persons. The average number of regulated persons contributing to the cost of the SDT during 2017 was **142,474** (139,489 practising solicitors plus 2,985 registered European and foreign lawyers) (Source: SRA Data for Population of Practising Solicitors).

It is essential to note that actual spend (as opposed to the budgeted amount) as at the end of 2017, following the auditing of SDTAL's accounts by external auditors, is expected to be c£2,599m, placing the cost per solicitor in the region of **£18.24**. This figure represents a significant decrease on previous years due to the increased number of sitting days. The SDT is reviewing how best to maximize the use of its courtrooms to achieve even greater value for money for the profession.

ACCOUNTS FOR YEAR TO 31 DECEMBER 2016 AND APPROVED BUDGET FOR 2017

	ACTUAL EXPENDITURE FOR YEAR TO 31 DECEMBER 2016 (£)	LSB APPROVED BUDGET APPLICATION 2017 (£)
Permanent Staff	701,417	793,098
Employers' NI and Pension Contributions	142,092	200,136
Members' NI Costs	27,519	41,276
Employee Benefits	15,054	25,000
Agency Staff	-	5,000
Recruitment costs/Employment Advice/HR Support	5,081	10,000
Other Staff Costs/Training/Memberships	16,809	30,000
Member Appraisal	-	11,000
TOTAL EMPLOYMENT COSTS	907,972	1,115,510
Printing, Stationery, Office Costs	36,146	32,600
Postage, Courier, DX	20,737	26,033
Remuneration for Solicitor Members (standard sitting days)	135,003	187,201
Remuneration for Solicitor Members (part-heard and long cases)	169,490	216,450
Solicitor Members' Expenses	87,264	81,666
Remuneration for Lay Members (standard sitting days)	48,010	65,600
Remuneration for Lay Members (part-heard and long cases)	58,590	75,850
Lay Members' Expenses	28,690	30,000
AGM/Training Days	26,890	35,700
Board Meetings and Honorarium	16,000	17,500
Practising Certificate Fees	2,518	2,454
Financial Controller	6,574	6,000
Audit	6,300	6,300
Staff Travel/Subsistence and Subscriptions	2,965	2,500
Research Project Service User Satisfaction	277	2,000
Working Party Consultancy Fees	5,000	10,000
IT Support/Projects and Running Costs	87,739	89,451
Website	5,700	15,000
Online Law Library Subscription	20,925	21,970
Catering for Hearings and Staff Events	14,897	12,848
Legal and Professional Fees eg Judicial Review Applications	24,309	30,000
Insurance Premium	49,500	56,000
Bank and Credit Card Charges	747	1,750
TOTAL ADMINISTRATIVE COSTS	854,271	1,024,873

ACCOUNTS FOR YEAR TO 31 DECEMBER 2016 AND APPROVED BUDGET FOR 2017
(CONT'D)

	ACTUAL EXPENDITURE FOR YEAR TO 31 DECEMBER 2016 (£)	LSB APPROVED BUDGET APPLICATION 2017 (£)
Rent and Service Charge 3 rd , 4 th and 5 th Floors	375,585	418,516
Agents Fees (Rent Review)	-	20,000
Rates 3 rd , 4 th and 5 th Floors	81,093	83,640
Refurbishment 3 rd , 4 th and 5 th Floors	-	25,000
Maintenance/Security/Cleaning and Insurance	21,187	28,000
Electricity	5,955	6,487
TOTAL BUILDING COSTS	483,820	581,643
CONTINGENCY	-	30,000
CAPITAL SPEND	-	-
IRRECOVERABLE VAT	131,906	153,141
TOTAL GROSS EXPENDITURE	2,377,969	2,905,167

PERFORMANCE MEASUREMENTS

The SDT has a number of performance measures, against which it monitors its performance and on which it reports regularly to the LSB. These are:

- ◇ Performance Measurement 1—Issue of Proceedings
- ◇ Performance Measurement 2—Determination by Hearing
- ◇ Performance Measurement 3—Cost per Court
- ◇ Performance Measurement 4—Production of Judgment
- ◇ Performance Measurement 5—Appeals

Towards the end of 2016 the SDT's CEO and Board reviewed Performance Measurements 2 and 4, to reflect obstacles to its ability to utilize court space to maximum effect which had become more apparent once the SDT was appropriately staffed and could offer hearing dates within target well over 70% of the time.

As a result of this review, Performance Measures 2 and 4 were revised with effect from 1 January 2017.

Pages 37 to 46 provide detail of the SDT's performance against each of the agreed measures during 2017.

PERFORMANCE MEASUREMENT 1

(A) Performance Measurement 1—Issue of Proceedings (Solicitors, Former Solicitors, Registered Foreign Lawyers, Registered European Lawyers, Clerks, and Recognised Bodies)

Target: In 85% of cases, proceedings to be issued or notification of non-certification sent to the Applicant within 7 calendar days of date of receipt of Originating Application (in the correct format) at the SDT. Figures in brackets represent the number of cases received.

(A) 2017																
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	1 st Q	2 nd Q	3 rd Q	4 th Q	Yearly
100% (8)	100% (14)	100% (10)	100% (11)	100% (9)	100% (12)	100% (16)	100% (13)	100% (11)	100% (12)	100% (15)	100% (11)	100% (32)	100% (32)	100% (40)	100% (38)	100% (142)

(B) Performance Measurement 1—Issue of Proceedings (Lay Applications, Restoration to the Roll, Revoke S.43 Order, Application to Determine Indefinite Suspension, Application for a Rehearing, Application to Vary a Condition on Practice, Appeal S44E, Costs Order and Application to Activate Suspension)

Target: in 85% of cases, proceedings to be issued or notification of non-certification sent to the Applicant within 7 calendar days of date of receipt of Originating Application (in the correct format) at the SDT. Figures in brackets represent the number of cases received.

(B) 2017																
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	1 st Q	2 nd Q	3 rd Q	4 th Q	Yearly
50% (2)	100% (1)	100% (4)	100% (2)	100% (4)	100% (3)	100% (5)	100% (1)	100% (4)	100% (2)	75% (4)	100% (2)	84% (7)	100% (9)	100% (10)	97.1% (8)	94% (34)

Performance Measurement 1—2016/2015

Target: In 85% of cases, proceedings to be issued or notification of non-certification sent to the Applicant within 7 calendar days of receipt of Originating Application (in the correct format) at the SDT. Figures in brackets represent the number of cases received.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	1 st Q	2 nd Q	3 rd Q	4 th Q	Yearly
2016																
100% (16)	100% (11)	100% (7)	100% (9)	100% (15)	100% (9)	100% (10)	80% (10)	90% (10)	91% (13)	100% (9)	100% (9)	100% (34)	100% (33)	90% (30)	97% (35)	97% (132)
2015																
100% (14)	100% (21)	100% (16)	100% (8)	100% (13)	100% (11)	100% (10)	100% (10)	100% (7)	88% (10)	100% (10)	100% (10)	100% (51)	100% (32)	100% (27)	96% (30)	99% (140)

PERFORMANCE MEASUREMENT 2

Performance Measurement 2—Determination by Hearing

Target: In 60% of cases determination of application, by substantive hearing or otherwise, to take place within 6 months of the date of issue of proceedings, 20% to take place within 6-9 months of issue, 15% to take place within 9-12 months of issue and 5% to take place within 12-24 months of issue.

2017																	
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	1 st Q	2 nd Q	3 rd Q	4 th Q	Yearly
No. of cases heard	6	18	9	11	11	13	10	8	10	16	15	9	33	35	28	40	136
No. of cases concluded within 6 months of issue (Target 60%)	3 50%	14 78%	4 44%	6 55%	6 55%	8 61%	6 60%	7 88%	8 80%	14 88%	7 47%	6 67%	21 64%	20 57%	21 75%	27 67%	89 65%
No. of cases concluded within 6-9 months of issue (Target 20%)	3 50%	4 22%	4 44%	4 36%	2 18%	4 31%	1 10%	1 12%	0 0	2 12%	3 20%	2 22%	11 33%	10 29%	2 7%	7 18%	30 22%
No. of cases concluded within 9-12 months of issue (Target 15%)	0 0	0 0	0 0	0 0	3 27%	1 8%	1 10%	0 0	0 0	0 0	0 0	0 0	0 0	4 11%	1 4%	0 0	5 4%
No. of cases concluded within 12-24 months of issue (Target 5%)	0 0	0 0	1 12%	1 9%	0 0	0 0	2 20%	0 0	2 20%	0 0	5 33%	1 11%	1 3%	1 3%	4 14%	6 15%	12 9%

Performance Measurement 2—2016/2015

Target: In 70% of cases determination of application by substantive hearing or otherwise, to take place within 6 months of the date of issue of proceedings. Figures in brackets represent the number of cases heard.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Yearly
2016	50%(16)	40%(15)	50%(10)	36%(11)	55%(11)	59%(17)	54%(13)	50%(6)	36%(14)	27%(14)	73%(11)	57%(14)	49%(152)
No. of cases where target was achieved	8	6	5	4	6	10	7	3	5	4	8	8	74
% of target achieved	71%	57%	71%	51%	79%	84%	77%	71%	51%	41%	104%	81%	70%
2015	75%(12)	33%(6)	40%(10)	92%(13)	79%(14)	56%(9)	80%(10)	0%	55%(11)	44%(9)	33%(15)	17%(6)	58%(115)
No. of cases where target was achieved	9	2	4	12	11	5	8	0	6	4	5	1	67
% of target achieved	107%	47%	57%	131%	113%	80%	114%	0	79%	63%	47%	24%	83%

PERFORMANCE MEASUREMENT 2 (CONT'D)

Throughout 2017 the Tribunal monitored the main obstacles preventing the concluding of hearings within target. These included:-

- Hearings adjourned to allow personal service of the proceedings by the SRA advocates, or for papers to be re-served where they had not been received by the respondent, e.g. because he/she was out of the country or unwell;
- Whereabouts of the respondent not correctly identified by the SRA before proceedings were sent to the Tribunal to be certified;
- Direction of Tribunal, after considering submissions from the parties and the requirements of natural justice, that a hearing must take place on a date falling outside the target period;
- Without prejudice discussions between the parties, sometimes at a late stage in the proceedings;
- The Respondent's ill-health, frequently mental health, but sometimes significant/life threatening physical ill-health supported by medical evidence;
- The late instruction of expert witnesses by either party;
- Third party intervention in proceedings;
- Applications for private hearing;
- Concurrent criminal, or more rarely civil, proceedings;
- Insistence on representation by first choice advocates, even when they are unavailable for many months or only available on dates when other parties/witnesses are unavailable; and
- Complex cases with multiple CMH and/or lengthy substantive hearing dates.

PERFORMANCE MEASUREMENT 2 CONT'D

Adjournment Applications

Adjournments have a significant impact on the SDT's ability to manage its case-load effectively and to determine cases within target timescales. Late applications for adjournment result in wasted court time which it is difficult to fill with other cases at short notice unless all parties cooperate (which happens rarely). Meeting the target is also affected by the availability of parties and advocates. The introduction of Standard Directions, increased use of telephone and video link for case management and substantive hearings, and discussion within the User Group Committee should continue to assist in reducing the incidence of late adjournments.

The most common ground for an adjournment application is the ill-health of the respondent. This accounts for a large proportion of lost court time. Respondents do not always pay attention to the SDT 'Policy and Practice Note on Adjournments' when submitting their applications. In particular, there is often a failure to accompany the application with a reasoned opinion of an appropriate medical adviser, which will lead to the application being refused in the majority of cases.

The introduction of Standard Direction 2 setting out the procedure to be used by the Tribunal and the parties for Agreed Outcomes sought after 1 September 2016 had an impact on adjournment applications in 2017. Applications were made by the parties to some cases to adjourn case management hearings whilst they sought to negotiate an Agreed Outcome. Although this can sometimes allow for productive delay, Tribunal Members are robustly managing such applications to ensure that the case is not at risk of drift, particularly where there have been multiple applications to adjourn hearings pending further negotiations.

Respondents applied for 67% of adjournments and Applicants (the SRA and solicitor applicants) for 26% in 2017. Adjournment applications are analysed in the tables below (compared with previous years).

2017 ADJOURNMENT APPLICATIONS								
Applicant	26	26%	Granted	19	31%	Refused	7	18%
Respondent	66	67%	Granted	35	57%	Refused	31	82%
Tribunal	7	7%	Granted	7	12%	Refused	0	0%
Joint	0	0%	Granted	n/a	n/a	Refused	n/a	n/a
Total	99	100%		61	100%		38	100%

2017 REASONS		
Ill-health of applicant or respondent	23	23%
Respondent not ready	20	20%
Applicant not ready	5	5%
Criminal/civil/other proceedings pending	12	12%
Other reasons	24	25%
Unavailability of parties	15	15%
Late service of documents by SRA or respondent	0	0%
Total	99	100%

PERFORMANCE MEASUREMENT 2 (CONT'D)

Adjournment Applications in 2015/2016

2016/2015 ADJOURNMENT APPLICATIONS														
	2016		2015			2016		2015			2016		2015	
Applicant	22	25%	26	40%	Granted	17	38%	22	49%	Refused	5	12%	4	20%
Respondent	60	68%	35	54%	Granted	23	51%	19	42%	Refused	37	86%	16	80%
Tribunal	2	2%	3	5%	Granted	2	4%	3	7%	Refused	0	0%	0	0%
Joint	4	5%	1	1%	Granted	3	7%	1	2%	Refused	1	2%	0	0%
Total	88	100%	65	100%		45	100%	45	100%		43	100%	20	100%

2016/2015 REASONS				
	2016		2015	
Ill-health of applicant or respondent	25	28%	15	23%
Respondent not ready	13	15%	15	23%
Applicant not ready	7	8%	15	23%
Criminal/civil/other proceedings pending	13	15%	11	17%
Other reasons	15	17%	4	6%
Unavailability of parties	14	16%	3	5%
Late service of documents by SRA or respondent	1	1%	2	3%
Total	88	100%	65	100%

PERFORMANCE MEASUREMENT 3

Performance Measurement 3—Cost Per Court

The tables below show the cost per court, including all Tribunal overheads.

2017													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Yearly
No. of Courts	18	19	15	24	30	26	28	20	12	24	31	19	266
Quarterly Total	-	-	52	-	-	80	-	-	60	-	-	74	266
Members' Fees and Expenses	£33,053	£38,221	£30,938	£49,641	£64,488	£53,779	£56,458	£45,108	£26,498	£43,952	£62,032	£43,404	£547,572
Administrative Expenses	£144,663	£161,903	£150,372	£150,640	£165,671	£169,344	£168,277	£173,550	£161,721	£166,960	£179,193	£215,213	£2,007,507
Monthly Spend	£177,716	£200,124	£181,310	£200,281	£230,159	£223,123	£224,735	£218,658	£188,219	£210,912	£241,225	£258,617	£2,555,079
Monthly Average Cost Per Court	£9,873	£10,533	£12,087	£8,345	£7,672	£8,582	£8,026	£10,933	£15,685	£8,788	£7,781	£13,611	£9,606
Quarterly average cost per court (quarterly spend/quarterly total courts)	-	-	£10,753	-	-	£8,170	-	-	£10,527	-	-	£9,605	£9,606

2016													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Yearly
No. of Courts	20	17	16	14	27	24	26	14	27	28	25	22	260
Quarterly Total	-	-	53	-	-	65	-	-	67	-	-	75	260
Members' Fees and Expenses	£40,345	£36,776	£32,263	£29,111	£52,425	£47,265	£52,451	£31,613	£48,424	£55,742	£55,733	£44,085	£526,233
Administrative Expenses	£138,485	£171,074	£147,463	£159,392	£143,116	£165,309	£147,164	£149,862	£147,394	£143,649	£164,377	£212,543	£1,889,828
Monthly Spend	£178,830	£207,850	£179,726	£188,503	£195,541	£212,574	£199,615	£181,475	£195,818	£199,391	£220,110	£256,628	£2,416,061
Monthly Average Cost Per Court	£8,942	£12,226	£11,233	£13,465	£7,242	£8,857	£7,678	£12,963	£7,253	£7,121	£8,804	£11,665	£9,293
Quarterly average cost per court (quarterly spend/quarterly total courts)	-	-	£10,687	-	-	£9,179	-	-	£8,611	-	-	£9,015	£9,293

PERFORMANCE MEASUREMENT 3 (CONT'D)

2015													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Yearly
No. of Courts	13	7	20	14	16	14	29	0	19	17	22	14	185
Quarterly Total	-	-	40	-	-	44	-	-	48	-	-	53	185
Members' Fees and Expenses	£25,742	£13,131	£39,090	£25,851	£29,121	£28,608	£56,646	£1,019	£35,098	£34,573	£43,347	£32,725	£364,951
Administrative Expenses	£123,857	£123,861	£174,180	£138,704	£142,482	£169,055	£125,727	£122,655	£136,034	£131,444	£165,440	£170,919	£1,724,358
Monthly Spend	£149,599	£136,992	£213,270	£164,555	£171,603	£197,663	£182,373	£123,674	£171,132	£166,017	£208,787	£203,644	£2,089,309
Monthly Average Cost Per Court	£11,508.	£19,570	£10,664	£11,753.93	£10,725.19	£14,118.79	£6,288.72	0	£9,006.95	£9,765.71	£9,490.32	£14,546	£11,293.56
Quarterly average cost per court (quarterly spend/	-	-	£12,497	-	-	£12,132	-	-	£9,941	-	-	£10,914	£11,293.56

PERFORMANCE MEASUREMENT 4

Performance Measurement 4—Production of Judgment

Target: Following final determination of the application, Judgment to be served on the parties within:-

<4 weeks—35%
 4-5 weeks—10%
 5-6 weeks—20%
 6-7 weeks—15%
 7-8 weeks—10%
 9-15 weeks—10%

The tables below show the number (with % figure in brackets) of Judgments served against target.

2017																	
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	1 st Q	2 nd Q	3 rd Q	4 th Q	Yearly
No of Cases	7	17	9	11	11	14	10	8	10	16	12	11	33	36	28	39	136
<4 weeks	7(100%)	10(59%)	8(89%)	7(64%)	6(55%)	6(43%)	7(70%)	4(50%)	7(70%)	15(93%)	9(75%)	8(73%)	25(76%)	19(53%)	18(64%)	32(82%)	94(69%)
4-5 weeks		4(24%)			2(18%)			1(12%)	2(20%)		2(17%)	2(18%)	4(12%)	2(6%)	3(10%)	4(10%)	13(10%)
5-6 weeks		1(6%)	1(11%)			4(29%)	2(20%)	3(38%)					2(6%)	4(11%)	5(18%)		11(7%)
6-7 weeks		2(12%)		4(36%)	3(27%)	3(21%)			1(10%)	1(7%)	1(8%)		2(6%)	10(28%)	1(4%)	2(5%)	15(11%)
7-8 weeks												1(9%)				1(3%)	1(1%)
9-15 weeks							1(10%)								1(4%)		1(1%)

Performance Measurement 4 – 2016/2015

Target: In 80% of cases the Judgment to be served on the parties within 7 weeks of the final determination of the application. Figures in brackets represent number of cases heard.

2016-2015																	
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	1 st Q	2 nd Q	3 rd Q	4 th Q	Yearly
2016	94% (16)	67% (15)	100% (9)	100% (11)	100% (11)	94% (18)	92% (13)	100% (6)	100% (14)	100% (14)	100% (12)	100% (12)	83% (40)	97% (40)	97% (33)	100% (38)	94% (151)
2015	92% (12)	100% (6)	70% (10)	90% (11)	100% (14)	88% (9)	70% (10)	0	100% (11)	67% (9)	60% (15)	50%(6)	86%(28)	94%(34)	86%(21)	62% (30)	81% (113)

PERFORMANCE MEASUREMENT 5

Performance Measurement 5—Appeals

Number of SDT decisions appealed either by the applicant or the respondent or both, and outcome. The table below shows appeals known to the Tribunal and decided during the period 1 January to 31 December 2017.

TRIBUNAL REFERENCE	RESPONDENT(S)	OUTCOME
10099-2008	Aaronson	Respondent's appeal dismissed due to his failure to prosecute the appeal.
11443-2013	Sancheti	Respondent's appeal dismissed with costs of £45,110.22 on 26.01.17. Respondent was refused permission to appeal to the Court of Appeal on 28.11.17.
11397-2015	Ballard	Respondent's appeal against findings, sanction and costs, and SRA cross-appeal against sanction. Respondent's appeal dismissed, and SRA cross-appeal allowed and fine increased to £6,000 on 09.02.17.
11433-2015	Libby	SRA's appeal against findings allowed in part on 03.05.17. Remitted to Tribunal for decision on sanction. Respondent's cross-appeal on costs also allowed.
11428-2015	Blacker	Respondent's appeal against substantive decision and refusal to order rehearing dismissed with costs on 17.01.17. Respondent's application for permission to appeal to the Court of Appeal refused.
10999-2012	Shaw, A	Respondent's appeal against sanction (second appeal, following remission and rehearing on sanction) dismissed on 07.08.17.
11359-2015	Newell-Austin	Respondent's appeal against findings of lack of integrity and dishonesty dismissed on 22.02.17.
11440-2015	Davies and Taman	SRA's appeal against sanction allowed on 21.06.17. Periods of suspension increased from 12 months to 3 years.
11507-2016	Cain and Cochrane and Gill	Respondents' appeal against sanction dismissed on 24.05.17.
11526-2016	Hoffman	SRA's appeal against findings withdrawn in or about November 2017.
11421-2016	Williams, PR	Respondent's appeal against finding of dishonesty, lack of integrity, and costs allowed in part. Tribunal's order for strike off and costs quashed; suspension for 9 months from December 2016 and costs order of £60,000 substituted by Divisional Court on 26.07.17. No order for costs of the appeal.

PERFORMANCE MEASUREMENT 5 (CONT'D)

TRIBUNAL REFERENCE	RESPONDENT(S)	OUTCOME
11562-2016	Kadurugamuwa, BS	SRA's appeal against sanction dismissed on 11.07.17. SRA seeking permission to appeal to the Court of Appeal.
11554-2016	Jordan, C	Respondent's appeal against findings and sanction discontinued.
11450-2015	Shah, A	Respondent's appeal against costs dismissed with costs in favour of the SRA on 17.10.17.
11582-2016	Dean, A	Appellant's appeal against refusal to allow S44E appeal/S43 review withdrawn.
11581-2016	Hudson, A	Respondent's appeal and judicial review against refusal to strike out allegations dismissed on 21.12.17.

SUMMARY		
TOTAL APPEALS TO HIGH COURT DECIDED UNDER PERIOD UNDER REVIEW	17	This total figure counts appeals and cross-appeals separately.
APPEALS BY SRA		Appeal dismissed— 1 Appeal withdrawn—1 Appeals allowed— 2 Cross-appeal allowed — 1
APPEAL BY APPELLANT		Withdrawn –1
APPEALS BY RESPONDENT		Appeals dismissed — 9 Appeal withdrawn— 1 Appeal allowed— 1

BIOGRAPHICAL DETAILS

Solicitor Members (in alphabetical order)

James Astle

Admitted as a Solicitor in 1977. Member of the Tribunal since 2009.

Early practice in Planning/Highways Authority employment, then Thames Valley Police prosecutor. Oxford Solicitors 1980 to date: town and country planning, licensing, regulatory, discipline and crime. Previously Duty Solicitor and Higher Courts Advocate (Crime). Deputy District Judge (Magistrates' Court) and Deputy Traffic Commissioner.

Alison Banks—Solicitor Vice-President of the SDT and Director of SDTAL

Admitted as a Solicitor in 1993. Member of the Tribunal since 2006.

Previously a prosecutor for the CPS and partner in high street practice specializing in personal injury and general litigation. Now concentrates exclusively on criminal defence litigation. Duty Solicitor. Member of the Chartered Institute of Public Finance and Accountancy (CIPFA).

Patrick Booth

Admitted as a Solicitor in 1981. Member of the Tribunal since 2015.

Specializes in clinical negligence. Managing Partner of East Midlands firm for 9 years. Member of and Assessor to Law Society's Personal Injury Panel. Member of AvMA Referral Panel. Holder of Deputyships in Court of Protection.

J Colin Chesterton

Admitted as a Solicitor in 1980. Member of the Tribunal since 1994.

Consultant in firm with offices in the West Country, Middle East and London.

Until 2009 in general high street Legal Aid practice. Work now—Deputyships in Court of Protection, and involvement in some litigation. Outside the law, a number of local community interests.

Teresa Cullen

Admitted as a Solicitor in 1983. Member of the Tribunal since 1999.

Partner in Holborn law firm. Specializes in Matrimonial/Family matters. Family Mediator (Resolution), Civil and Commercial Law Mediator (ADR Group). Collaborative Lawyer. Qualified Psychodynamic Psychotherapist working with couples and individuals. In practice for over 25 years. Member of and Assessor to The Law Society Family Law Panel (Advanced).

J Peter Davies

Admitted as a Solicitor in 1981. Member of the Tribunal since 2001.

A partner in firms in London and Cardiff until 1998 when he set up a niche litigation practice in Cardiff specializing in professional negligence and personal injury work. Specializes in professional negligence as a director of a multi-branch practice based in Wales. Deputy District Judge since 1992. President of The Adjudication Panel for Wales between 2002 and 2016.

Jacqueline Devonish

Admitted as a Solicitor in 1991. Member of the Tribunal Since 2006.

Assistant Coroner in Inner North London, South London, Northampton, and Suffolk. President of South Eastern England Coroners Society (2016-17). Principal of own firm in London undertaking criminal prosecution work for DVSA, Legal Reviewer for CIPFA, and Admissions Appeals Clerk.

Holetta Dobson

Admitted as a Solicitor in 1986. Member of the Tribunal since 2015.

Sheffield based, specializing in civil/commercial litigation and employment law. Experience of working for a large practice and for many years as an equity partner in a small niche practice and latterly employed in a Legal 500 firm. Appointed Deputy District Judge in 1997.

William Ellerton

Admitted as a Solicitor in 1997. Member of the Tribunal since 2015.

Partner from 2007 to 2016 in an international firm specializing in banking litigation with a particular emphasis on fraud and professional negligence work. From 2017, partner in a large Bristol firm heading a team of 40 litigators undertaking a range of work types.

Carolyn Evans

Admitted as a Solicitor in 2004. Member of the Tribunal since 2015.

Partner in regional high street practice between 2009 and 2016, before setting up own practice. Duty Solicitor. Higher Rights Advocate. Specialist in Road Transport and Regulatory Law, including defending Operators at Public Inquiry and the Upper Tribunal.

Justin Evans

Admitted as a Solicitor in 1995. Member of the Tribunal since 2015.

Partner in a firm in Cardiff until 2005 when he set up a general practice in the South Wales Valleys. Specializes in litigation. Solicitor-Advocate with extensive experience of criminal cases before all Higher Courts. Prosecuting solicitor for DVSA and a Vice-Chair of the Legal Aid Agency's Special Controls Reviews Panel.

C Bellamy Forde

Admitted as a Solicitor in 2004. Member of the Tribunal since 2015.

General civil litigator and partner, specializing in employment law and claims against public authorities.

Ashok Ghosh

Admitted as a Solicitor in 1985. Member of the Tribunal since 2010.

Consultant in a City practice specializing in acting for investment banks in project financing. Formerly a partner successively in 4 City firms, including a US firm. Fellow of the Chartered Institute of Arbitrators. Trustee of almshouses charity.

Laurence N Gilford—Director of SDTAL

Admitted as a Solicitor in 1973. Member of the Tribunal since 1999.

Specializes in Civil/Commercial litigation. In partnership in total of 4 central London/City firms since 1976. Appointed Deputy District Judge in December 1991.

Dominic Green

Admitted as a Solicitor in 1993. Member of the Tribunal since 2006.

Partner in a Fleet Street firm, specializing in media-related disputes, intellectual property litigation, and defamation. Previously Head of Media and Entertainment in Soho W1 firm and partner for 5 years in music and media practice in Covent Garden, WC2.

Richard Hegarty

Admitted as a Solicitor in 1974. Member of the Tribunal since 2009.

Senior Partner of Peterborough firm. Specializes in commercial property and solicitor regulation, expert witness for prosecuting authorities in relation to property-related fraud and money laundering.

Angela Horne

Admitted as a Solicitor in 1985. Member of the Tribunal since 2015.

Previously a partner in 3 City law firms, specializing in professional negligence/regulation until relocating to Somerset in 2014. Now a Consultant with an international insurance practice, based in both Taunton and London. Also a Non-Executive Director of SIMIA Ltd, and a lay faculty member for the MRCOG Part III Examination.

Paul Housego

Admitted as a Solicitor in 1978. Member of the Tribunal since 2009.

Cambridge, City firm, then 30+ years practice in a small Devon firm undertaking different types of work, now mainly employment law. As well as the SDT, undertakes professional regulation work for several other professions. Judge at Employment Tribunal since 1992 and the Asylum and Immigration Tribunal since 2014.

Martin Jackson**Admitted as a Solicitor in 1986. Member of the Tribunal since 2015.**

Ran own criminal defence practice as part of Reading Solicitors Chambers 1993-2011; now a consultant solicitor-advocate in Reading. Appointed as Deputy District Judge (Magistrates' Court) in 2005; Crown Court Recorder, Midland Circuit, 2009; and Legal Assessor and LQC with the Medical Practitioners Tribunal Service, which is the successor to the GMC's regulatory arm.

Peter Jones**Admitted as a Solicitor in 1982. Member of the Tribunal since 2015.**

Partner and Head of his firm's National Inquiries and Investigations practice, Head of the Commercial Litigation department for the firm's central offices and Head of the firm's Professional Regulatory Team. Practice focuses on acting for public inquiries of national importance, and for litigation work in the public sector.

Alison Kellett**Admitted as a Solicitor in 2001. Member of the Tribunal since 2015.**

Spent 10 years in private practice at magic circle law firm before moving in-house to work in a global financial institution, currently Head of UK Litigation and Legal Investigations. Specializing in financial services litigation and general counsel work. Legal school governor since 2012.

Paul Lewis**Admitted as a Solicitor in 1997. Member of the Tribunal since 2015.**

Solicitor-Advocate (Crime). Partner and head of Crown Court Team at national practice. Specialist in defending serious and complex criminal cases.

Nicola Lucking**Admitted as a Solicitor in 1974. Member of the Tribunal since 2006.**

Consultant (formerly a partner) with country practice based in the Norfolk Broads. Specializes in commercial and residential property work. Chair of the Corporation of Paston Sixth Form College.

Jane Martineau**Admitted as a Solicitor in 1974. Member of the Tribunal since 2006.**

Background as a former partner of a major City firm steeped in shipping and insurance litigation. Currently a consultant with a niche specialist shipping and insurance practice in the City.

Mark Millin**Admitted as a Solicitor in 1986. Member of the Tribunal since 2015.**

Former Senior Crown Prosecutor, Solicitor-Advocate with the General Pharmaceutical Council, and now an Associate in the Regulatory Department of a London firm.

Edward Nally—President of the SDT and Chairman and Director of SDTAL**Admitted as a Solicitor in 1980. Member of the Tribunal since 2009.**

Consultant with well-established North West firm; specializes in Commercial Property and Charity Trust law. President, Law Society of England and Wales 2004-2005. Judicial Appointments Commissioner 2006-2011. Governor, The College of Law 2004-2012. Governor, Legal Education Foundation 2012-present. Member, Legal Services Board 2011-2015. Member, QC Appointments Panel January 2016-present.

Richard Nicholas**Admitted as a Solicitor in 1979. Member of the Tribunal since 2006.**

Partner in Merseyside firm, specializes in Mental Health work. Fee-paid President of the Mental Health Review Tribunal for Wales. Independent Funding/Costs Assessor and Peer Reviewer for the Legal Aid Agency. Assessor for the Law Society's Mental Health Tribunal Accreditation Panel.

Howard Sharkett**Admitted as a Solicitor in 1983. Member of the Tribunal since 2015.**

Deputy COLP and Training Principal at major SRA regulated multi-disciplinary practice. Has substantial experience dealing with complex, high-value contentious tax disputes with particular expertise in handling appeals before the First Tier Tribunal (Tax), Upper Tribunal (Tax and Chancery) and appellate courts, High Court restitutionary damages claims and applications for judicial review.

Timothy Smith**Admitted as a Solicitor in 1983. Member of the Tribunal since 2015.**

Initially a partner in a high street practice before specializing in employment law. Currently a consultant in a large northern commercial firm. Fee-paid Employment Judge, Fee-Paid Immigration Judge (seconded), appointed a Legal Chair of the Police Misconduct Panel (North West), also sits as chair of the investigations committee of CIPFA.

Andrew Spooner**Admitted as a Solicitor in 1978. Member of the Tribunal since 1999.**

Former Head of Commercial Litigation at a Birmingham firm and member of its Management Board. Now a Consultant to a Midlands practice and continues to specialize in major commercial disputes. Deputy District Judge. President of the SDT and Chairman and Director of SDTAL from 2012-2016.

Gerald Sydenham**Admitted as a Solicitor in 1986. Member of the Tribunal since 2015.**

Former Prosecutor and CPS Crown Court Unit Head for CPS North East for 28 years. Personal caseload involved prosecuting police officers. Currently engaged in criminal litigation and private client consultancy work. Legally qualified Chair of North East Police Misconduct Panels.

Simon Tinkler**Admitted as a Solicitor in 1993. Member of the Tribunal since 2009.**

Partner in major international law firm since 2000, specialising in transactional private equity work and mergers and acquisitions in UK, Europe and Africa. Managing partner of corporate practice in London 2010-2014.

Lay Members (in alphabetical order)

Lucinda Barnett OBE JP

Member of the Tribunal since 2009.

Qualified as a teacher, former civil servant, Magistrate since 1986 (Supplemental list 2015). Deputy Chairman, then Chairman Magistrates' Association 2002-2008. Independent Member, Parole Board 2010-2011. Panel Chairman, Fitness to Practise Committees, Nursing and Midwifery Council, 2012. Member, Bar Tribunals and Adjudication Service 2013-2018.

Stephanie Bown

Member of the Tribunal since 2015.

Independent consultant in the healthcare sector; member of CEDR mediator panel and panel mediator for NHS Resolution. Independent Adjudicator for ISCAS. Previously Director of National Clinical Assessment Service, Director at the Medical Protection Society, fellow and past vice-president of the Faculty of Forensic and Legal Medicine.

Nalini Chavda JP

Member of the Tribunal since 2006.

Thirty-five years of business experience as a Senior Executive at the Department for Work and Pensions. Justice of the Peace since 1989. Employment Tribunal member since 1999. CIPFA Disciplinary Committee member since 2007. Nursing and Midwifery Council Fitness to Practise Committee member since 2009.

Sarah Gordon

Member of the Tribunal since 2002.

Member of the Royal College of Veterinary Surgeons. Initially employed in general practice then in a range of veterinary and management roles for MAFF/Defra/APHA culminating in Head of Field Delivery, Midlands region. Currently a Teaching Associate for the University of Nottingham Veterinary Medicine and Science.

Martin Hallam JP

Member of the Tribunal since 2009.

A career officer in the RAF. Held Board level positions in a number of MoD Executive Agencies, latterly as Chief Executive of the Defence Geospatial and Imagery Agency. Attended the RAF Staff College and the Royal College of Defence Studies, London.

Stuart J Hill

Member of the Tribunal since 2009.

Research and development and management posts with BR, GKN, HM Land Registry, HBF and AEA Technology from 1975 to 2006. More recently Chair, Dudley & Walsall Mental Health Partnership NHS Trust and a member of CIMA, NRPSI, FRC, WMPA, RCVS and Wolverhampton Council disciplinary/standards committees.

Stephen Howe JP

Member of the Tribunal since 2006.

Retired Manager for Waitrose Ltd. Previously, Non-Executive Director for HMCS Regional Risk and Audit Committee South West Region and Member of Hampshire and Isle of Wight Courts Boards. Justice of the Peace since 1981. Trustee of West Wight Abbeyfield and Challenge and Adventure.

Paul Hurley

Member of the Tribunal since 2015.

Consultant General Surgeon, Croydon, 1992 to present. Deputy Medical Director, 2000-2007. Board Member London School of Surgery 2009-2013. Chair, Speciality Training Committee for General Surgery 2003-2013. Chair, Medical Advisory Committee, BMI Shirley Oaks Hospital 2005-2012.

Priya Iyer**Member of the Tribunal since 2015.**

Forensic Physician and Management Consultant (Healthcare and Public Sector Management). Medical Member Social Security Tribunal, specialist Member Criminal Injuries Compensation Appeals Tribunal, Chair and Medical Panellist Medical Practitioners Tribunal Service, Lay Panellist Employment Tribunal.

Steven Marquez**Member of the Tribunal since 2006.**

1987 to 2003, senior manager with CACI Limited. Director of CACI Limited. Executive Vice-President of CACI International Inc. Formerly a volunteer with The Terrence Higgins Trust. Justice of the Peace from 2002 to 2008. Formerly Non-Executive Chairman 6pm Holdings PLC (quoted on the Maltese Stock Exchange).

Lesley McMahon-Hathway—Director of SDTAL**Member of the Tribunal since 2009.**

Over 25 years' senior board level experience in executive, non-executive and interim director roles. Has worked in the Television Broadcast industry for the BBC and ITV as well as for the trade association representing the film, commercials and television industry in the UK.

Millius Palayiwa—Lay Vice-President of the SDT and Director of SDTAL**Member of the Tribunal since 2009.**

International peace-making/building Consultant, was educated at the Universities Oxford (Law), Cardiff (Canon Law), London (Theology) and Rhodesia (History) and has worked as a Chief Officer in a large London Borough. Now specializes in international conflict resolution, peace-making and reconciliation. Has travelled extensively throughout the world.

Robert Slack**Member of the Tribunal since 2009.**

Previously Council Member, screener and member of Fitness to Practise Committee, General Medical Council (1999-2008); Chair of Professional Behaviour Committee (2006-2008) and Investigating Officer for Medical and Dental Undergraduate Fitness to Practice, Bristol University (2008-2013), Examiner, Royal College of Surgeons, Consultant ENT Surgeon, Lay Member, Qualifications Committee, Bar Standards Board 2011-2017.

Carol Valentine**Member of the Tribunal since 2015.**

Strategic local government manager with a background in the delivery of highway, economic development and equality and diversity projects. 8 years as lay member on Employment Tribunal. Experienced in advocacy in employee relationships through trade union work including teaching a range of industrial courses.

Current Staff (in alphabetical order)

Marta Bagusaite

Senior Case Management Assistant since September 2017, previously Office Services Assistant. Responsibilities include opening and setting up new cases, issuing proceedings papers to parties, recording information in accordance with the Tribunal's Performance Measurements and distributing documentation to the Tribunal Members prior to hearings. Has obtained CILEx Legal Secretary Level 2 and 3 qualifications.

Stuart DeBoos

Part-time Financial Controller. Joined the SDT in September 2017. Chartered Accountant and Chartered Management Accountant with a degree in Economics from the LSE. Career in financial management in the commercial and not-for-profit sectors.

Anita Etenuk

Case Management Assistant since August 2017. Graduated from Coventry University in Business Management BA (Hons) in 2017. Responsible for setting up and clearing court rooms and providing administrative support to the Case Management Team.

Sarah Gardiner

Archiving Assistant. Joined the Tribunal in February 2018. Responsible for identifying files and data in the archive and case management system for retention/destruction in line with data protection and operational requirements. Qualified as a solicitor in 1996 having trained and then worked in private practice. Recently returned to work following a career break to raise her family.

Susan Humble

SDT Clerk and SDTAL Chief Executive Officer since 2010. Admitted as a Solicitor (1984). LLB (Hons) Bristol University (1981). Law Society Finals, College of Law, Lancaster Gate (1982). Former partner in Bristol/London law firms. Specialist insurance litigator. Dispute Resolution Manager/Head of Secretariat, National Anti-Doping Panel (Sport Resolutions UK) (2010). Member of Chartered Institutes of Management and Marketing.

Klaudia Lyczkowska

Office Services Assistant. Joined the Tribunal in January 2018. Main responsibilities include supporting the Head of HR and Office Administration in ensuring the smooth running of all of the operational and logistical aspects of the Tribunal's work. Previously worked at the National Probation Service as an administrator/receptionist.

Geraldine Newbold

Senior Deputy Clerk since February 2016. Admitted as a Solicitor in 1999. Having trained and initially worked in private practice, career prior to joining the Tribunal was largely in local government in court-facing roles, including as an Assistant Chief Legal Officer for a large shire county.

Daveena Ogene

Head of Case Management since January 2016. Formerly Senior Social Services Lawyer at London Borough of Havering. Admitted as a Solicitor in 2006. LLB Law (Hons) (European Union) University of Leicester (2001). Postgraduate Diploma in Legal Practice, College of Law (2003). Board member of Big Voice London since 2013.

Audrey Osborne

Deputy Clerk. Joined the Tribunal in November 2015. Admitted as a solicitor in 2001 and specialized in criminal law. Previously a partner in a West London practice, and Vice-Chairperson and member of the governing body managing legal advice in a not-for-profit organisation.

Josephine Passafiume

Receptionist/Courtroom Assistant. Joined the Tribunal in January 2016. Responsibilities include meeting and greeting members and visitors, dealing with enquiries and providing administrative support to the finance team. Previously worked as an Office Manager for a company specializing in investment products.

Anne-Marie Roberts

Part-time Deputy Clerk since July 2010. Admitted as a solicitor in 1980. From 1980 until 2009, worked in the administration of legal aid, first with the Law Society, followed by the Legal Aid Board, and finally the Legal Services Commission. Ultimately Secretary to the Commission and the Head of its Secretariat.

Lubna Shuja

Part-time Deputy Clerk since 2008. Admitted as a solicitor in 1992. In private practice. CEDR accredited Mediator, dual-qualified to conduct both civil and family mediation. Member, Association of Midlands Mediators and the Law Society Council. Chair of the Disciplinary, Appeal, Investigations and Professional Conduct Committees for various other regulators.

Joanne Thomas

Listing/Document Manager. Joined the Tribunal in June 2010. Main responsibilities include listing of cases, members' rota and answering general correspondence. Previously worked at Bedford Magistrates' Court, Crown Prosecution Service and as a Barristers' Clerk between 1987 and 2002. BTec National Diploma in Business and Finance.

Emma Tully

Personal Assistant to the Clerking Team. Joined the Tribunal in July 2013. Main responsibilities include formatting Judgments, liaising with Members regarding formatted judgments, ensuring service of Judgments upon all parties within performance targets and providing support to the Deputy Clerks. Previously employed at a criminal practice as a Personal Assistant.

Jonathan White

Deputy Clerk. Joined the Tribunal in November 2015. Admitted as a solicitor in 2002, High Rights of Audience (Crime) in 2007. Previously specialised in Criminal Law and was Head of Department at a large East London firm. Volunteer Supervisor at the University of East London Law Clinic.

Karen Wood

Head of Human Resources and Office Administration. Joined the Tribunal in February 2016 and responsible for all aspects of HR and the smooth running of the Tribunal's offices. Previously worked at the BBC, in a range of HR and business management roles.