

# SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12605-2024

**BETWEEN:**

SOLICITORS REGULATION AUTHORITY LTD.

Applicant

and

SALLY GANDON

Respondent

---

Before:

Mr W Ellerton (in the chair)

Mrs A Sprawson

Dr S Bown

Date of Hearing: 31 October 2024

---

**Appearances**

There were no appearances as the matter was dealt with on the papers.

---

**JUDGMENT ON AN AGREED OUTCOME**

---

## **Allegations**

1. The allegation against Sally Gandon (the Respondent) made by the SRA is that, while in practice as a locum solicitor at Goodhand & Forsythe (“the Firm”):
  - 1.1 On 11 August 2020, during divorce proceedings, she falsified Person A’s signature on a Notice of Severance and sent it to Person A’s husband, which gave the misleading impression that Person A had signed that specific document when she had not.

In doing so, she breached all or alternatively any of Principles 2, 4 and 5 of the SRA Principles 2019 and breached Paragraph 1.4 of the Code of Conduct for Solicitors, RELs and RFLs.

## **Documents**

2. The Tribunal had, amongst other things, the following documents before it: -
  - The Form of Application dated 17 May 2024;
  - Rule 12 Statement dated 17 May 2024 and exhibits;
  - Agreed Outcome submitted dated 23 October 2024.

## **Background**

3. The Respondent who was born in November 1955, is a solicitor having been admitted to the Roll on 1 May 1980.
4. At the time the allegations against her arose she was employed as a consultant in the family law department on a locum basis and had been since around 4 October 2019.
5. The Respondent last held a Practising Certificate for the practice year 2021 to 2022, which was free from conditions.
6. She does not currently hold a current Practising Certificate.
7. The conduct in this matter came to the attention of the SRA on 11 August 2021 when a report was received from the Partner at the Firm. The report confirmed a complaint had been received in respect of a signature being falsified on a Notice of Severance. A subsequent investigation was undertaken by the SRA resulting in the present allegation.

## **Application for the matter to be resolved by way of Agreed Outcome**

8. The parties invited the Tribunal to deal with the Allegation against the Respondent in accordance with the Statement of Agreed Facts and Outcome annexed to this Judgment. The parties submitted that the outcome proposed was consistent with the Tribunal’s Guidance Note on Sanctions.

## **Findings of Fact and Law**

9. The Applicant was required to prove the allegations on the balance of probabilities. The Tribunal had due regard to its statutory duty, under Section 6 of the Human Rights Act 1998, to act in a manner which was compatible with the Respondent's rights to a fair trial and to respect for their private and family life under Articles 6 and 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.
10. The Tribunal reviewed all the material before it and was satisfied on the balance of probabilities that the Respondent's admission to allegation 1.1 and the associated breaches of the associated breaches of the Principles and Codes of Conduct were properly made.

## **Sanction**

11. The Tribunal considered the Guidance Note on Sanction (10th Edition/June 2022). The Tribunal's overriding objective when considering sanction, was the need to maintain public confidence in the integrity of the profession. In determining sanction, the Tribunal's role was to assess the seriousness of the proven misconduct and to impose a sanction that was fair and proportionate in all the circumstances. In determining the seriousness of the misconduct, the Tribunal was to consider the Respondent's culpability and harm identified together with the aggravating and mitigating factors that existed.
12. The Respondent on her own admission, accepted the allegation made against her which included dishonesty and a lack of integrity.
13. The Tribunal found that sanctions such as a Reprimand, Fine, Restriction Order or Suspension did not adequately reflect the seriousness of the misconduct. The Tribunal found given the admission of dishonesty and that there were no exceptional circumstances, that the normal necessary penalty under the Guidance Note should follow. Therefore, the only appropriate and proportionate sanction was to strike the Respondent off the Roll of solicitors.

## **Costs**

14. The Applicant and the Respondent agreed costs in the sum of £3,304.00.
15. The Tribunal determined that the agreed costs were reasonable and proportionate. Accordingly, the Tribunal ordered the Respondent, to pay costs in the agreed sum of £3,304.00

## **Statement of Full Order**

16. The Tribunal ORDERED that the Respondent, SALLY GANDON, solicitor, be STRUCK OFF the Roll of Solicitors and it further Ordered that she do pay the costs of and incidental to, this application and enquiry fixed in the sum of £ 3,304.00.

Dated this 20<sup>th</sup> day of November 2024  
On behalf of the Tribunal

*W. Ellerton*

W. Ellerton  
Chair

**JUDGMENT FILED WITH THE LAW SOCIETY**  
**20 NOVEMBER 2024**

**BEFORE THE SOLICITORS DISCIPLINARY TRIBUNAL**

**Case No:**

**IN THE MATTER OF THE SOLICITORS ACT 1974 (as amended)**

**AND IN THE MATTER OF:**

**SOLICITORS REGULATION AUTHORITY LIMITED**

Applicant

**and**

**SALLY GANDON**

Respondent

---

---

**STATEMENT OF AGREED FACTS AND PROPOSED OUTCOME**

---

---

1. By its application dated 17 May 2024 and the statement made pursuant to Rule 12 (2) of the Solicitors (Disciplinary Proceedings) Rules 2019 which accompanied that application, the Solicitors Regulation Authority Ltd ("the SRA") brought proceedings before the Solicitors Disciplinary Tribunal making three allegations of misconduct against Sally Gandon ("the Respondent").

**The allegations**

2. The allegations against the Respondent, made by the SRA within that statement were that:
3. On 11 August 2020, during divorce proceedings, she falsified her client's signature on a Notice of Severance and sent it to her client's husband, which gave the misleading impression that her client had signed the document when she had not. In doing so, she breached all or alternatively any of Principles 2, 4 and 5 of the SRA Principles 2019 and breached Paragraph 1.4 of the Code of Conduct for Solicitors, RELs and RFLs.

### **Admissions**

4. The Respondent admits all the rule breaches set out at paragraph 2 (allegation 1.1 of the Rule 12 statement dated 17 May 2024). She further accepts the factual basis of the admitted allegation as set out in this document.

### **Professional Details**

5. The following facts and matters are agreed between the SRA and the Respondent.
6. The Respondent who was born [redacted] November 1955, is a solicitor having been admitted to the Roll on 1 May 1980. At the time the allegations against her arose she was employed as a consultant in the family law department on a locum basis and had been since around 4 October 2019.
7. The Respondent last held a Practising Certificate for the practice year 2021 to 2022, which was free from conditions. She does not hold a current Practising Certificate.

### **Background**

8. The conduct in this matter came to the attention of the SRA on 11 August 2021 when a report was received from the Partner at the Firm. The report confirmed a complaint had been received in respect of a signature being falsified on a Notice of Severance. A subsequent investigation was undertaken by the SRA.
9. Person A instructed the Firm in divorce proceedings in January or February 2020. The Respondent was the fee earner and advised Person A that the ownership of the marital home should be severed from a joint tenancy to tenants in common. The Respondent advised Person A that this could be completed by each party signing a Notice of Severance, completing the relevant Land Registry forms and submitting these to the Land Registry. Person A signed the Notice of Severance at the Respondent's office in or around March 2020.
10. On 25 July 2021, the Firm received a complaint from Person A's husband confirming that he intended to make a complaint to the SRA because the Respondent had falsified Person A's signature on the Notice of Severance.

**Allegation 1.1 – On 11 August 2020, during divorce proceedings, she falsified Person A’s signature on a Notice of Severance and sent it to Person A’s husband, which gave the misleading impression that Person A had signed the document when she had not. In doing so, she breached all or alternatively any of Principles 2, 4 and 5 of the SRA Principles 2019 and breached Paragraph 1.4 of the Code of Conduct for Solicitors, RELs and RFLs**

11. Between on or around 30 June 2020 and 15 July 2020, the Respondent realised that the Notice of Severance which had been signed by Person A in March 2020 had been misplaced. On 11 August 2020, the Respondent prepared a new Notice of Severance, falsified Person A’s signature and dated it 11 August 2020. The document and an accompanying letter were then sent to Person A’s husband on 20 August 2020.

12. On 7 September 2020, Person A’s husband emailed Person A and in respect of the severance of joint tenancy stated:

*“I agree that severing the joint tenancy is the right course of action, but as you have not signed the form, neither will I.”*

13. Person A forwarded the email to the Respondent in or around July 2021, and she confirmed that they should meet to discuss on how to proceed forward. Person A’s husband refused to sign the Notice of Severance and Person A requested that the document be sent to her. Upon review of the document Person A became aware that it was not her signature.

14. On 25 July 2021, Person A made a complaint to the Firm by sending an email to the Partner of the Firm and in respect of the Notice of Severance stated:

*“my signature has been forged on a Severing a Joint Tenancy form. Has my wishes for the tenancy actually been carried out??”*

15. On 30 July 2021, the Firm arranged an in-person meeting to discuss the complaint. The Respondent, Partner of the Firm, Person A and her brother attended the meeting. During this meeting the Respondent explained another individual at the Firm, who was a secretary dealing with some typing that the Respondent had left her to do, was assisting her and she assumed that she had dealt with the Notice of Severance. Upon recognising that it had not been dealt with the Respondent admitted to creating a new Notice of Severance and falsifying Person A’s signature. Person A requested an apology for her conduct from the Respondent, this was provided. It was agreed that the Firm would continue to act for

Person A in the divorce proceedings. Person A signed and dated a new Notice of Severance in the meeting. The Partner of the Firm completed a complaint form but the Firm did not take any disciplinary action against the Respondent.

16. On 5 August 2021, the Respondent in correspondence confirmed to Person A on how she intended to progress the matter forward. On 6 August 2021, the Respondent sent correspondence to Person A's husband, this included the Notice of Severance dated 30 July 2021. On 26 August 2021, the Respondent in correspondence to Person A's husband confirmed receipt of the Notice of Severance.

17. The Respondent's consultancy ended with the Firm on or around 11 March 2022.

**Non-Agreed Mitigation**

18. The following mitigation, which is not agreed by the SRA, is put forward by the Respondent:

18.1. The Respondent offers her genuine, and sincere, apology for her conduct.

18.2. The misconduct was isolated and momentary.

18.3. There has been no repetition of the misconduct, the subject of the allegation.

18.4. Prior to the matters, the subject of the proceedings, the Respondent is a person of hitherto exemplary and unblemished character and regulatory and disciplinary history.

18.5. The Respondent has co-operated with the SRA investigation and within the SDT proceedings.

18.6. The events giving rise to the allegation can be described as isolated and historical, taking place over four years ago.

18.7. The Respondent accepts, to her credit, based upon the matters set out within this document, responsibility for the breach and that she acted as alleged, and dishonestly.

18.8. The Respondent was under significant personal and emotional pressure, at the time, relevant to the allegation and which contributed to her misconduct.



18.9. The Respondent was of the genuine belief that she was assisting the client who, at the time, was emotionally distressed.

**Penalty proposed & Costs**

19. The admitted misconduct is serious and of the highest level. It is therefore proposed that the Respondent should be struck off the Roll of Solicitors.

20. With respect to costs, it is further agreed that the Respondent should pay the SRA's costs of this matter agreed in the sum of £3,304.00.

**Explanation as to why such an order would be in accordance with the Tribunal's sanctions guidance**

21. Subject to the Tribunal's approval, it is agreed between the parties that the Respondent should be struck off the Roll of Solicitors. Absent exceptional circumstances, this is the "*normal and necessary penalty in cases of dishonesty*": SRA v Sharma [2010] EWHC 2022 (Admin), per Coulson J at [13]. There are no exceptional circumstances here.

22. Having considered the Solicitors Disciplinary Tribunal's Guidance Note on Sanctions (10th Edition), the seriousness of the misconduct is such that neither a Restriction Order, Reprimand, Fine or Suspension would be a sufficient sanction or in all the circumstances appropriate. There is a need to protect both the public and the reputation of the legal profession from future harm from the Respondent by removing their ability to practise. The protection of the public and the protection of the reputation of the legal profession justifies striking off the Roll.

23. This assessment takes into account that the level of the Respondent's culpability in respect of the allegation above is high as this was a serious act of dishonesty. The Respondent was an experienced solicitor of more than forty years at the time of the relevant conduct and was aware of the relevant Rules and Principles. The Respondent had direct control and responsibility for the circumstances giving rise to the misconduct. The misconduct cannot be described as spontaneous, it was deliberate and planned to conceal the fact the original document was lost.

24. As to the harm caused, had Person A's husband failed to recognise the falsified signature and the Notice of Severance had been sent to the Land Registry, there could have been

a potential dispute over the ownership of the family home and financial implications on Person A. In addition, it is considered that there was significant harm to the reputation of the profession as a result.

25. Accordingly, the fair and proportionate penalty in this case is for the Respondent to be struck off the Roll of Solicitors. The seriousness of her conduct was such that a lesser sanction would be inappropriate, and a strike off is required for the protection of the public and the reputation of the legal profession. The Respondent is now retired and not working.

.....  
~~Ms Annabel Joester~~  
Ms Nimi Bruce

~~Head of Legal and Enforcement, on behalf of the SRA~~  
Director of Legal and Enforcement, on behalf of the SRA

~~Mrs~~ Sally Gandon, Respondent

Dated: 23rd October 2024