

## **SOLICITORS DISCIPLINARY TRIBUNAL**

**IN THE MATTER OF THE SOLICITORS ACT 1974**

Case No. 12729-2025

## BETWEEN:

and

NICHOLAS JACKSON Respondent

Before:

Mr P Lewis (in the Chair)  
Mrs F Kyriacou  
Ms K Wright

Date of Hearing: 23-24 October 2025

## Appearances

Thomas Walker, Counsel employed by Blake Morgan LLP, One Central Square, Cardiff CF10 1FS for the Applicant.

The Respondent attended and represented himself.

## JUDGMENT

## Allegations

1. The allegations against the Respondent, made by the Solicitors Regulation Authority (“SRA”) were that whilst in practice as a Solicitor at Cullimore Dutton Solicitors Limited (“the Firm”):
  - a) On or around 6 July 2022, when acting for Company A in a property transaction he certified that copies of identification documents for Person A, Company A’s director, were true and complete copies of the original documents, when he had not recently seen and/ or at all the original documents; and
  - b) He provided the certified copy documents to another party in the transaction when asked to “....supply copy colour photo identification (passport/photocard driving licence) .... certified by your firm for each borrower, director, shareholder, beneficial owner and person with significant control.”
  - c) In doing so, the Respondent breached Principles 2, 4 and 5 of the SRA Principles 2019 (“the Principles”), and any or all of Paragraph 1.4 of the Code of Conduct for Solicitors, RELs and RFLs (“the Code”).

## Executive Summary

2. The Tribunal found the allegations proved and that the Respondent’s conduct was dishonest.
3. In the absence of exceptional circumstances, the Tribunal determined that the only appropriate and proportionate sanction was to strike the Respondent from the Roll of Solicitors.

## Documents

4. The Tribunal considered all the documents in the case including:
  - Rule 12 Statement [[here](#)]
  - Exhibit JD1 dated 30 January 2025.[[here](#)]
  - The Respondent’s Answer dated 1 April 2025. [[here](#)]
  - The Respondent’s Statement of Means dated 22 September 2025.
  - Applicant’s Opening Note dated 16 October 2025.
  - Applicant’s Statement of Costs dated 24 October 2025.

## Preliminary Matters

5. Application by the Respondent to stay proceedings as an Abuse of Process
  - 5.1 On 22 October 2025, the eve of the hearing, the Respondent filed an application for the matter to be stayed as an ‘*abuse of process*.’
  - 5.2 The Respondent submitted that the Applicant’s Opening Note referred to procedural errors in the SRA investigation meaning it would be an abuse of process for the hearing to proceed.

5.3 Mr Walker submitted that in the event the Tribunal was to allow the Respondent to make the substantive application, the SRA would apply to adjourn the proceedings in order to properly respond to the application.

5.4 The Tribunal carefully considered the application, taking into account its overriding objective to deal with cases justly and at proportionate cost. The Tribunal determined that the application having been made on the eve of the substantive hearing could not properly be considered to have been filed in time. The Applicant had not provided the Tribunal with a reason as to why the application was served late. The Tribunal should ensure that parties were on an equal footing and that the case was dealt with efficiently and expeditiously. The Tribunal determined that in the circumstances, it was contrary to its overriding objective to accede to the application. Accordingly, the Tribunal refused the application.

#### 6. Application by the Respondent to adduce further evidence

6.1 The Respondent applied to the Tribunal to adduce the witness statement of Person A in support of his case. The Respondent explained that Person A had only recently agreed to give evidence having been reluctant to do so previously. The Respondent confirmed that Person A was available to give evidence on Day 2 of the hearing.

6.2 Mr Walker submitted that the evidence of Person A contained material issues which the Tribunal would need to determine. Mr Walker further submitted that if the Tribunal decided that Person A's evidence should be adduced, the SRA's position was that he should be called to give oral evidence.

6.3 The Tribunal granted The Respondent's application on the basis that Person A could provide material evidence in the case and it was in the interests of justice for the evidence to be heard.

6.4 In the event that Person A did not appear at Court on Day 2 of the hearing to give evidence in support of the Respondent's case, on that day the Respondent applied to the Tribunal to adjourn proceedings until Person A was available to give evidence to support his case. Mr Walker opposed the application to adjourn on the grounds that provision had already been made for Person A to be a witness in these proceedings out of time. The Tribunal determined that it was neither reasonable nor proportionate to adjourn the proceedings in the circumstances and refused the application.

#### **Factual Background**

7. The Respondent was admitted to the Roll of Solicitors in August 2002. He held a practising certificate.

8. The Respondent was as an employed solicitor and Head of Commercial Property at the Firm between 29 June 2021 and 16 January 2023. As part of the Firm's quality assurance, process file reviews were undertaken monthly on fee-earners' matters.

9. On 17 May 2022 the Firm was retained by Company A in respect of the purchase of a property.

10. On 16 May 2022 Person A (who was the only person to have significant control of Company A) emailed the Respondent a copy of his passport issued on 22 April 2022, and a copy of his driving licence issued on 16 June 2021 “the Documents”. On 19 May 2022 Person A was asked by the Firm for the Documents for identification for company files.
11. Company A required a mortgage to facilitate the purchase of the property in Halifax. Arrangements were made for a loan to be provided by MS Lending Services Limited which was represented by Priority Law. As part of the Pre-Loan Enquiries, Priority Law asked the Respondent to :
 

*“Please supply colour photo identification (passport/photocard driving licence).... certified by your firm for each borrower, director, shareholder, beneficial owner and person with significant control.”*
12. The Respondent replied to Priority Law’s email on 6 July 2022. He attached the Documents. The Documents were certified by the Respondent with a template stamp of the Firm: *“We hereby certify this page is a true and complete copy of the corresponding page of the original.”* The Documents were dated as being certified on 6 July 2022 with the name of the Firm. The Respondent’s name was not included on the Documents.
13. During a review by the Firm of Company A’s matter, it was noted that the Documents had been certified by the Respondent as being true copies of the original Documents without there being information as to whether The Respondent had seen the original Documents before certification.
14. On 12 and 13 January 2023, the Firm investigated the matter which included an interview with the Respondent chaired by Stuart Hill, a Director of the Firm and included Sarah Davies, the Respondent’s Line Manager and Danielle Wright, the Firm’s HR Manager.
15. This matter came to the attention of the SRA after the Firm referred the Respondent in correspondence to the SRA on 19 January 2023.

### **Witnesses**

16. The written and oral evidence of the witnesses is summarised in the Findings of Fact and Law below only in so far as it is necessary to explain our decision.

### **Applicable law**

17. 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.
18. Where relevant, the Tribunal applied the following tests in its fact-finding exercise:

## Dishonesty

The test for dishonesty is 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.”*

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

The test for integrity is 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.”*

19. **Allegation 1.(a) - On or around 6 July 2022, when acting for Company A in a property transaction the Respondent certified that copies of identification documents for Person A, Company A’s director, were true and complete copies of the original documents, when he had not recently seen and/ or at all the original documents.**

**Allegation 1.(b) – the Respondent provided the certified copy documents to another party in the transaction when asked to “Please supply copy colour photo identification (passport/photocard driving licence) .... certified by your firm for each borrower, director, shareholder, beneficial owner and person with significant control.”**

**In doing so, the Respondent breached any or all of Principles 2, 4 and 5 of the Principles and Paragraph 1.4 of the Code.**

### The Applicant's Case

- 19.1 The Respondent was employed at the Firm as Head of Commercial Property on 28 June 2021. He acted for Company A in a property transaction when the Firm was instructed by Company A on 17 May 2022.
- 19.2 Company A required a mortgage. As part of its Pre-Loan Enquiries the lawyers representing the lender asked the Respondent for certified copies of identification documents of anyone with significant control of Company A. When Company A was set up on 12 May 2022 Person A was the only person to have significant control of Company A.
- 19.3 On 16 May 2022 Person A sent the Documents to the Respondent by email for the purpose of certification as requested by the lender's lawyers. On 6 July 2022, when acting for Company A in the property transaction, the Respondent certified the Documents in the name of the Firm and sent them in an email to the lender's lawyers.
- 19.4 During the Firm's investigation into the issue surrounding The Respondent's certification of the Documents, The Respondent admitted that he had not seen original Documents before the certification. He stated that he had known Person A for many years and that he would have undertaken all of the previous checks whilst he was employed at his previous firm. The Respondent also stated that he took a commercial approach to the certification and that the Firm was safe guarded because he had known Person A for years.
- 19.5 Mr Walker, representing the Applicant in these proceedings, referred to the evidence of Stuart Hill. When Mr Hill reviewed Company A's property transaction, he raised concerns about the Respondent's awareness regarding client identity documents. Mr Hill was questioned about the atmosphere during the investigation. He stated that the Respondent had not been coerced into making any admissions or answering the questions put to him in any particular way.
- 19.6 Following the Firm's investigation the Respondent was referred to the SRA on 19 January 2023 alleging dishonest misconduct having been dismissed from his employment with the Firm on 16 January 2023.
- 19.7 Mr Walker submitted that this was a straightforward case about a property lawyer's misconduct during a property transaction for Company A. The Respondent certified a copy of Person A's passport issued on 22 April 2022 and a copy of his driving licence dated 16 June 2021. Mr Walker submitted that there was no evidence that the Respondent had ever seen the original Documents before making the certification.
- 19.8 Mr Walker further submitted that the allegations by the SRA were made against an experienced property lawyer who was aware of the need to identify all parties involved in a commercial transaction. Full assurance was always needed. The Pre-Loan Enquiries from the lender asked for confirmation that the Respondent had met with the client himself.
- 19.9 The Applicant submitted that the Respondent could not have seen Person A's original passport issued on 22 April 2022 at his previous firm as he claimed in his Response and

that neither could he have seen the driving licence whilst at his previous firm either as Person A's driving licence was issued only a few days before the Respondent joined the Firm. When sending the certified copies to the lender, the Respondent did not include any information to explain or justify any variation from the standard requirements for certification.

19.10 During the Applicant's initial investigation, the Respondent made admissions and gave a credible answer to the allegations against him. He claimed that he was labouring under personal issues at the time of the commercial transaction and that he became complacent in his conduct. During the investigation he admitted twice that he did not see the original Documents.

19.11 Accordingly, the Applicant did not accept that the Respondent had a genuine belief that he certified copies of original identification Documents.

#### Principle 4

19.12 Mr Walker submitted that the Respondent's conduct was dishonest by the ordinary standards of reasonable and honest people.

19.13 As to his state of mind, Mr Walker submitted that:

- The Respondent was clearly aware that he did not certify the Documents after seeing the originals.
- The Respondent misrepresented the position to the lender's lawyers when he claimed in the email of 6 July 2022 that he attached copies of original Documents that he had seen.

19.14 In those circumstances, the Respondent was dishonest to the standards of ordinary decent people and breached Principle 4 of the Principles.

#### Paragraph 1.4 of the Code

19.15 Mr Walker submitted that the Respondent misled or attempted to mislead all parties in the property transaction by certifying that the Documents were original copies when he had not seen original copies. Given this state of knowledge, the Respondent's conduct breached Paragraph 1.4 of the Code.

#### Principle 5

19.16 Mr Walker submitted that a solicitor acting with integrity would not have confirmed that he had viewed original Documents when certifying the Documents when they had not. The Respondent knowingly providing certification as to the authenticity of the Documents which he was not entitled to give. In those circumstances, the Respondent breached Principle 5 of the Principles.

## Principle 2

19.17 Mr Walker submitted that the Respondent was in a position of trust and he was responsible for ensuring that the information he produced was accurate. He was aware that sight of original identification documents from Person A was essential for certification. Being able to rely on certified copies as being true copies was integral to the conduct of legal business in a manner which adequately protected the public interest against risk. Members of the public would not expect a solicitor to certify documents as being true copies of the originals without having seen the original Documents. In those circumstances, the Respondent breached Principle 2 of the Principles.

### The Respondent's Case

19.18 The Respondent denied the allegations.

19.19 The Respondent's case was that he was justified professionally to certify as originals high-quality digital images of the Documents which he received by email from Person A on 16 May 2022 for the purpose of certification. He had known and acted for Person A for many years and he was able to identify him through the Documents immediately. He certified the Documents on the basis that the print outs were "*true copies of the originals*," the originals being the ones he received by email from Person A.

19.20 The Respondent stated that the originality of a document lies in the information it contains and not in its status as a physical object. A high-quality digital image of a passport presents the same information as a physical passport. The Respondent also stated that there was evidence from the matter file that suggested that he saw the Documents during a video call with Person A. However, neither Person A nor the Respondent could recall with confidence whether such a video call took place.

19.21 The Respondent's position was that he relied on a chain of trust with Person A. The Documents were emailed directly to him by a well-known client (Person A) who he had been acting for since 2016 and he could see that the Documents were genuine. The Respondent insisted that his certification of the Documents was honest and that he acted in good faith with full knowledge of his client. The Respondent's firm position was that when he certified the Documents, he *knew* that they were true copies of the originals that he had seen during a video call.

19.22 The Respondent was certain that he certified the Documents in circumstances where it was right and proper for him to do so, therefore his provision of them to the lender's solicitors was also right and proper. He referred to the email from the lender's lawyers dated 29 June 2022 which read:

*"If your client (or any guarantor(s)) are unable to attend in person to sign the security documents/personal guarantee(s) may be signed during a video call..."*

19.23 The Respondent relied on the relaxation of Pre-loan Enquiries following Covid to keep the transaction moving. He stated that the lender identified the property transaction with Company A and Person A as lower risk and permitted a more relaxed identification procedure which did not require the solicitor to meet the client at all.

19.24 The Respondent referred to the Firm's investigation. He stated that he felt bullied and trapped into making untrue admissions.

19.25 The Respondent also referred to his admissions in the SRA investigation. His position was that he was pressurised into making statements that did not reflect his genuine belief at the time of events in question. He was emotionally fragile as the investigation was soon after his sister had died and his marriage had broken down. The Respondent claimed that he was anxious to do whatever his regulator asked of him believing that a conciliatory approach would be looked upon favourably.

#### The Tribunal's Findings

19.26 The Tribunal carefully considered all the evidence, both documentary, and live testimony proceeded to evaluate that material to reach its findings. This stage of the decision required the Tribunal to determine, on the balance of probabilities, what facts had been proved and, in light of those findings, whether the Respondent's conduct in certifying the Documents as true copies of the originals on 6 July 2022 complied with the standards expected of a solicitor or amounted to breaches of the SRA Principles and Code.

19.27 The allegations were set out in the Applicant's Rule 12 statement, which made clear that, in order to certify the Documents as true copies of the originals, the Respondent had been required to meet his client in person and to inspect the original Documents before certification. That requirement was fundamental to the integrity of the certification process and reflected the professional standards expected of solicitors.

19.28 The Respondent had described the case as one of complexity, suggesting that it turned on fine detail which the regulator had ignored or misunderstood, and warning against a dangerously oversimplified approach. Having considered the evidence in its entirety, the Tribunal did not agree with that characterisation. The material facts were limited, ascertainable, and determinative. In the Tribunal's judgment, the Respondent's submissions sought to overcomplicate matters rather than clarify them.

19.29 The central factual issue was whether the Respondent had met his client and had sight of the original Documents for the purpose of certification. The Respondent asserted that he had seen the originals during a WhatsApp video call with the client, Person A. However, neither he nor Person A could recall any details of such a call, and there was no positive evidence that it had occurred. In the absence of such evidence, the Tribunal found, on the balance of probabilities, that no WhatsApp call had taken place.

19.30 The Tribunal also noted the absence of any evidence on the matter file indicating that Person A had attended the Firm and met with the Respondent on 6 July 2022. In the absence of supporting material, the Tribunal found it more likely than not that no such meeting had occurred. Instead, the Respondent had viewed what he described as "high-quality electronic copies" of the original Documents sometime between May and July 2022. The Tribunal was satisfied to the requisite standard that the Respondent had not met Person A in person to inspect the originals at any point between May and July 2022, as he had been required to do to carry out a true certification.

19.31 The Tribunal then considered the Respondent's admissions during the SRA's investigation. It was not persuaded by his later claim that he had been coerced into making those admissions. The Tribunal found that they had been properly made in light of the facts. Similarly, the Tribunal did not accept that the Firm's investigation in January 2023 had been tainted by coercion. The Respondent had understood the remit and importance of that meeting and had not challenged its fairness at the time. His admissions there aligned with those made to the regulator and were therefore reliable.

19.32 In determining dishonesty, the Tribunal applied the test confirmed by the Supreme Court in *Ivey v Genting Casinos (UK) Ltd t/a Crockfords*. The Tribunal first ascertained the Respondent's actual state of knowledge or belief as to the facts; and, once that was established, the question whether his conduct had been honest or dishonest was determined by applying the objective standards of ordinary decent people. There was no requirement that the Respondent must have appreciated that his conduct was dishonest by those standards.

19.33 On its findings of primary fact, the Tribunal concluded that when the Respondent certified the Documents as true copies of the originals, he had been fully aware that he had not inspected the originals and had not met Person A for that purpose. He was an experienced commercial property lawyer and must have been aware of the requirements of legal certification. His account that he had certified original Documents after a meeting with the client was not borne out by the evidence, and he would have known this to have been untrue.

19.34 Applying *Ivey*, the Tribunal first determined the Respondent's knowledge and belief as to the facts: namely, that he had only seen electronic images and had not inspected the originals in person. It then considered whether, judged by the standards of ordinary decent people, certifying documents as true copies of originals while knowing that originals had not been inspected was dishonest. The Tribunal found that ordinary decent people would have regarded such conduct as dishonest, and the Respondent's appreciation of that dishonesty was not required for the conclusion to follow.

19.35 In relation to integrity, the Tribunal had regard to the Court of Appeal's analysis in *Wingate & Evans v SRA; SRA v Malins*, where Jackson LJ explained that integrity denoted adherence to the ethical standards of one's profession and involved more than mere honesty. Integrity was a broader and more nebulous concept than honesty; it served as a useful shorthand for the higher standards expected of professional persons, though it did not demand that professionals be paragons of virtue.

19.36 Applying *Wingate*, there had been no express premise or agreement to vary the terms of legal certification so as to permit reliance on high-quality electronic copies in place of inspecting originals. A solicitor acting with integrity would not have stated that he had seen originals when he had not, nor would he have represented electronic viewing as equivalent to inspection of originals where professional standards required the latter. The Respondent's conduct, providing information he knew to be false and misleading in a context demanding adherence to professional ethical standards, represented a clear lack of integrity.

19.37 The Tribunal considered whether there were any nuances in the Respondent's "complexity" submissions that might undermine its conclusions on dishonesty or

integrity. None were apparent. The determinative facts were straightforward: there was no meeting with Person A, no inspection of original Documents, and no agreed variation of the certification process. Against that factual backdrop, the Tribunal's application of the two-stage *Ivey* test and the professional standards articulated in *Wingate* led inexorably to findings of dishonesty and a lack of integrity.

- 19.38 In light of those findings, the Tribunal held that the Respondent's conduct had been dishonest, breaching Principle 4 and paragraph 1.4 of the Code.
- 19.39 The Tribunal further found that the Respondent had failed to act with integrity, in breach of Principle 5. Integrity demanded adherence to the profession's ethical standards and involved more than mere honesty; the Respondent's conduct fell materially short of that standard.
- 19.40 Having found dishonesty and a lack of integrity, the Tribunal concluded that the Respondent's conduct had failed to uphold public trust and confidence in the solicitors' profession and in legal services provided by authorised persons, thereby breaching Principle 2.
- 19.41 For these reasons, the Tribunal found all allegations against the Respondent proved in full on the balance of probabilities.

### **Previous Disciplinary Matters**

- 20. The Respondent had no previous disciplinary findings recorded against him.

### **Mitigation**

- 21. The Respondent presented no mitigation.

### **Sanction**

- 22. The Tribunal referred to its Guidance Note on Sanctions (11<sup>th</sup> edition – February 2025) when considering sanction. 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.
- 23. The Tribunal found that the Respondent misrepresented several times that he certified the Documents at the Firm. His motivation was unclear though it may have been to smooth the process along without following the correct procedure in order to minimise any possible delay. His failure to certify the Documents in the correct way could have been nothing but a planned course of action.
- 24. During his misconduct he breached his position of trust as an employee of the Firm. He also breached a position of trust while representing Company A in a potentially significant commercial transaction with the seller. At all times, the Respondent had direct control of the circumstances giving rise to the false certification. The Respondent was an experienced property lawyer aware of the significance of proper certification

and the safeguards it gives. When his Firm became aware of his failure to certify the Documents in the correct way its concern resulted in an investigation during which he admitted to the misconduct.

25. The harm caused by the Respondent's misconduct was serious and significant and could have resulted in the property transaction not completing as it should have done. There was obvious damage to the reputation of the legal profession and potential direct harm to the parties of the transaction. The Respondent had departed from "*the complete integrity, probity and trustworthiness*" expected of a solicitor. At all times, the Respondent was aware of the harm that could have been caused to the parties in the transaction and to the Firm.
26. The Respondent's dishonest misconduct had been 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"."*

27. Given the serious nature of the allegations which it had found proved, including dishonesty, the Tribunal adopted the most appropriate and proportionate sanction sufficient to mark the seriousness of the misconduct and protect the public. In doing so it considered and rejected the lesser sanctions within its powers such as No Order, a Reprimand, a Fine, a Restriction Order, a Suspension and a Suspended, Fixed or Indefinite Term of Suspension. 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 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."*

28. The Tribunal noted that while the Respondent had no prior disciplinary findings against him and so had an otherwise unblemished disciplinary record this alone could not displace the obvious and serious nature of the misconduct, involving as it did findings of dishonesty and lack of integrity.
29. Weighing up all the factors, the only appropriate and proportionate sanction was to strike the Respondent off the Roll of Solicitors. The Tribunal did not find any circumstances that were enough to bring the Respondent in line with the exceptional circumstances category referred to in *Solicitors Regulation Authority v Sharma* [2010] EWHC 2022 Admin.

## Costs

30. Mr Walker applied for costs in the sum of £30,480.00 comprised of £1,200.00 internal costs of the SRA and £24,400.00 (+VAT £4,880.00) the fixed fee of Blake Morgan

LLP. Mr Walker submitted that the case had been conducted reasonably, was properly brought raising as it had allegations of dishonesty and lack of integrity all of which had been found proved by the Tribunal to the requisite standard. The costs were therefore appropriate and proportionate to the level of complexity .

31. The Respondent applied to the Tribunal for no order as to costs on the basis that he had four dependants for whom he had to provide.
32. Mr Walker said that although the Respondent had four dependants, he was a man of means and not impecunious and this was a case where costs should be made in favour of the Applicant in the usual way.
33. The Tribunal examined the SRA's costs schedule with care. The Tribunal also considered the Respondent's submissions. It noted that under Rule 43(1) of the Solicitors (Disciplinary Proceedings) Rules 2019 it has discretion to 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 considers reasonable. Under Rule 43(4), when deciding whether to make an order for costs, against whom and in what amount, the Tribunal must take into account all relevant factors, including the parties' conduct, compliance with directions, the reasonableness and proportionality of time spent and rates claimed, and the means of the paying party.
34. The Tribunal was satisfied that the proceedings had been properly brought by the Applicant and that the costs claimed were, in principle, reasonable and proportionate. The preparation undertaken was appropriate in the circumstances of the case and the Applicant was entitled in principle to recover its costs.
35. The Tribunal reminded itself of the principles set out in *R v Northallerton Magistrates' Court, ex parte Dove* [1999] 163 JP 894, that an order for costs is compensatory, not punitive, and must not exceed costs reasonably incurred. It also had regard to *Solicitors Regulation Authority v Davis and McGlinchey* [2011] EWHC 232 (Admin), *Agyeman v Solicitors Regulation Authority* [2012] EWHC 3472 (Admin), and *Barnes v Solicitors Regulation Authority Ltd* [2022] EWHC 677 (Admin), which confirm that a costs order should not be made where it is unlikely ever to be satisfied on any reasonable assessment of a respondent's current or prospective means.
36. In applying those principles, the Tribunal did not find the Respondent to be impecunious in the *Barnes*' sense though it did find that by reason of its sanction and from the evidence it had received as to the Respondent's means he would experience immediate difficulty in paying a costs order.
37. The Tribunal concluded that in circumstances (as found here) where a Respondent is, notwithstanding their limited means, properly liable for the Applicant's costs and it is satisfied that there is a reasonable prospect that, at some time in the future, their ability to pay those costs will improve, it may order the Respondent to meet those costs but direct that such order is not to be enforced without leave of the Tribunal. The Tribunal considered this was such a case and it so ordered.
38. The Tribunal ordered the Respondent to pay costs in full, those costs not to be enforced without leave of the Tribunal.

**Statement of Full Order**

39. The Tribunal ORDERED that the Respondent, NICHOLAS JACKSON, 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 £30,480.00, such costs not to be enforced without leave of the Tribunal.

Dated this 9<sup>th</sup> day of January 2026  
On behalf of the Tribunal

*P. Lewis*

P. Lewis  
Chair