

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12603-2024

BETWEEN:

SOLICITORS REGULATION AUTHORITY LTD

Applicant

and

DANIEL JONES

Respondent

Before:
Mr U Sheikh (Chair)
Mrs L Boyce
Mr D Kearney

Date of Hearing: 9-10 September 2025

Appearances

Hanne Stevens, counsel in the employ of Capsticks LLP, Wellington House, 68 Wimbledon Hill Road, London SW19 7PA for the Applicant.

Jonathan Goodwin, Solicitor Advocate of Jonathan Goodwin Solicitor Advocates for the Respondent.

JUDGMENT

Allegations

1. The allegation against the Respondent, Daniel Jones, made by the SRA are that while a solicitor, Partner and Head of the Family Law team at Berryman's Lace Mawer LLP ("the Firm"), he:
 - 1.1 Between December 2019 and April 2021, misled his client, Person A, into believing that he had lodged an application for a Decree Nisi on her behalf in October or November 2019, when he knew or ought to have known, that was not true. In doing so, he breached any or all of Principles 2, 4, 5 and 7 of the SRA Principles 2019 and/or Paragraph 1.4 of the Code of Conduct for Solicitors, RELs and RFLs.

Recklessness

- 1.2 In the alternative to dishonesty, the Respondent's conduct at allegation 1.1 was reckless. Recklessness is alleged as an aggravating feature of the Respondent's misconduct but is not an essential ingredient in proving the allegation.

Executive Summary

2. The Respondent, a solicitor and former Partner at the Firm, was alleged to have misled his client, Person A, about the filing of her Decree Nisi between October/November 2019 and November 2020, and to have acted recklessly. The Tribunal found that while the Decree Nisi was significantly delayed and Person A suffered distress and anxiety, there was no dishonesty, lack of integrity, or recklessness. Breaches of Principles 2 and 7 were found, reflecting a lack of oversight rather than deliberate misconduct.

Sanction

3. The Tribunal imposed a Level 1 financial penalty of £1,500, recognising the harm to Person A, the Respondent's limited culpability, and the absence of dishonesty or intentional wrongdoing. The Tribunal's reason on sanction can be found [\[here\]](#).

Documents

4. The Tribunal considered all the documents in the case which were contained in the electronic bundle.

Factual Background

5. The Respondent is a solicitor, having been admitted to the Roll on 11 August 2011.
6. At the time of the alleged misconduct, he was a Partner and Head of the Family Law team at the Firm. Michael Compston was a trainee solicitor at the Firm and Benjamin Dale was a paralegal, both of whom assisted the Respondent.
7. The Respondent resigned on 12 March 2021, after the Firm initiated an investigation into his conduct. He left the Firm on 9 April 2021.

Witnesses

Person A (affirmed)

8. Person A engaged the Respondent in early 2019 for her divorce proceedings, having been referred by another solicitor within the firm. After an initial meeting in February 2019, she provided instructions and made an upfront payment, followed by further payments as the case progressed. Initially, steps such as drafting a petition and advising on a clean break order were taken, but from mid-2019, the process experienced significant delays.
9. Despite returning a signed statement as requested, Person A was repeatedly given misleading information by the Respondent in September and October 2019, and thereafter, that her divorce petition had been issued and the Decree Nisi application had been filed, re-filed, or was awaiting court action. She later discovered that the application for Decree Nisi was not actually filed until November 2020.
10. Due to the persistent delays and lack of communication, Person A lodged formal complaints in January and March 2020, also querying a discrepancy in her hourly rate. She felt these complaints were not adequately addressed, and staff within the firm, including a trainee solicitor and compliance personnel, provided her with inconsistent information regarding her case status. The divorce was eventually finalised much later than anticipated, with the Decree Nisi granted in April 2022 and the Decree Absolute in May 2022, over three years after she first instructed the Respondent. Although she received some fee refunds, she was never given a formal apology. Person A stated that she felt consistently misled, that the progress of her divorce was unnecessarily delayed, and that she was forced to chase her solicitor continually for updates.
11. Person A faced cross-examination on several key issues. She was pressed on the accuracy of her witness statement, including a missing signature on an exhibit. She confirmed an emotional phone conversation with the Respondent where she accused him of lying, which he vehemently denied, but she had not made a note of this call. Person A further contended that it was impossible for the Respondent to have genuinely believed his misleading statements, given his experience as a partner in a law firm.
12. Finally, her interpretation of an email, where she believed the Respondent had "slipped up" regarding the application's submission date, was challenged as her personal interpretation rather than a direct quote, a point later clarified by re-examination wherein Ms Stevens drew Person A's attention to a specific email dated 8 April 2021 at 21:41 where the Respondent mentioned "*our most recent correspondence whereby we sent the Decree Nisi documentation*" in reference to November 2020. Person A confirmed this was the basis for her perception that Mr. Jones had "slipped up" by implying the application was sent in November 2020, contradicting his earlier assertions that it had been sent in October/November 2019.

The Respondent (affirmed)

13. The Respondent had been the head of the family law department which he rapidly grew and handled, primarily, strategy and overall conduct, delegating routine tasks,

such as Decree Nisi applications, to his junior staff. He clarified that when he used the word 'I' in his emails, for instance when stating *'I'll now apply for decree nisi'*, he meant he would *'arrange for it to take place'*, as it was *'not cost-effective or appropriate for him to do it at his charge-out rate'*. He maintained a genuine belief that the application had been lodged and that any delays were attributable to common court backlogs at the Liverpool Regional Divorce Centre.

14. Upon receiving an email from his secretary Ms Ryland on 25 February 2020 stating, *'we can't trace that we have ever applied for the decree nisi for [Person A]'*, the Respondent stated he would have been on holiday, receiving it upon his return. His response was to *'check with the team'* and *'ask them to chase it'*, still perceiving the issue as a court backlog. He detailed significant personal stress from March 2020 due to his wife's pregnancy which he admitted caused his usual high standards of work and communication to dip. He recalled Person A accusing him of lying during a phone call on 27 March 2020, which he found *'extremely offensive'*. He *'absolutely denied it'* then and continued to deny ever knowingly or deliberately misleading Person A or acting dishonestly, asserting he *'believed that what [he] was saying to person A was true and accurate'* at the time of all his communications.
15. He confirmed instructing Mr Dale, a paralegal, to hand-deliver documents on 21 October 2020 and denied drafting a chronology dated 26 February 2021, explaining his initials would have been auto-generated as the file lead. He acknowledged, with the benefit of hindsight and reflection, that he could have done things differently, but maintained his denial of dishonesty and noted that his health issues had only recently allowed him to properly address these matters. When questioned by the Panel, he reiterated that upon receiving internal notifications about the untraced application, he would have spoken to his team and instructed them to chase, accepting that on reflection he should have done more.
16. During cross-examination, Ms Stevens challenged the Respondent on his use of 'I' in correspondence, arguing Person A understood him to be personally performing the work. The Respondent insisted 'I' represented the firm and that delegation of low-level tasks was normal. Ms Stevens pressed him on the e-mail of 19 November 2019 sent to him by newly qualified solicitor Mr Compston stating, *'I can't see any letter to the court sending the Decree Nisi application'*, asserting this was the first notification that no application was on file. The Respondent accepted the email's content but disagreed it meant he knew that no application had been made, still believing it had been done amidst *'chaos'* at the courts and within the firm's paper filing system. He admitted this case had not been a priority and that his instructions to chase would have been oral, with no written attendance notes.
17. Ms Stevens noted his 18 December 2019 email to Person A, citing a 3-month backlog, made no mention of internal notifications that matters were awry. The Respondent explained he still believed that they were just waiting for the court to process it.
18. Ms Stevens highlighted Person A's formal complaint on 20 January 2020; the Respondent stated he did not know if he forwarded it and that firm procedure was *'you don't interfere with complaints'*. She pointed to Ms Ryland's and Mr. Dale's emails on 25 February 2020, including Mr Dale's *'no record of receiving an application for a Decree Nisi on the system'*, which she argued was the second notification he received

on the matter. The Respondent acknowledged receiving this after his holiday but still interpreted it as a court backlog issue, dismissing Mr Dale's junior status potentially affecting the attendance note's completeness.

19. He also explained he was not in the office during the lockdown when Person A's call on 27 March 2020 occurred. He stood by his 21 October 2020 email stating *'the application for Decree Nisi and the financial order has been lodged with the court as promised'* and his 10 November 2020 assurance *'you are not being lied to'*.
20. When confronted with Mr Compston's 10 November 2020 email stating *'We are sending Person A's application... to the court'*, Ms Stevens put it to him that this was the *first* application. The Respondent disagreed. He denied drafting the chronology dated 26 February 2021, which listed *'First Decree Nisi application sent to the court by email 13 of November 2020'*, again attributing his initials to file auto-generation and noting he was in the country at the time. Ms Stevens maintained his account was not supported by the documents and put it to him that he had been lying.
21. In re-examination, Mr. Goodwin clarified that the Respondent's use of *'I'* in correspondence represented *'the firm's commitment'*, a practice *'common in business correspondence'*. He affirmed that tasks were often allocated orally in morning meetings, explaining the absence of documentary notes. He confirmed the Respondent was not copied into Mr Dale's reply to Ms Ryland or the 13 November 2020 email lodging the application. The Respondent reiterated that his 27 March 2020 email to Person A served as a summary of their telephone conversation, not a separate attendance note, and that the instruction for hand-delivery would have been oral. He again denied drafting the chronology and suggested parts of the client file were missing, with his ability to properly deal with these matters only improving since June/July 2025 due to his health.

Findings of Fact and Law

22. The Applicant was required to prove the allegations beyond 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 right 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.
23. The Tribunal had due regard to the following and applied the various tests in its fact finding exercise:

Dishonesty

The test set out at paragraph 74 of [Ivey v Genting Casinos \(UK\) Ltd t/a Crockfords \[2017\] UKSC 67](#).

Integrity

The matters set at paragraphs 97 to 107 of [Wingate v SRA \[2018\] EWCA Civ 366](#).

Recklessness

Matters set out at paragraph 78 of [Brett v SRA \[2014\] EWHC 1974](#).

NOTE: While all the evidence was carefully considered the Tribunal does not refer to each and every piece of the evidence or submissions in its judgment and findings.

24. **Allegation 1.1: Between December 2019 and April 2021, misled his client, Person A, into believing that he had lodged an application for a Decree Nisi on her behalf in October or November 2019, when he knew or ought to have known, that was not true. In doing so, he breached any or all of Principles 2, 4, 5 and 7 of the SRA Principles 2019 and/or Paragraph 1.4 of the Code of Conduct for Solicitors, RELs and RFLs.**

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The Applicant's Case

- 24.1 The Applicant alleged that the Respondent had systematically misled his client, Person A, about the progress of her divorce proceedings between December 2019 and April 2021.
- 24.2 Person A instructed Jones in February 2019 for a straightforward divorce with no children and an agreed financial settlement. On 25 October 2019, Jones explicitly promised to apply for a Decree Nisi, stating it would be processed within 7-10 working days. However, no application was made at that time or for over a year thereafter.
- 24.3 The deception began to unravel on 19 November 2019 when trainee solicitor Michael Compston warned Jones that no evidence existed of any application being sent to court. A second warning came on 25 February 2020 when Jones's secretary confirmed they could trace no record of any Decree Nisi application ever being made. Despite these clear alerts, Jones continued to mislead his client.
- 24.4 When Person A made a formal complaint in February 2020 about the lack of progress, Jones compounded his misconduct during a telephone call on 27 March 2020. Rather than acknowledging the truth, he told her he had received "*special permission from the court to attend in person and re-file the Decree Nisi,*" falsely implying an original application had been made. Throughout 2020, Jones provided further false assurances, claiming in September that "*documents have been lodged at Court*" and in October that papers had been "*hand delivered to the Court to be taken up to a Judge.*"
- 24.5 The reality emerged only on 10 November 2020 when Compston sent an internal email stating he was preparing Person A's Decree Nisi application for the first time. The application was sent to court on 13 November 2020, over a year after Jones had promised to lodge it. Even then, the Respondent failed to inform his client of the true chronology, allowing her to continue believing applications had been made in 2019 and early 2020.
- 24.6 Person A, also a qualified solicitor, repeatedly requested explanations and chronologies throughout early 2021, explicitly stating she felt she was being lied to. These requests were ignored. The truth only emerged when Jones left the firm in April 2021 and Partner Kendra McKinney took over the file, confirming in June 2021

that no application had been made in October 2019 and that the first application was lodged in November 2020.

- 24.7 The Decree Nisi was eventually granted on 6 April 2022, nearly two and a half years after initial instructions. Person A described being "*lied to constantly*" and feeling "*gaslit*," with the situation adversely affecting her mental health.
- 24.8 It was alleged that the Respondent had breached fundamental professional principles including acting with honesty, integrity, and in his client's best interests, as well as upholding public confidence in the profession.
- 24.9 The Respondent was warned on at least three occasions that no application existed yet continued providing false reassurances for over eighteen months to an increasingly distressed client who explicitly requested transparency.

The Respondent's Case

- 24.10 In closing Mr Goodwin reminded the Tribunal that the Respondent was a solicitor with over 14 years of experience and a spotless regulatory record. He argued that a finding of dishonesty would be unsupported by the evidence and would be devastating to the Respondent's personal and professional life.
- 24.11 He referenced the authority of *Fish v GMC [2012] EWHC 1269 (Admin)* which set out that dishonesty allegations require solid grounds and rigorous analysis, particularly when made against a professional with no prior history of dishonesty. He also referred to the test for dishonesty in *Ivey* with the Tribunal first determining the Respondent's genuine knowledge or belief at the time of his statements, uninfluenced by hindsight. If the Tribunal accepted the Respondent's evidence of believing his statements were true, this should clear him of the allegation. It was the Respondent's explanation that he genuinely believed the Decree Nisi application had been lodged in October or November 2019 and he had been consistent on this throughout the SRA investigation.
- 24.12 Mr. Goodwin criticised Person A's evidence as mere perception, incapable of speaking to the Respondent's actual state of mind. He noted the SRA's reliance on emails and notes from individuals who were not called to give sworn evidence, considering this to be a significant gap in its case. The Respondent had explained that he gave daily oral instructions to his assistants, which accounted for the absence of comprehensive documentary evidence for every task.
- 24.13 He argued that any shortcomings in Mr. Jones's actions, such as a failure to inquire further or supervise adequately, amounted to carelessness or negligence, neither of which represented misconduct or dishonesty. Mr. Goodwin asserted there was no motive for the Respondent to deliberately mislead his client, suggesting the SRA's case relied on interpretation, speculation, and inference rather than sufficient proof. He also highlighted a flaw in the SRA's allegation, which included "*knew or ought to have known*," arguing that dishonesty requires actual knowledge, not mere oversight.
- 24.14 Mr. Goodwin cited several mitigating factors affecting Mr. Jones's performance: the COVID-19 pandemic and remote working, his wife's difficult pregnancy, the birth of

their daughter, and a heavy workload. He acknowledged that the Respondent's service levels might have "*dipped*" under these pressures but maintained there was no dishonesty or intent to mislead.

- 24.15 Regarding the burden of proof, Mr. Goodwin reminded the Tribunal that it rested with the SRA. While the standard was the balance of probabilities, the seriousness of the allegation necessitated stronger evidence and in this he cited *Jones (Appellant) v Birmingham City Council and another (Respondents) [2023] UKSC 27*.
- 24.16 He also presented character references from barristers affirming the Respondent's honesty.

The Tribunal's Findings

25. The Tribunal carefully considered all the evidence presented by the Applicant (SRA) and the Respondent, including oral testimony, documentary materials, witness statements, and submissions. In doing so, the Tribunal had due regard to its statutory obligations under section 6 of the Human Rights Act 1998 and the requirements of Articles 6 and 8 of the European Convention on Human Rights. Allegations 1.1 and 1.2 were assessed on the balance of probabilities, while acknowledging the seriousness of the allegations and the high threshold required when considering potential findings of dishonesty against a professional with an otherwise unblemished record.
- 25.1 It was not contested that there had been an unacceptable delay in lodging the Decree Nisi application. The question in relation to the most serious allegation, dishonesty, was whether the Respondent had known the true position.
- 25.2 In considering dishonesty the Tribunal applied the two-stage test for dishonesty set out in *Ivey*. The first stage required the Tribunal to ascertain the Respondent's actual state of knowledge or belief at the time of the relevant conduct. The Tribunal found that the Respondent genuinely believed that the Decree Nisi application had been lodged in October or November 2019. His position as head of a rapidly expanding Family Law department required delegation of routine administrative tasks, such as filing the Decree Nisi, to trusted junior staff.
- 25.3 The Tribunal considered the Respondent's use of "*I*" in correspondence. It was clear that this language reflected the firm's commitment rather than a literal assertion that he personally executed each task. The Tribunal accepted that, in the ordinary course of legal practice, a senior solicitor often used such expressions as shorthand for instructions carried out by their team, particularly in a high-volume, multi-jurisdictional practice.
- 25.4 Furthermore, the Tribunal noted the extraordinary personal and professional pressures on the Respondent, including the COVID-19 pandemic, remote working arrangements, and his wife's pregnancy. These factors more likely than not contributed to a genuine, albeit mistaken, belief that the application had been submitted. The Tribunal concluded that, although the Respondent's belief was ultimately incorrect, it had been honestly held. His conduct therefore did not meet the

objective standard of dishonesty by the standards of ordinary decent people. Allegation 1.1 was therefore not proven to the extent of dishonesty.

- 25.5 The Tribunal next considered whether the Respondent's conduct demonstrated a lack of integrity, applying the objective standard set out in *Wingate v SRA [2018] EWCA Civ 366*. Integrity, in this context, involved conduct that fell significantly short of the standards of probity and rectitude expected of a solicitor, assessed by reference to objective standards rather than the Respondent's subjective state of mind.
- 25.6 The Tribunal examined all relevant evidence, including the Respondent's reliance on his junior team, his delegation of routine administrative tasks, and his correspondence with the client. It noted that, although the Respondent failed to ensure that the Decree Nisi application had been properly lodged, there was no evidence that he knowingly misled the client, concealed information, or engaged in any other conduct that would objectively amount to serious professional impropriety. The Tribunal concluded that the Respondent's conduct, while reflecting shortcomings in oversight and supervision, did not objectively fall below the threshold of integrity expected of a solicitor. The failures identified related to what the Respondent ought to have known and monitored, rather than deliberate or intentional misconduct. The Tribunal also noted the broader background, including the COVID-19 pandemic and the Respondent's wife's pregnancy. Accordingly, the Tribunal found that the allegation of lack of integrity was not proven.
- 25.7 Recklessness, as defined in *Brett* required conscious disregard of a substantial and obvious risk. The Tribunal found that the Respondent did not act recklessly. He relied on his trusted team to perform routine filings, checked on the status of the application when alerted, and maintained the belief that procedural delays were attributable to the court's backlog. While hindsight demonstrated that additional supervision could have avoided the situation, there was no conscious indifference to a known risk. Allegation 1.2 was therefore not proven.
- 25.8 The Tribunal considered whether the Respondent's conduct breached Principles 2 and 7 of the SRA Principles 2019. Principle 2 required solicitors to act in a way that upheld public trust and confidence in the profession, and Principle 7 required solicitors to act in the best interests of each client.
- 25.9 The Tribunal concluded that the Respondent ought to have known that the Decree Nisi application had not been lodged. Despite being a low-level administrative task, as head of the Family Law department he had ultimate responsibility for oversight. Even a simple inquiry asking the right questions or verification would have revealed the true position. This lack of meaningful oversight meant that he did not act in a manner that fully upheld public trust and confidence and did not act in the client's best interests, even though there was no conscious intention to mislead. The Tribunal found it had been an oversight rather than deliberate or reckless misconduct.
- 25.10 The Tribunal took into account the context in which the Respondent operated. His role involved substantial strategic responsibilities, including overseeing a rapidly growing department and managing a heavy workload across multiple offices. Tasks such as filing the Decree Nisi were delegated orally to junior staff, a common and accepted practice in law firms. Additionally, extraordinary personal pressures,

including his wife's pregnancy and the onset of the COVID-19 pandemic, affected his ability to maintain his usual standard of oversight.

25.11 The Tribunal also noted gaps in the Applicant's evidence. Key witnesses, Mr Dale and Mr Compston, were not called, and their evidence could have materially influenced the Tribunal's assessment. The Tribunal was therefore required to make findings based on the available evidence while keeping in mind that the burden of proof rested entirely with the Applicant.

25.12 In summary:

- Dishonesty: Not proved
- Lack of integrity: Not proved
- Recklessness: Not proved
- Paragraph 1.4 of the Code of Conduct for Solicitors, RELs and RFLs: Not proved
- Breach of Principle 2: Proved (failure to uphold public trust/confidence)
- Breach of Principle 7: Proved (failure to act in the client's best interests)

25.13 The breaches identified related to a lack of adequate supervision rather than deliberate or reckless misconduct. The Tribunal considered all factors, including the Respondent's reliance on his team, high workload, personal circumstances, and extraordinary challenges posed by the pandemic and his good character evidence. The Tribunal emphasised that the breaches found arose from what he ought to have known rather than what he actually knew and therefore reflected a failure of diligence rather than a failure of character or honesty.

Previous Disciplinary Matters

26. None

Mitigation

27. Mr. Goodwin submitted that a finding of no dishonesty, no lack of integrity, and no intention to mislead removed the most aggravating features. He characterised Mr. Jones's failures as a lapse in professional judgment, not premeditated or financially driven. He proposed a reprimand and a contribution to costs as a proportionate outcome, or, alternatively, a financial penalty that would not hinder Mr. Jones's ability to practice. He noted Mr. Jones's good income but potentially limited assets when discussing payment terms for any fine or costs.

Applicant's application to be heard on sanction

28. This was refused by the Tribunal. This case raised no novel issues and/or points of law. The issue of the most appropriate sanction was well within the Tribunal's capabilities as an expert and experienced Tribunal.

Sanction

29. The Tribunal had regard to the Sanctions Guidance (11th Edition, February 2025) and applied the three-stage test. It first considered the seriousness of the misconduct by reference to culpability and harm. The Respondent's failings did not arise from any intention to mislead or to obtain personal advantage. Nor was there any finding of dishonesty, lack of integrity or recklessness. Rather, the misconduct lay in his failure to exercise sufficient oversight of an administrative step which, in hindsight, required closer attention. He accepted that he ought to have known that the Decree Nisi had not been lodged and that a simple enquiry would have clarified matters. His culpability was therefore greater than a single isolated oversight, but materially less than deliberate or reckless misconduct.
30. The Tribunal recognised that the harm to Person A went beyond mere inconvenience. She was caused real anxiety and distress, to the extent that her health was affected. She was left uncertain about the true position in her divorce proceedings, worried that progress was not being made, and she had to make repeated efforts to chase her solicitor for updates. The Tribunal accepted that such experiences undermined her trust and caused unnecessary worry at a time when she was already in difficult personal circumstances. Although this was not a case involving significant financial loss, the exploitation of vulnerability or the misuse of client monies, the impact upon Person A personally was material and deserving of proper recognition.
31. The Tribunal reminded itself of Sir Thomas Bingham MR's observations in *Bolton v Law Society* [1994] 1 WLR 512 and of its duty to protect the public and maintain trust in the profession. It noted that under the Guidance a reprimand is appropriate for misconduct at the very lowest level, but that where misconduct is sufficiently serious to merit a financial penalty the Tribunal should consider the available levels of fine. The present case involved protracted delay over a period of more than two years and repeated mistaken assurances to a client. These factors placed the matter above the threshold for a reprimand.
32. In determining the level of sanction, the Tribunal weighed the aggravating and mitigating features. Aggravating features included the duration of the misconduct, the repeated reassurances given to Person A which later proved inaccurate, and the fact that the Respondent was a senior solicitor and partner with ultimate responsibility for the file. Mitigating features were, however, significant: the Respondent had an otherwise unblemished career; there was no finding of dishonesty, lack of integrity, recklessness or criminal conduct; he did not seek to shift blame; he demonstrated insight and made changes to his working practices; he produced character references attesting to his professionalism and honesty; and the Tribunal accepted that personal pressures, including his wife's pregnancy and the challenges of the COVID 19 pandemic, provided context for his failings. The risk of repetition was assessed as low.
33. Taking all of these matters into account, and applying the bottom-up approach mandated by the Guidance, the Tribunal determined that the appropriate sanction was a Level 1 financial penalty. A reprimand would not sufficiently mark the seriousness of the misconduct, particularly given the distress suffered by Person A, but a higher level of fine or suspension would be wholly disproportionate in the absence of

dishonesty, lack of integrity or significant harm to the wider public. The Tribunal therefore ordered that the Respondent pay a financial penalty of £1,500. This sum properly reflects the seriousness of the misconduct, acknowledges the harm to the client, serves as a proportionate deterrent, and upholds the reputation of the profession, while recognising the limited culpability in this case.

Costs

34. The Tribunal had regard to Rule 43(1) of the Solicitors (Disciplinary Proceedings) Rules 2019 which provides that it may make such order as to costs as it thinks fit, including the payment by any party of costs or a contribution towards costs of such amount (if any) as the Tribunal may consider reasonable. These costs are those arising from or ancillary to the proceedings before the Tribunal. As no application was made for the costs to be subject to detailed assessment by a taxing Master of the Senior Courts, the Tribunal proceeded by way of summary assessment.
35. By Rule 43(4), when deciding whether to make an order for costs, against which party, and for what amount, the Tribunal must consider all relevant matters including: the parties' conduct; whether directions and deadlines were complied with; whether the time spent and rates charged were proportionate and reasonable; and the means of the paying party. The Tribunal also reminded itself of the principles in *R v Northallerton Magistrates Court, ex parte Dove* (1999) 163 JP 894, namely that costs orders are compensatory rather than punitive, and in *Barnes v SRA Ltd* [2022] EWHC 677 (Admin) that an order for costs should not be made if there is no reasonable prospect of it being satisfied.
36. The Tribunal accepted Ms Stevens' submission that the case was properly brought, particularly given the seriousness of the allegations as originally framed. The Tribunal considered that the public would expect the Applicant to have prepared its case with requisite thoroughness. The substantive hearing lasted two full days, as anticipated, and the case involved contested evidence from a lay witness. The Tribunal found that both parties had conducted themselves professionally and complied with the Tribunal's directions.
37. The Tribunal accepted, however, the thrust of Mr Goodwin's submissions. The most serious aspects of the case concerned allegations of dishonesty and lack of integrity. While the Tribunal considered it was right that these were investigated and brought, they were ultimately not proved. This was a significant factor when assessing costs, as it materially reduced the seriousness of the misconduct found. The Tribunal also considered the point raised about potential duplication of work due to changes in personnel. While the Applicant explained that time spent reading in was not claimed, the Tribunal accepted that, as different fee-earners took over at various stages, some degree of duplication was inevitable.
38. Taking all these matters in the round and applying the broad brush approach endorsed by the Sanctions Guidance, the Tribunal was satisfied that a substantial reduction from the sum claimed was appropriate. The Applicant had sought in excess of £39,000, but the Tribunal considered that to be disproportionate in circumstances where the most serious allegations had failed and where some duplication of effort

had occurred. The Tribunal also took into account that the case was not of particular factual or legal complexity.

39. The Tribunal was mindful that the Respondent was not impecunious in the *Barnes* sense, though it noted he was not '*asset rich*' as Mr Goodwin put it. It was satisfied that an order for costs would not be oppressive.
40. Accordingly, the Tribunal ordered that the Respondent pay a contribution towards the Applicant's costs in the sum of £15,000. This figure properly reflected the compensatory purpose of costs, ensured that the Applicant was reasonably reimbursed for the expense of bringing these proceedings, and avoided costs becoming an additional punishment.

Statement of Full Order

41. The Tribunal ORDERED that the Respondent, DANIEL JONES solicitor, do pay a FINE of £1,500.00, such penalty to be forfeit to His Majesty the King, and it further Ordered that he do pay the costs of and incidental to this application and enquiry fixed in the sum of £15,000.00.

Dated this 30th day of September 2025
On behalf of the Tribunal

U. Sheikh

U. Sheikh
Chair