

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No.12714-2024

BETWEEN:

SOLICITORS REGULATION AUTHORITY LTD

Applicant

and

CHRISTOHER JAMES FRY

Respondent

Before:

Mr M N Millin (in the chair)

Mr R Nicholas

Dr A Richards

Date of Hearing: 11 – 12 August 2025

Appearances

Delme Griffiths, solicitor in the employ of Blake Morgan LLP, One Central Square, Cardiff CF10 1FS for the Applicant.

The Respondent represented himself.

JUDGMENT

Allegations

1. The allegation made against Mr Fry by the Solicitors Regulation Authority Limited (“SRA”) was that:
 - 1.1 On 2 May 2023, during the course of proceedings before the Solicitors Disciplinary Tribunal (“the Tribunal”), Mr Fry completed a Statement of Means that was false and/or misleading, in that:
 - 1.1.1 He answered ‘no’ to a question asking if he had disposed of any asset which he owned worth in excess of £1,000.00 during the previous three years, when he knew this was not true; and/or
 - 1.1.2 He did not disclose information regarding the proceeds of sale of a property previously owned by him.

In doing so, he thereby acted in breach of any or all of:

 - 1.1.3 Principle 2, Principle 4 and Principle 5 of the SRA Principles (“the Principles”); and/or
 - 1.1.4 Paragraph 1.4 of the Code of Conduct for Solicitors, RELs and RFLs (“the Code”).
- 2 In the alternative to dishonesty, allegation 1.1 is advanced on the basis that Mr Fry’s conduct was reckless. Recklessness was alleged as an aggravating feature of Mr Fry’s misconduct but was not an essential ingredient in proving the allegations.

Executive Summary

3. The Tribunal found that the Statement of Means completed by Mr Fry was false and misleading, and that Mr Fry knew this to be the case. He had deliberately failed to disclose the sale of his property in December 2022, which he knew was an asset worth over £1,000 of which he had disposed within 3 years of the completion of the Statement of Means. The Tribunal found that such conduct was in breach of the Principles and Code as alleged. The Tribunal’s reasoning can be accessed here:
 - [The Tribunal’s Findings](#)
4. Given its finding of dishonesty and in the lack of any exceptional circumstances, the Tribunal determined that the only appropriate and proportionate sanction was to strike Mr Fry off the Roll of Solicitors. The Tribunal’s reasoning can be accessed here:
 - [Sanction](#)

Documents

5. The Tribunal reviewed all the documents submitted by the parties, which included (but was not limited to):

- Rule 12 Statement and Exhibit DG1 dated 10 December 2024
- The Respondent's Answer dated 18 April 2025
- Transcribed extracts from SRA v Fry (Case No. 12379-2022)

Preliminary Matters

Privacy

6. Mr Fry submitted that whilst he wanted to be open, there were personal, financial and health issues that were sensitive and private that should not be discussed in public. He said the Tribunal should consider whether aspects of that information should be heard in private.
7. Mr Griffiths agreed that there was no public interest in private health matters being discussed in public. With regard to any personal family matters, they would only be referred to on behalf of the Applicant as far as necessary for context. Financial matters were relevant insofar as they were related to the previous proceedings, and to that extent, were already a matter of public record, being contained in the Tribunal's previously published Judgment.
8. The Tribunal confirmed that where matters of health were to be discussed, the Tribunal would hear those in private. The other personal matters were contained either in the previous Judgment or in the Rule 12 Statement and were necessary for context.

Jurisdiction

9. Mr Fry questioned whether the Tribunal had jurisdiction to hear this matter in circumstances where he considered that the hearing was about whether he had the means to pay the previous costs order imposed. The proper process would be an application by the SRA for him to pay those costs.
10. Mr Griffiths submitted that these proceedings were not an attempt by the SRA to reopen the Tribunal's costs decision, but arose from whether he was candid in the information he had provided to the Tribunal.
11. The Tribunal found that it was clear the SRA was not seeking to use these proceedings to revisit the decision made by the previous division of the Tribunal. The allegation against Mr Fry was clear. In summary it was alleged that he had provided false and misleading information in his Statement of Means. Accordingly, the Tribunal plainly had jurisdiction to hear the matter.

Applications for Non-Party Disclosure

12. During the course of the SRA's opening, the Tribunal received an application for disclosure from a third party. Mr Griffiths confirmed that the Applicant did not oppose disclosure of the requested documents, it being in the interest of open justice to do so, subject to redactions to protect private and/or privileged information.
13. Mr Fry opposed the application but wished to have further time to consider any representations.

14. A further non-party application was received shortly before Mr Fry was due to give evidence. Given the lateness of the applications, the Tribunal determined that they should be dealt with at a suitable time that would not derail the hearing or prejudice Mr Fry so as to enable him to give his best evidence.
15. The applications were considered following the Tribunal's factual findings at which point Mr Fry had absented himself from the hearing. The Tribunal determined that the requested documents (the Rule 12 Statement and Answer) should be disclosed (subject to appropriate redaction) in line with open justice principles.

Factual Background

16. Mr Fry was a solicitor having been admitted to the Roll in July 2001. He held a current practising certificate.
17. Mr Fry previously appeared before the Tribunal ("the 2023 Proceedings") at a hearing in June 2023 ("the Hearing"). Mr Fry provided a Statement of Means ("the Statement"). The Tribunal imposed a restriction on Mr Fry's practise namely that, until 27 June 2026, he may not be a Head of Finance and Administration/Compliance Officer for Finance and Administration.
18. Mr Fry was also subject to the following conditions imposed on his practising certificate by the SRA, whereby he may not:
 - Be the sole manager or owner of any authorised body.
 - Be the sole signatory to any client or office account and have sole responsibility for client or office account or sole responsibility for authorising client or office account transfers.
 - Act as a Compliance Officer for Legal Practice (COLP) or Compliance Officer for Finance and Administration (COFA) for any authorised body, or Head of Legal Practice (HOLP) or Head of Finance and Administration (HOFA) in any authorised non-SRA firm.
 - Practise on his own account under Regulation 10.2(a) and (b) of the SRA Authorisation of Individuals Regulations.
19. The conduct in this matter concerns the Respondent's actions in the period leading up to the Hearing in the First SDT Proceedings, specifically the accuracy of information provided within a Statement of Financial Means form completed, signed, filed and/or served by him, or on his behalf, in or around May 2023 ("the Statement").
20. Following the Hearing, enquiries by the SRA revealed that a property solely owned by Mr Fry the Property and information regarding the proceeds of sale were not disclosed within the Statement.

Witnesses

21. The following witnesses provided written statements and gave oral evidence:

- Mr Fry

22. The written and oral evidence of the witnesses is quoted or summarised in the Findings of Fact and Law below. The evidence referred to will be that which was relevant to the findings of the Tribunal, and to facts or issues in dispute between the parties. For the avoidance of doubt, the Tribunal read all of the documents in the case and made notes of the oral evidence. The absence of any reference to particular evidence should not be taken as an indication that the Tribunal did not read, hear or consider that evidence.

Findings of Fact and Law

23. 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 Mr Fry's rights to a fair trial and to respect for his private and family life under Articles 6 and 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Dishonesty

24. The test for dishonesty was that set out in Ivey v Genting Casinos (UK) Ltd t/a Crockfords [2017] UKSC 67 at [74] as follows:

“When dishonesty is in question the fact-finding Tribunal must first ascertain (subjectively) the actual state of the individual's knowledge or belief as to the facts. The reasonableness or otherwise of his belief is a matter of evidence (often in practice determinative) going to whether he held the belief, but it is not an additional requirement that his belief must be reasonable; the question is whether it is genuinely held. When once his actual state of mind as to knowledge or belief as to facts is established, the question whether his conduct was honest or dishonest is to be determined by the factfinder by applying the (objective) standards of ordinary decent people. There is no requirement that the defendant must appreciate that what he has done is, by those standards, dishonest.”

25. When considering dishonesty, the Tribunal firstly established the actual state of the Respondent's knowledge or belief as to the facts, noting that the belief did not have to be reasonable, merely that it had to be genuinely held. It then considered whether that conduct was honest or dishonest by the standards of ordinary decent people.

Integrity

26. The test for integrity was that set out in Wingate and Evans v SRA and SRA v Malins [2018] EWCA Civ 366, as per Jackson LJ:

“Integrity is a useful shorthand to express the higher standards which society expects from professional persons and which the professions expect from their own members ... [Professionals] are required to live up to their own

professional standards ... Integrity connotes adherence to the ethical standards of one's own profession.”

Recklessness

27. The test applied by the Tribunal was that set out in R v G [2003] UKHL 50 where Lord Bingham adopted the following definition;

“A person acts recklessly...with respect to (i) a circumstance when he is aware of a risk that it exists or will exist; (ii) a result when he is aware of a risk that it will occur and it is, in the circumstances known to him, unreasonable to take that risk.”

This was adopted in the context of regulatory proceedings in Brett v SRA [2014] EWHC 2974 (Admin).

28. **Allegation 1.1 – On 2 May 2023, during the course of proceedings before the Solicitors Disciplinary Tribunal (“the Tribunal”), Mr Fry completed a Statement of Means that was false and/or misleading, in that: (1.1.1) He answered ‘no’ to a question asking if he had disposed of any asset which he owned worth in excess of £1,000.00 during the previous three years, when he knew this was not true; and/or (1.1.2) He did not disclose information regarding the proceeds of sale of a property previously owned by him. In doing so, he thereby acted in breach of any or all of: Principles 2, 4 and 5 of the Principles; and/or Paragraph 1.4 of the Code.**

The Applicant's Case

- 28.1 Mr Fry was previously the sole owner, Director and a solicitor at Fry Law Limited (“the Firm”). In or around September 2022, the SRA commenced the 2023 Proceedings at the Tribunal, alleging misconduct in connection with his running of the Firm.
- 28.2 On 2 May 2023, ahead of the Hearing, Mr Fry completed the Statement, in the Tribunal's standard form including the following declaration signed and dated by Mr Fry:

“I confirm that, to the best of my knowledge and belief, the above is a true reflection of my current financial situation, in which no facts or details have been omitted.”

- 28.3 The Tribunal subsequently had regard to Mr Fry's means when considering the issue of costs at the conclusion of the Hearing, whereby Mr Fry was ordered to pay a fine of £9,000.00 and costs fixed in the sum of £35,000.00, such costs not to be enforced without leave of the Tribunal (“the Order”).
- 28.4 The Statement included, within section 8D (Other Assets) the following question (“the Question”):

“Have you disposed of, or given as gifts, any assets which you owned worth in excess of £1,000 during the last three years?”

- 28.5 Mr Fry answered, ‘no’ to the Question. This answer, it was submitted, was false and/or misleading as having purchased the property in his sole name on 26 June 2020 for £495,000.00, the Property was sold on 20 December 2022 for £555,000.00. This was within three years of the Statement for the purposes of the Question.
- 28.6 A completion statement recorded that the proceeds of sale, less costs and other payments, was accounted for as follows:
- £5,000.00 each to Mr Fry and his wife (at the time).
 - The balance of £47,134.55 to Mr Fry’s wife’s solicitors (“the Balance”).
 - The Balance was held by his wife’s solicitors pending the conclusion of their divorce proceedings.
- 28.7 Mr Griffiths submitted that it followed that, as at the date of the Statement, Mr Fry had, at the very least, a potential interest in the Balance. For instance:
- It was Mr Fry who agreed ? , via his solicitor, to the Balance being held pending agreement as to its distribution or a Court order.
 - It was asserted on behalf of Mr Fry that he was entitled to some or all of the Balance.
 - The dispute as to Mr Fry’s and his wife’s entitlement to the Balance was ongoing at the date of the Statement and continued up to and beyond the Hearing.
 - Mr Fry continued to maintain his entitlement to a share of the Balance in January 2024.
- 28.8 In summary, Mr Griffiths submitted that Mr Fry did not disclose within the Statement (i) the sale of the Property; (ii) the payment of £5,000.00 made to him from the proceeds of sale; or (iii) the existence of the Balance, notwithstanding that the Statement expressly required Mr Fry to *“please provide any other information relevant to your means not already included above”* and the wording of the Declaration.
- 28.9 On 12 July 2023, a Senior Cost Recovery Officer of the SRA wrote to Mr Fry in connection with the Property and referenced making an application to the Tribunal pursuant to the Order. On 18 July 2023, following an exchange of emails, the SRA further wrote to Mr Fry, stating:

“Preliminary enquiries indicate [the Property] was, as at January this year, held in your sole name, free of mortgage. During the disciplinary proceedings you confirmed you had not disposed of any assets in the previous three years. It follows then that when the Tribunal made its decision to restrict enforcement you had an interest in a valuable asset and which

information was not included in your financial statement before the Tribunal.”

28.10 On 19 July 2022 Mr Fry replied stating:

“The Land Registry document is wrong. The property was sold on 22/12/2022 to satisfy the financial charge to the Clydesdale Bank. The modest balance remaining is held in my ex-wife’s Solicitors Client Account and she claims the entire balance.”

28.11 However, as detailed above, Mr Fry received the sum of £5,000.00 as an interim payment upon the sale of the Property and had a potential interest in the Balance, neither of which were referenced in this email.

28.12 In his correspondence with the SRA, Mr Fry denied wrongdoing and maintained that he had been open and transparent. He referred to a statement in the 2023 Proceedings which stated (amongst other things):

“I am now in dire straits. I have sold my home and now live in rented accommodation. I have had to settle a £50k debt to the Clydesdale Bank from the sale of my house and [my wife] is pursuing me for the equity in the house and for counselling for her own stress and anxiety because of the situation”.

28.13 Mr Griffiths submitted that the statement did not:

- State when the Property was sold.
- Reveal that he had received the sum of £5,000.00 from the proceeds of sale.
- Disclose any potential legal or beneficial interest in the Balance.
- Record that whilst his wife may have been claiming some or all of the Balance, he was doing the same.

28.14 Accordingly, the SRA did not accept that Mr Fry corrected the false and/or misleading information within the Statement in his witness statement or at any point prior or subsequent to it.

Dishonesty

28.15 Mr Griffiths submitted that Mr Fry’s conduct was dishonest by the ordinary standards of reasonable and honest people:

28.16 As to his state of mind, it was submitted that:

- Mr Fry was clearly aware of the sale of the Property at the time he completed the Statement. Accordingly, he knew that the answer he gave to the Question was not true.
- The wording of the Statement, particularly the Question and the Declaration, were clear and it would have been obvious to Mr Fry what was required of him.

- Mr Fry was on express notice of the importance of accurately completing the Statement given one of the allegations he faced in the 2023 Proceedings was that he had caused or allowed inaccurate and/or misleading information to be provided in a PII proposal form, which was found proved at the Hearing.
- He knew or ought to have known that the Tribunal would have regard to information provided by him as to his financial circumstances. It had no means by which to independently check and verify information provided by him.
- Not only did Mr Fry fail to disclose the sale of the Property, as was required by the Question, he did not disclose his receipt of the sum of £5,000.00 from the proceeds of sale or the existence of the Balance, his interest in which was yet to be resolved, both of which were known to him.
- By not disclosing these matters, he withheld information that he should have disclosed and which he knew or should have known was relevant and material.

28.17 In those circumstances, Mr Fry was dishonest by the standards of ordinary decent people, and he therefore breached Principle 4 of the Principles. He also misled or attempted to mislead the Tribunal and/or the SRA and therefore also breached paragraph 1.4 of the Code.

Recklessness

28.18 Recklessness was alleged in the alternative to dishonesty. Were the Tribunal to find that Mr Fry had not positively misled or attempt to mislead, at the very least he provided information and responses, within the Statement, which were incomplete and/or inaccurate and which had the potential to mislead. That presented a risk that the Tribunal would be misled and make decisions without an informed understanding of the true position as to his financial circumstances.

28.19 Mr Fry was under a duty to ensure that the Tribunal and the SRA was provided with complete and accurate information in relation to his financial circumstances. A solicitor acting with integrity would have ensured that complete and accurate information was included within the Statement, knowing that this would be expressly considered by the Tribunal when making an order. In failing to do so, Mr Fry had fallen below the standard expected of him and thus had acted without integrity in breach of Principle 5.

28.20 Such conduct also failed to maintain the trust placed by the public in him and in the provision of legal services.

28.21 Public confidence in Mr Fry, in solicitors and in the provision of legal services was likely to be undermined by solicitors failing to ensure that they provide full and accurate information when required, especially in a formal document prepared for the purposes of proceedings before the Tribunal. Mr Fry was in a position of trust and responsibility and members of the public would expect a solicitor to fill in an important form of this nature with accuracy. In failing to do so, Mr Fry therefore breached Principle 2.

The Respondent's Case

28.22 Mr Fry denied the allegation.

28.23 In his statement, Mr Fry explained that at the time of the 2023 Proceedings, the proceeds of the sale of the Property were “*not tangible*.”

28.24 He considered that he was correct to determine that the proceeds of sale were not an asset until the Courts decided that question, which was not until a confidential divorce settlement was reached in 2024.

28.25 Mr Fry referred the Tribunal to paragraph 81 of his third statement to the Tribunal in the 2023 Proceedings which stated:

“... I have sold my home and now live in rented accommodation. I have had to settle a £50k debt ... from the sale of my house and [his now ex-wife] is pursuing me for the equity in the house ...”

28.26 Mr Fry noted that no questions or challenges were raised about that during the proceedings. Ms Sheppard-Jones, Counsel for the SRA in the 2023 Proceedings, having seen the Statement of Means, made no submissions as to Mr Fry's means.

28.27 Mr Fry submitted that whilst it now appeared that the SRA had concerns about how honest he was about his financial circumstances, at the relevant time, they were either considered to be without merit by their Counsel and not worth cross-examination or were accepted.

28.28 It was Mr Fry's case that it was completely wrong to say that he had been anything less than candid about his means in the 2023 Proceedings. He was simply not asked any questions about his financial position or challenged on it. He had answered everything he was asked in full and there was no question of his having misled the Tribunal at all.

28.29 With regards to the definition of an asset, the value of any tangible asset was in any event affected by pre-existing liabilities. Mr Fry noted that at no point had the SRA ever asked him to complete an updated Statement of Means but I intend to produce them with evidence that even after the divorce settlement I remain without any savings investments or assets. An advance of £5,000 on the sale of my property to pay for removal, storage and pay off debts did not amount to disposal of an asset.

28.30 In his oral evidence, Mr Fry accepted that he had sold the Property, which was held in his sole name, in December 2022, and that he had received a lump sum of £5,000 following that sale. It was also accepted that the Balance had been retained in his now ex-wife's solicitors client account, and that both Mr Fry and his ex-wife were asserting that they were entitled to those monies. The position in relation to the distribution of the Balance had not been determined before the conclusion of the 2023 Proceedings.

28.31 Mr Fry confirmed that he had completed the Statement of Means and that he did not consider it to be confusing. Mr Fry did not consider that he had disposed of any

assets. He accepted that the Balance was held, but considered that if he had claimed that the Balance was an asset, that would be dishonest as it was not his money.

- 28.32 Mr Fry accepted that his third witness statement did not state when the Property had been sold; that he received the sum of £5,000.00, that the Balance was outstanding or that he was claiming that he was entitled to that Balance.
- 28.33 Mr Fry stated that he had provided full disclosure. He did not consider that in answering no to the question in relation to disposal of assets, that his answer was incorrect or untruthful. He had been as honest and candid as it was possible to be. The proceeds of the sale of the Property were not an asset until such time as the distribution of those monies were decided by the Court.

The Tribunal's Findings

- 28.34 The Tribunal noted that the facts were mainly agreed with regards to the chronology of events. The issue between the parties was whether, having sold the Property approximately 6 months prior to the 2023 Proceedings, Mr Fry was required to disclose that in his Statement of Means.
- 28.35 The Tribunal found that it was plain that the Property was an asset. It was not disputed that the Property had been sold approximately 6 months prior to the 2023 Proceedings. The sale price of the Property was £555,000. The Property had been registered in Mr Fry's sole name – he was, as a matter of law, the legal owner. Given those facts, the Tribunal had no hesitation in finding that Mr Fry, in selling the Property that he owned, had disposed of an asset that was worth in excess of £1,000 within 3 years of his completion of the Statement of Means on 2 May 2023.
- 28.36 The Tribunal further found that having failed to disclose the sale of the Property, Mr Fry had also failed to disclose information regarding the proceeds of sale of the Property. Whilst Mr Fry had mentioned, in his third Statement, that he had had to sell his home, he did not state that he had received £5,000 from the sale proceeds, or that the Balance was still to be distributed and that he was asserting an entitlement to the entirety of the Balance. Indeed, whilst he stated that he had sold his home, he did not state when that sale had taken place.
- 28.37 Having made those factual findings, the Tribunal then considered Mr Fry's state of mind. During his evidence Mr Fry had accepted legal ownership of the Property, but denied that he was the beneficial owner. He had later accepted that he was also a beneficial owner, stating that he agreed with the SRA's assertion that he was the legal and beneficial owner.
- 28.38 Mr Fry accepted that he had sold the Property but stated that he had not disposed of any assets. When asked whether the sale of the Property was not a disposal Mr Fry replied that the Property was not his asset as the Balance was being claimed by his ex-wife in its entirety. The Balance was not his money even though he considered that it should have been.
- 28.39 When asked whether he could agree that he had sold an asset within 3 years of completing the Statement of Means, namely the Property, Mr Fry replied "yes". When

asked whether the sale of the Property was a disposal, he replied: *“As a disposal of property yes, but it was not an asset”*. Mr Fry also stated that the Balance *“was not an asset until the Court said it was.”*

- 28.40 Given his inconsistent answers, the Tribunal sought clarity as to Mr Fry’s position regarding the status of the Property and its sale. Mr Fry explained that he understood an asset to mean *“something you can positively do something with.”* When asked whether he considered the Property to be an asset, Mr Fry replied: *“Yes, but not the value in it, although I thought it was mine...”* Given that answer the Tribunal sought to confirm whether it was Mr Fry’s position that the Property was an asset. Mr Fry stated that: *“It was an asset of the marriage but it was not mine until it was declared. I had not disposed of it even if it was an asset.”* Following that answer the Tribunal asked Mr Fry what he considered a disposal to be if it was not the sale of the Property to which Mr Fry replied that it was *“giving something away”*. When asked whether he considered that the Property had been disposed of for money, Mr Fry stated: *“Yes, because the money is associated with the property, but it wasn’t my money.”*
- 28.41 The Tribunal found Mr Fry’s position to be incredible and wholly inconsistent. It did not accept that Mr Fry believed the Property was not an asset, or that it had not been disposed of. The question asked in the Statement of Means was clear and did not require specialist or technical knowledge. It was not Mr Fry’s case that he did not understand the question, such that his answer was an error. On the contrary, it was his case that he had not disposed of any asset worth over £1,000 within 3 years of completing the Statement of Means, in circumstances where he had sold his house just 6 months previously, had received a £5,000 payment and was asserting that he was entitled to the entirety of the balance.
- 28.42 The Tribunal thus found that Mr Fry knew that:
- he was the sole legal owner and had a beneficial interest in the Property
 - the Property was an asset
 - in selling the Property, he had disposed of it
 - he had disposed of the Property for £555,000 in December 2022
 - the disposal was of an asset that was worth more £1,000
 - he had received £5,000 from the proceeds of the sale of the Property
 - the Balance was being held in his (now) ex-wife’s solicitors’ client account
 - he was asserting that he was entitled to the entirety of the Balance.
- 28.43 The Tribunal found that Mr Fry knew when answering “no” to the question on the Statement of Means, that the answer was false and misleading. The Tribunal further found that Mr Fry knew that he had not disclosed information regarding the proceeds of sale either in his Statement of Means or in his third witness statement. The Tribunal found that ordinary decent people would consider that it was dishonest for a solicitor to knowingly provide false and misleading information in a document that the solicitor had signed stating that the information contained therein was true to the best of that solicitor’s knowledge and belief.
- 28.44 The Tribunal did not accept Mr Fry’s assertion that he had been candid and honest in the completion of the Statement of Means. Nor did the Tribunal accept that the SRA’s failure to ask questions arising from that statement was in any way exculpatory.

Mr Fry was under a duty to provide an accurate reflection of his financial situation. He had deliberately failed to do so.

- 28.45 This position was not remedied by Mr Fry's third witness statement. That document failed to mention (i) when the sale of the Property had taken place, (ii) that he had received £5,000 from the proceeds of the sale, (iii) that the Balance remained in the solicitors' client account or (iv) that he was asserting his entitlement to that Balance. The Tribunal determined that this was information that would have been relevant to a consideration of Mr Fry's means, and that Mr Fry knew that such information was relevant but undisclosed by him.
- 28.46 Accordingly, the Tribunal found that Mr Fry's conduct had been dishonest in breach of Principle 4, and that he attempted to mislead the Tribunal and the SRA contrary to Paragraph 1.4 of the Code.
- 28.47 It followed that in conducting himself as he had, Mr Fry had failed to act with integrity in breach of Principle 5. A solicitor acting with integrity would not sign a statement of truth to attest to the accuracy of information provided in the knowledge that the information provided was false and misleading. Such conduct also failed to uphold trust and confidence in the solicitor's profession and in legal services provided by authorised persons. Members of the public would not expect a solicitor to knowingly provide a false and misleading impression in a form submitted to the Tribunal.

Respondent's Application to Adjourn

29. Following the Tribunal announcing its factual findings, Mr Fry applied for time to consider submissions on sanction. He said he wanted "about 2 weeks". The Tribunal directed Mr Fry to its Guidance Note on Sanctions in order to assist him with the matters he ought to address in mitigation. Mr Fry clarified that he was asking for the matter to be adjourned for him to consider any submissions and to potentially obtain legal advice. Mr Griffiths opposed the application. The Tribunal was referred to the Court of Appeal Judgment in Sanusi v GMC [2019] EWCA Civ 1172, in which Simler LJ observed:

"In my judgment the authorities relied on by the Appellant are to be treated with considerable caution in light of GMC v Adeogba. In Adeogba Sir Brian Leveson PQBD, gave guidance on the approach, in a regulatory context, to proceeding in the absence of a registrant. The Court of Appeal was concerned with joined appeals, brought by the General Medical Council against two decisions of the High Court which held that (differently constituted) tribunals were both wrong to proceed in the absence of the regulated individuals. Dr Adeogba did not attend because he had returned to Nigeria and "failed to access the only mechanisms available to the GMC to communicate with him". Dr Visvardis refused to participate in the process until his (outstanding) concerns had been addressed. In both cases, the Court of Appeal allowed the General Medical Council's appeal. ...

I consider that those considerations apply with equal, if not greater, force to adjournments part way through a hearing, including, if it is reached,

immediately before consideration of sanction. In my judgment there is no general obligation on the Medical Practitioners Tribunal to adjourn or to provide a registrant with the opportunity to make submissions in mitigation of sanction once adverse findings have been made against him or her.”

- 29.1 Mr Griffiths submitted that there was no justifiable reason for the matter to be adjourned to another date. Mr Fry had been aware of the proceedings and had had sufficient time to prepare for the hearing.
- 29.2 In reply, Mr Fry submitted that the matter was deserving of an adjournment for him to have time for careful consideration. He was not familiar with the decision of Sanusi and would require time both to consider that case as well as the Guidance Note on Sanction. He had not expected the Tribunal to find the matters proved. He requested an adjournment of 2 weeks at the minimum with a 28-day adjournment being preferable.
- 29.3 The Tribunal considered the application with care. The Tribunal did not find that there was any justifiable reason for it to depart from its usual procedure of considering sanction following an announcement of factual findings. Whilst Mr Fry had not expected the matters to be found proved, he was aware that this was a potential finding. Mr Fry, having appeared at the Tribunal previously, was familiar with the Tribunal’s process.
- 29.4 The Tribunal retired to consider the application. During the course of its deliberations, Mr Fry left the hearing. The Tribunal had regard to paragraph 76 of Sanusi:
- “Finally, an adjournment would have been highly disruptive: reconstituting the same panel of three members, together with the legal assessor, and any other members of staff on a future date would have been difficult, disruptive and inconvenient, and no doubt, costly. It would have run counter to the need to ensure the fair; economical and efficient disposal of the allegations made in this case.”*
- 29.5 The Tribunal found that this applied in this matter. An adjournment would necessitate the finding of a date when all the members of the panel, the clerk to the case and the parties were available. It would also, inevitably, increase the cost of the proceedings.
- 29.6 The Tribunal was also mindful of its overriding objective detailed in Rule 4 of the Solicitors (Disciplinary Proceedings) Rules 2019, which, in summary, required the Tribunal to deal with cases justly and at proportionate cost, ensuring that the case is dealt with efficiently and expeditiously, saving expense.
- 29.7 The Tribunal determined that Mr Fry had not provided any sufficient justification for the Tribunal to depart from its usual process, that process having been approved by the Court of Appeal.
- 29.8 Accordingly, the application to adjourn was refused.
- 29.9 During the course of its deliberations on the adjournment application, Mr Fry had left the hearing. No explanation had been provided either to the Tribunal or to the

Applicant for his absence. The Tribunal announced its decision in his absence and thereafter sent him an email confirming its decision and explaining that should he fail to attend by 2pm, the Tribunal would hear and determine any application made by the SRA to proceed in his absence. The Tribunal urged Mr Fry to attend the hearing.

Applicant's Application to Proceed in the Absence of the Respondent

30. Mr Fry did not return to the hearing by 2pm. Mr Griffiths made an application to proceed in his absence. It was submitted that the reasons for opposing the adjournment stood equally in their validity for proceedings in Mr Fry's absence. Mr Griffiths submitted that the timing of Mr Fry's absence was not coincidental. It was noted that no communication had been received from Mr Fry for his absence detailing any technical or other issue that had caused him to leave the hearing. Mr Griffiths submitted that Mr Fry had taken a deliberate step to absent himself and in the circumstances the Tribunal should find that his absence was voluntary. The Tribunal was referred to the observations of Leveson J in *Elliott v Solicitors Disciplinary Tribunal & another* [2004] EWHC 1176 (Admin):

“those who fail to attend lose the right to participate and explain, and they do so at their peril. As [was] conceded, if, without more, a solicitor deliberately absented himself it would not be feasible to argue that he was entitled to a rehearing”

- 30.1 Mr Griffiths submitted that this principle was equally applicable to the present case. Having absented himself from the hearing, it was not feasible to argue that the matter should be adjourned.
- 30.2 The Tribunal noted that on the first day of the hearing, Mr Fry had left the proceedings whilst it was considering its factual findings. The Tribunal had been ready to deliver those findings at 3.48pm when it discovered that Mr Fry was no longer in the hearing. No communication had been received by either the Tribunal or the Applicant from Mr Fry explaining his absence. The Tribunal determined that in circumstances where he had participated in the hearing, it would not be appropriate for the Tribunal to deliver its decision on the factual findings in his absence. The Tribunal and the SRA attempted to contact Mr Fry, but there was no response. The Tribunal decided to adjourn matters to the following day.
- 30.3 After that decision was made, Mr Griffiths had a conversation with Mr Fry in which Mr Fry explained that he had a domestic matter to attend to. An email was sent to the parties confirming that matters would recommence at 10am on 12 August.
- 30.4 At 10.09am on 12 August 2025, Mr Fry sent the following email:

“I'm very sorry but I cannot access the link. I have logged onto a new laptop to assist with connectivity but understand that it may be later this morning before this is remedied.

I have called the Tribunal twice this morning.

Would it be possible to either address matters by email or arrange to reconvene this afternoon please?"

- 30.5 Following receipt of the above, both the SRA and the Tribunal resent the link to the hearing by email. No response was received. The Tribunal also suggested that Mr Fry join the hearing using his mobile phone. Again, no response was received. The Tribunal attempted to call Mr Fry on at least three occasions. Mr Fry did not answer his phone. Given his previous engagement, the Tribunal was not, at that stage, prepared to entertain any application to proceed in Mr Fry's absence. Indeed, Mr Griffiths did not consider that such an application was appropriate given the suggestion of technical difficulties. Accordingly, the Tribunal confirmed to the parties that the proceedings would commence at 1pm.
- 30.6 Mr Fry joined the proceedings at 1pm. As detailed above, he then left the proceedings whilst the Tribunal was considering its decision on his application to adjourn. He had made no contact with the Tribunal to suggest that he had technical or any other issue that had caused him to leave the hearing. He had not responded to attempts to contact him. The reasons provided by the Tribunal for refusing the adjournment application remained and were relevant to its consideration of whether to proceed in Mr Fry's absence.
- 30.7 In all of the circumstances, the Tribunal considered that Mr Fry had chosen voluntarily to absent himself from the proceedings. It was in the interests of justice and fairness for the matter to proceed. Accordingly, the Tribunal granted the SRA's application to proceed in Mr Fry's absence.

Previous Disciplinary Matters

31. SRA v Fry (Case No. 12379-2022). In summary, the Tribunal found that Mr Fry had:
- (i) Caused or allowed inaccurate information to be submitted to insurance brokers
 - (ii) Caused or allowed a client account shortage
 - (iii) Failed to promptly rectify a minimum cash shortage
 - (iv) Failed to run the Firm with effective systems and controls
32. The Tribunal sanctioned Mr Fry to a fine in the sum of £9,000.00 and imposed a condition for a period of three years preventing Mr Fry from being a Head of Finance and Administration/Compliance Officer for Finance and Administration. The Tribunal also ordered Mr Fry to pay costs fixed in the sum of £35,000.00, such costs not to be enforced without leave of the Tribunal.

Mitigation

33. None

Sanction

34. The Tribunal had regard to the Guidance Note on Sanctions (11th Edition – February 2025). The Tribunal's overriding objective, when considering sanction, was the need to maintain public confidence in the integrity of the profession. In

determining sanction, it was the Tribunal's role to assess the seriousness of the proven misconduct and to impose a sanction that was fair and proportionate in all the circumstances.

35. The Tribunal found that Mr Fry was motivated by his own financial advantage. He was claiming to be of extremely limited means in the 2023 proceedings. If the Tribunal was aware of his potential entitlement to the Balance, it might have reached a different decision with regards to its costs order. His conduct was planned as a deliberate omission to conceal the sale of his property and the proceed of that sale. He had deliberately misled the Tribunal and the SRA with regard to his means.
36. Mr Fry's conduct was aggravated by this and by his proven and dishonesty, which was in material breach of his obligation to protect the public and maintain public confidence in the reputation of the profession; as per Coulson J in Solicitors Regulation Authority v Sharma [2010] EWHC 2022 Admin:
- "34. There is harm to the public every time that a solicitor behaves dishonestly. It is in the public interest to ensure that, as it was put in Bolton, a solicitor can be "trusted to the ends of the earth"."*
37. His misconduct was further aggravated by his previous matter which was similar in nature. In the 2023 Proceedings, the Tribunal had found that Mr Fry had provided inaccurate and misleading information in a PII proposal form. In this case, the Tribunal found that Mr Fry had provided false and misleading information in his Statement of Means.
38. Given the serious nature of the allegations, the Tribunal considered and rejected the lesser sanctions within its sentencing powers such as no order, a reprimand or restrictions. The Tribunal had regard to the case of Bolton v Law Society [1994] 2 All ER 486 in which Sir Thomas Bingham stated:
- "...Lapses from the required standard (of complete integrity, probity and trustworthiness)...may....be of varying degrees. The most serious involves proven dishonesty....In such cases the tribunal has almost invariably, no matter how strong the mitigation advanced by the solicitor, ordered that he be struck off the roll of solicitors."*
39. The Tribunal did not find any circumstances (and indeed none were submitted) that were enough to bring Mr Fry in line with the residual exceptional circumstances category referred to in the case of Sharma. The Tribunal decided that in view of the serious nature of the misconduct, in that it involved dishonesty, the only appropriate and proportionate sanction was to strike Mr Fry off the Roll of Solicitors.

Costs

40. Mr Griffiths applied for costs in the sum of £32,857.50 comprised of £3,577.50 internal costs of the SRA and £24,400 (+VAT of £4,880) the fixed fee for Blake Morgan LLP. Blake Morgan's fee equated to a notional hourly rate of £321. Mr Griffiths submitted that the case had been conducted reasonably, was properly

brought and had been advanced appropriately and proportionately. The costs claimed were reasonable being neither disproportionate nor excessive.

41. Whilst there had been more than one fee earner working on the matter, there had been no duplication of work, and the time spent in preparing the case was reasonable and proportionate.
42. As to recoverability of the costs, that was a matter for the Tribunal. It was Mr Griffiths primary submission that an immediate costs order should be made, with the SRA's recovery unit making appropriate enquiries and adopting a reasonable plan with Mr Fry for the recovery of its costs. The SRA, it was submitted, should be in no different position to the other creditors who were seeking to recover monies from Mr Fry.
43. It was Mr Griffiths secondary submission that the Tribunal should award costs not to be enforced without leave.
44. This was not a case where there should be no order as to costs.
45. The Tribunal examined the SRA's costs schedule with care, applying the provision of Rule 43 of the SDPR. The Tribunal agreed that the costs claimed were reasonable and proportionate. The allegation had been reasonably pursued with an appropriate amount of time spent on the preparation and presentation of the matter. Accordingly, the Tribunal deemed that the SRA was entitled to the entirety of the costs claimed.
46. The Tribunal considered Mr Fry's means as detailed in the Statement of Means dated 31 July 2025 together with documents in support. Given Mr Fry's financial position, the Tribunal considered that whilst an order for costs was appropriate, but not an order where those costs would be immediately payable. Accordingly, the Tribunal ordered Mr Fry to pay costs in full, those costs not to be enforced without leave of the Tribunal.

Statement of Full Order

47. The Tribunal ORDERED that the Respondent, CHRISTOPHER JAMES FRY solicitor, be STRUCK OFF the Roll of Solicitors and it further Ordered that he do pay the costs of and incidental to this application and enquiry fixed in the sum of £32,857.50, such costs not to be enforced without leave of the Tribunal.

Dated this 19th day of August 2025
On behalf of the Tribunal

M.N. Millin

M.N. Millin
Chair