

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12676-2024

BETWEEN:

SOLICITORS REGULATION AUTHORITY LTD

Applicant

and

DAVINA CHARLTON

Respondent

Before:

Mr G Sydenham (in the chair)

Mrs L Nabou

Dr A Richards

Date of Hearing: 5 – 6 March 2026

Appearances

Oliver Lawrence of Outer Chambers, The Outer Temple, 222 Strand, London WC2R 1BA, for the Applicant.

Kevin Saunders of 23 Essex Street Chambers, 1 Gray's Inn Square, Holborn, London WC1R 5AA, for the Respondent.

JUDGMENT

Allegations

1. The allegations against the Respondent, Davina Charlton, made by the SRA were that, while in practice as a Solicitor at Nelsons Solicitors Limited (“the Firm”):
 - 1.1 On 7 April 2022 and 13 May 2022, she sent correspondence to her client’s daughter and son-in-law, Person B and Person C, which she knew or ought to have known was misleading as she omitted to tell them that the client’s applications for Lasting Powers of Attorneys had only been sent to the Office of the Public Guardian on 6 April 2022 and thereby breached any or all of Principles 2, 4 and 5 of the SRA Principles (“the Principles”) and Paragraph 1.4 of the SRA Code of Conduct for Solicitors, RELs and RFLs (“the Code”).

NOT PROVED

- 1.2 On 27 July 2022, she sent correspondence to the Firm’s Professional Standards Team, which she knew or ought to have known was misleading as she omitted to inform them that the client’s applications to register Lasting Powers of Attorneys had only been sent to the Office of the Public Guardian on 6 April 2022 and thereby breached any or all of Principles 2, 4 and 5 of the Principles and Paragraph 1.4 of the Code for Solicitors.

NOT PROVED

Recklessness

2. As an alternative to the allegations at 1.1 and 1.2 that Ms Charlton breached Principle 4 of the Principles, the allegations were advanced on the basis that Ms Charlton’s conduct was reckless. Recklessness was alleged as an aggravating feature of Ms Charlton’s misconduct but was not an essential ingredient in proving the allegations.

NOT PROVED

Executive Summary

3. Ms Charlton was admitted to the Roll in November 2016. The alleged misconduct occurred between 6 April 2022 and 27 July 2022 when she was a Senior Associate in the Firm’s Wills and Probate Private Client team.
4. The Rule 12 Statement was dated 3 September 2024. Part One Standard Directions were issued by the Tribunal dated 11 September 2024. Part Two Standard Directions were issued by the Tribunal dated 26 August 2025. Ms Charlton filed and served the Respondent’s Answer dated 22 October 2024. In the Answer Ms Charlton denied the allegations.
5. The Tribunal found on the balance of probabilities that the SRA did not prove the allegations against Ms Charlton. The Tribunal dismissed all of the allegations made against her.

Documents

6. The Tribunal considered all of the documents in the case which included:
 - Rule 12 Statement dated 3 September 2024. [[here](#)]
 - Respondent's Answer dated 22 October 2024. [[here](#)]
 - Respondent's Personal Financial Statement dated 12 February 2026.
 - Applicant's Statement of Costs as at date of final hearing on 5 and 6 March dated 26 February 2026.
 - Applicant's Opening Note dated 5 March 2026.
 - Closing Submissions on behalf of the Respondent dated 6 March 2026.

Factual Background

7. At the time of the alleged misconduct Ms Charlton was based in the Firm's Derby office where she was a Senior Associate in the Wills and Probate Private Client team. On 22 September 2021, Client A attended the Firm's offices with Person B and Person C. Client A instructed Ms Charlton to prepare her Will and Lasting Power of Attorneys ("LPAs"). On 27 September 2021, Ms Charlton sent a letter to Client A confirming the instructions, her advice and enclosing a draft copy of the Will. The letter confirmed that Ms Charlton would have overall responsibility for Client A's matter. Ms Charlton carried out further work on Client A's matter including amending the draft Will and LPAs and meeting with Client A, Person B and Person C at the Firm in October 2021. Client A signed the LPAs on 26 October 2021.
8. On 2 November 2021, the completed LPAs were hand delivered to the Firm's Derby Office for registration with the Office of the Public Guardian ("the OPG") with Client A's cheque for the fee by Person C. On 8 November 2021, Person C emailed Ms Charlton to check that she had received the completed LPAs which had been left at reception at the Firm's Derby Office.
9. Ms Charlton wrote to Client A on 9 November 2021 enclosing a copy of Client A's Will and stated that she had sent the LPAs application paperwork to the OPG for registration. She further stated that it would take around 3 months to complete the registration process. No further work was conducted on Client A's file until 5 April 2022 when Person B and Person C sent an email to Ms Charlton confirming that they had not received the LPAs nor heard from the OPG.
10. On 6 April 2022, Ms Charlton sent the LPAs and the fee remission application to the OPG. On 7 April 2022, Ms Charlton emailed Person B and Person C stating that she would speak to the OPG and update them.
11. On 12 May 2022, Person B and Person C emailed Ms Charlton for an update on Client A's matter. On 13 May 2022, Ms Charlton contacted the OPG for an update on the LPAs. She also emailed Person B and Person C apologising for the delay in updating

them in relation to the LPAs. Ms Charlton explained that she had contacted the OPG, and they had explained that there was a delay in registering the documents at the minute and the contact there (Rhiannon) that she had spoken to confirmed the LPAs had been accepted for the fee remission and she (Rhiannon) believed this “*may have contributed to the delay*”.

12. On 26 July 2022, Person B and Person C submitted a formal complaint to the Firm’s Professional Standards Team (“the PST”) and Ms Charlton about the delay in processing the LPAs. They indicated that they intended to inform the Legal Ombudsman of the Firm’s failure to expedite the LPAs which was a service they had paid for nine months previously. On 27 July 2022, Ms Charlton sent an email to the PST in which she stated that the LPAs were with the OPG to be registered, there was a fee remission so that took longer to process and this was what the OPG said from when she had last called to chase. Ms Charlton explained that she had a number of ones that she was going to chase with the OPG when they opened at 10am and she would let PST know what they said.
13. The Firm reviewed Ms Charlton’s file on Client A. The review showed that the following emails were not saved to the client file:
 - Email from Person C to Ms Charlton dated 8 November 2021 asking for confirmation that the completed LPAs had been received.
 - Email from Ms Charlton to Person C dated 9 November 2021 stating that she had sent the LPAs application paperwork to the OPG for registration.
 - Email from Person B and Person C to Ms Charlton dated 5 April 2022 confirming that they had not received the LPAs.
 - Email from Ms Charlton to Person B and Person C dated 7 April 2022 stating that she would contact the OPG in order to enquire about the delay with the LPAs.
 - Email from Ms Charlton to Person B and Person C dated 13 May 2022 stating that there had been a delay in registering the LPAs which could have been caused by a delay in processing the fee remission.
14. The Firm retrieved the missing emails from its Mimecast system.
15. On 17 June 2022, the OPG confirmed by letter that it had received an LPA application for Client A and requested payment of the fee. On 14 July 2022, it confirmed by letter that it had received the LPA for property and financial affairs and requested payment of the fee. As of 27 July 2022, the OPG had not processed the health and welfare LPA and was awaiting the payment of the fee for the property and financial affairs LPA.
16. On 11 August 2022, the Firm responded to Person B’s and Person C’s complaint. It acknowledged that it did not register Client A’s LPAs promptly. On 13 September 2022, the Firm refunded £720.00 to Person B and Person C as it settled its invoice for Client A. The Firm apologised to Client A for the delay in registering the LPAs.

17. On 18 August 2022, Ms Charlton attended the Firm for a disciplinary meeting arising from the complaint by Person B and Person C. This meeting included a file review. On 18 August 2022, the Firm wrote to Ms Charlton stating that she should attend a further disciplinary meeting on 25 August 2022 to discuss matters of concern arising from Client A's matter. A note was taken of this meeting. Ms Charlton was sanctioned when the disciplinary meeting concluded and was given a first written warning.
18. On 14 November 2022, the OPG confirmed that the LPA for health and welfare had been registered. On 13 December 2022, it confirmed that the LPA for property and financial affairs had been registered.
19. The conduct of Ms Charlton came to the attention of the SRA when the Compliance Officer for Legal Practice at the Firm ("the COLP") reported Ms Charlton on 1 September 2022 following the receipt of a complaint from Client A. The SRA decided to refer the matter to the SDT on 2 February 2024.

Witnesses

20. Ms Charlton gave oral evidence at the hearing.
21. The written and oral evidence of 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. 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.

Ms Charlton (*under oath*)

22. Ms Charlton had been Senior Associate in the Private Client department at the Firm at the time of the alleged misconduct. She confirmed the contents of her witness statement dated 23 April 2025. She confirmed that meeting notes were taken during the disciplinary meetings at the Firm of 18 and 25 August 2022. She was provided with a copy of the meeting notes from 18 August 2022 before the disciplinary meeting of 25 August 2022. She confirmed that she did not agree with the contents of the meeting notes. She was provided with a copy of the meeting notes of 25 August 2022. Due to the stress she felt at the time of the Firm's disciplinary meetings she did not read the meeting notes of 25 August 2022.
23. The disciplinary meeting of 18 August 2022 was undertaken by Chris Miller who was a risk and compliance consultant and by Jane Sutherland who was the Head of the Private Client department based in the Nottingham office of the Firm. She stated that file reviews had been conducted on some of Ms Charlton's files in addition to a review of Client A's file. Ms Charlton highlighted that during the disciplinary meetings Mr Miller was overbearing and he would not allow her to respond to the criticisms of her files. She stated several times that she was responsible for most of the supervisory responsibilities in the Derby office. There was no one in her department with her level of seniority. Several members of staff including paralegals and fee earners had recently left the Derby office leaving her with an increased workload. She struggled administratively because she had no means of following up on the work undertaken by

Intelligent Office (“IO”). IO was the administrative system based in Nottingham that dealt with post and other secretarial responsibilities for the Derby office. Another part of the administrative system for dealing with post and instructions for the Derby office was called Richo.

24. The meeting notes of 18 August 2022 recorded that Mr Miller stated that Ms Charlton’s correspondence with Person B and Person C on 7 April 2022 was “*disingenuous*”. She recalled that he gave the dictionary definition of the word *disingenuous*, and she did not think that she had acted *disingenuously* on Client A’s client file. Ms Charlton explained that she referred to previous occasions when she had made a mistake on a client file and as soon as she realised she owned up to the mistake. In the disciplinary meeting she provided evidence of delays regarding IO and Richo. She was not comfortable relying on a third party to send out documents in her name. She stated that she could send out around 20 emails a day on 130 client matters and sometimes things went wrong. She asserted that she had informed the Nottingham office that administrative operations did not work for the Derby office. She experienced several issues sending out LPAs and eventually she was permitted to send them out herself.
25. Ms Charlton referred to the paragraphs following Point 4 of the meeting notes of 25 August 2022. She stated that she did not previously look at the meeting notes because she was so distressed by the firm's disciplinary proceedings. She confirmed that Mr Miller was the Investigating Officer of the disciplinary meeting. She asserted that her conduct in sending the emails to Person B and Person C was not *disingenuous* as suggested by Mr Miller. She would not have benefitted from trying to mislead Person B and Person C. Mr Miller stated that she lied about her intention in sending the emails. She recalled that Laura Kearsley who was the Disciplinary Chair asked her for her comments in response. Ms Charlton’s evidence was that she genuinely believed that the LPAs were sent to the OPG in November 2021. She prepared the applications including the LPA120 forms. She gave the example of working on a matter, a phone call would come in and because she had sent the documents such as the LPAs to IO, she assumed that the matter had been dealt with and the documents would be sent to whichever public office she was dealing with. She further stated that there were always delays in processing documents with the OPG. She was sure that when she sent the LPAs to IO, she would have assumed they were sent and would not have considered the matter until a response was received from the OPG. She described her work as reactive on account of her workload and responsibility. She drafted so many LPAs and similar documents. As soon as a document was off her desk, she assumed it would be sent to the Nottingham office which would send it to the appropriate public office to be processed.
26. Ms Charlton directed the Tribunal to the hearing notes of 25 August 2022. They stood as evidence of the personal and emotional pressures she experienced at the time of the alleged misconduct.
27. During cross-examination, Mr Lawrence challenged Ms Charlton’s assertion that the administrative system in place at the Firm led to her belief that the LPAs were sent in November 2021. She repeated that IO dealt with post and managed the reception desks of the Derby and Nottingham offices of the Firm. She confirmed that after the pandemic all post was sent from the Nottingham office when there was a dip in service level and a reduction in IO staff. Anything dropped off at reception in the Derby office would be collected and posted from the Nottingham office. She confirmed that Richo dealt with

post by email. She would email documents in pdf format to the email address “*Outgoing Post*”. Instruction notes could be added to the email. There was a traffic light system where *green* was supposed to indicate that a matter had been expedited. Her evidence was that she discovered that *green* on the software did not mean that the matter had been dealt with by Richo.

28. Mr Lawrence noted although there was evidence that the Nottingham office received the LPAs sent by Ms Charlton on 9 November 2021, there was no evidence that Ms Charlton sent any instructions to IO to send the LPAs to the OPG. Ms Charlton explained that she did not need to send instructions in circumstances where she had drafted a letter and it just needed to be sent out with the attachments. She stated that the administrative system for sending post from the Derby office did not work. She could not send more than one letter at a time to Richo via the *Outgoing Post* email address. She confirmed that the email she sent to *Outgoing Post* on 9 November 2021 attached the LPAs, Client A’s Will, and invoices in relation to the work on the client file. She could not remember if the email contained instructions.
29. Mr Lawrence challenged Ms Charlton about her time entries for work on Client A’s case file dated 10 November 2021. She sent the LPAs to Richo by email on 9 November 2021, but the time entry was dated 10 November 2021 and referred to “*Instructions to Richo to send letters*”. She explained that it was clear from her email and the attachments to the email what needed to be done by Richo regarding the LPAs.
30. Ms Charlton stated that nothing on Client A’s file happened for a while after November 2021. She sent out a standard template letter that gave an estimate to Person B and Person C that it would take around 3 months for the LPAs to be processed but it could often take longer. OPG was always extremely busy, and it did not occur to her that the LPAs might not have been sent.
31. Ms Charlton explained that the letter she sent to the OPG on 6 April 2022 and which was saved to the client file was created on that date. It was not a letter that she had created before that time. When she discovered that Person B and Person C had not heard from the OPG on 5 April 2022 she wrote the letter of 6 April 2022. Up until 5 April 2022 all of the information on the client file indicated that the LPAs were sent in November 2021 following her email to *Outgoing Post* of 9 November 2021. She was unaware that the LPAs were not sent to the OPG in November 2021. Ms Charlton explained that when she was made aware on 5 April 2022 that the LPAs were not sent. She then acted reactively by looking at the client file, drafting the letter to the OPG, and sending the documents and instructions to IO.
32. Mr Lawrence challenged the intent of Ms Charlton’s email to Person B and Person C of 7 April 2022. The email stated that she would speak to the OPG about the LPAs in response to their email of 5 April 2022 asking her why they were delayed. Ms Charlton explained that the email was a *holding email* which was not intended to mislead and this is why there was no reference to the delay with the LPAs or that she sent them the previous day. At the time she was consumed by around 130 matters involving several LPAs. She could often send out 15 LPAs in a week. The system did not work with IO and Richo, and she was under significant professional and personal pressure at the time. The email was nothing more than a generic holding email written quickly in order to

deal with a delay. She would not have had in her mind that she sent the LPAs the previous day.

33. Ms Charlton confirmed that the meeting notes from the disciplinary meeting of 18 August 2022 were incorrect. She did not admit during the disciplinary meeting that she was disingenuous in her communications with Person B and Person C. She stated that she could see how it could *appear* that she was being disingenuous but that her conduct was not disingenuous. She accepted some of what was put to her in the disciplinary meeting and was very apologetic. She did not try to give much of an explanation of her conduct because she was embarrassed by the situation. She accepted that she did not check the client file properly before writing to Person B and Person C because she was under significant pressure. After receiving the email on 5 April 2022, she checked the client file quickly on 6 April 2022 and reacted when it was clear that the LPAs were not sent out in November 2021 by writing a letter to the OPG.
34. Ms Charlton explained that she did not try and cover up misleading conduct by failing to record billing time for Client A's matter in April 2022. It was not unusual for time to go unrecorded because of how busy she was at work. She recalled that in April 2022 she was just trying to get work off her desk as she was overloaded. She did not try and mislead Person B and Person C in her communications; she would have derived no benefit from acting in this way. This was not the first time delays occurred at work on account of her heavy workload. When there were delays, she informed clients of the delays as soon as she became aware of them. She had nothing to gain from hiding information from Person B and Person C. Ms Charlton asserted that she did not intend to mislead and she was not dishonest in her conduct. She explained that it was not reckless to send the email of 7 April 2022. She reacted to the circumstances with which she was faced. She explained that her evidence showed that the administrative systems in place at the Firm did not work to support her workload; she was just trying to get through the day.
35. Ms Charlton explained that when she called the OPG on 13 May 2022 she did not check the client file fully before making the call. She would have obtained basic details including the full name of the client before making the call. She could not retain full details of every client file as she had so many. She called the OPG and spoke to Rhiannon. She updated Person B and Person C by email on 13 May 2022. The email relayed the information that was provided to her during the call. Ms Charlton asserted that if she realised that the delay in registering the LPAs could have been caused because they were not sent in November 2021, she would have stated that in the email. She only obtained basic details from the client file before making the call and relayed in the email what she was told by Rhiannon of the OPG. Her email did not seek to mislead Person B and Person C. She did not act dishonestly. She just sent an email to expedite an outstanding matter out of 130 matters. It was not reckless to send the email as she worked reactively to get matters off her desk.
36. Ms Charlton accepted that there was no time recording for the email to Person B and Person C about the call with Rhiannon. This was because she was firefighting to get things done and work off her desk and she did not find the time to record her time for the work.

37. Ms Charlton explained that her email of 27 July 2022 to the PST was not misleading. She attached a complaint about the LPAs from Person B and Person C dated 26 July 2022. Mr Lawrence challenged this assertion stating that she agreed in the disciplinary meeting of 18 August 2022 that she misled the PST. She stated that the delay with the LPAs was because of the application for the fee remission and not because the LPAs were not sent until 6 April 2022. Mr Lawrence noted that the disciplinary meeting notes recorded that Ms Charlton agreed that she had taken the “*wrong approach*” in her email to the PST. Ms Charlton stated that she did not agree the meeting notes. She agreed in the disciplinary meeting that it could have *looked* as if he had taken the wrong approach. She did not agree that she had taken the wrong approach.
38. Ms Charlton’s evidence was that before she forwarded the complaint from Person B and Person C to the PST, she quickly looked at Client A’s file and provided them with the most up to date information on the matter. She read the attendance note of the call to the OPG dealing with the fee remission and provided this information in the email to the PST. She then moved on to other matters. Around this time there was a cyber-attack on the Firm in May 2022, and this was one of many complaints as client data had been lost. Ms Charlton stated that at the time of writing the email it would not have occurred to her that she sent the LPAs in April 2022. She explained that a situation like this was not unusual as there were often delays with the OPG. The email was not intended to mislead. When there were delays on matters on account of her conduct Ms Charlton had owned up to the reasons for the delays. In this case, she followed procedure by making the PST aware of the complaint and the reasons for the delay with the LPAs.

Findings of Fact and Law

39. The Applicant was required by Rule 5 of The Solicitors (Disciplinary Proceedings) Rules 2019 (“SDPR”) to prove the allegations to the standard applicable in civil proceedings (on the balance of probabilities). The Tribunal had due regard to its statutory duty, under section 6 of the Human Rights Act 1998, to act in a manner which was compatible with the Respondent’s rights to a fair trial and to respect for their private and family life under Articles 6 and 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.
40. The Tribunal had due regard to the following and applied the various tests in its fact-finding exercise:

Dishonesty

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

Integrity

42. The matters set at paragraphs 97 to 107 of *Wingate v SRA* [2018] EWCA Civ 366.

Recklessness

43. The matters set out at paragraph 78 of *Brett v SRA* [2014] EWHC 1974.

44. **Allegation 1.1-On 7 April 2022 and 13 May 2022, she sent correspondence to her client’s daughter and son-in-law, Person B and Person C, which she knew or ought to have known was misleading as she omitted to tell them that the client’s applications for Lasting Powers of Attorneys had only been sent to the Office of the Public Guardian on 6 April 2022 and thereby breached any or all of Principles 2, 4 and 5 of the SRA Principles (“the Principles”) and Paragraph 1.4 of the SRA Code of Conduct for Solicitors, RELs and RFLs (“the Code”).**

The Applicant’s Case

- 44.1 Mr Lawrence submitted that the SRA’s central case against Ms Charlton was that she deliberately withheld information about the late filing of the LPAs from Person B and Person C in correspondence. On 7 April 2022 she sent misleading correspondence to Person B and Person C about the LPAs. She did not inform them that she only sent the LPAs to the OPG for processing on 6 April 2022. The LPAs were delivered to the Firm’s Derby office on 2 November 2021 with the relevant fee. On 8 November 2021, Person C sent the following email to Ms Charlton, “*just checking you received the documents left with reception regarding [Client A’s] LPAs*”. On 9 November 2021 Ms Charlton responded to Person C by email and by letter confirming that the LPAs had been sent to the OPG for registration. In the letter she stated that it would take the OPG in the region of 3 months to complete the registration.
- 44.2 Ms Charlton claimed that she worked with limited administrative support at the time. The Firm used the external company IO to send post from the Derby office supported by Richo. Documents would be sent to IO or Richo with instructions, and they would follow the instructions and send the post from the Nottingham office. The Firm’s COLP confirmed that the LPAs were received by the Nottingham office. Mr Lawrence submitted that there was no evidence that Ms Charlton sent the LPAs with instructions to send them to the OPG. Ms Charlton emailed *Outgoing Post* on 9 November 2021 attaching Client A’s Will, invoices and the LPAs. No instructions were written in the email. On 10 November 2021 she recorded on her time sheet “*instructions to Ricoh to send letters*” when there had been no instructions in the email to *Outgoing Post*. This was a day after she informed Person C that the LPAs had been sent to the OPG.
- 44.3 At 22.17 on 5 April 2022, Ms Charlton received an email from Person B and Person C informing her that they had not heard from the OPG about the LPAs. On 6 April 2022, Ms Charlton sent a letter to the OPG attaching the LPAs which were not sent in November 2021 for processing. The letter was saved to Client A’s case file. It was submitted that Ms Charlton created the letter on 6 April 2022 in response to the chaser email from Person B and Person C when she realised that she had failed to send the LPAs in November 2021. She sent the letter via an email to IO dated 6 April 2022.
- 44.4 On 7 April 2022, Ms Charlton responded to Person B’s and Person C’s email of 5 April 2022 and stated that she would “*speak to the Office of the Public Guardian and update you*”. Mr Lawrence submitted that her failure to inform Person B and Person C that she had already looked into the matter, that the LPAs were not sent in November 2021 and that she sent the LPAs to the OPG the previous day was disingenuous. He further submitted that she had agreed during the disciplinary meeting at the Firm on 18 August 2022 that her email was disingenuous.

- 44.5 Mr Lawrence submitted that Ms Charlton’s failure to record time entries for any of the work in April 2022 on Client A’s file suggested that she did not want the communications with Person B and Person C to come to the attention of the Firm. When she sent the email on 7 April 2022, she knew that Person B and Person C were under the impression that the LPAs were sent in November 2021. She could only have known that they were not sent in November 2021 if she had checked the client file. She intended to mislead when she sent the email of 7 April 2022 and conceal that the LPAs were not sent in November 2021. Alternatively, if she sent the email without checking the client file, she did so recklessly. Mr Lawrence relied on paragraphs 63 and 64 of *Brett* to support his assertion of reckless behaviour.
- 44.6 On 12 May 2022 Person B and Person C emailed Ms Charlton and asked for an update on the processing of the LPAs as it was over 6 months since the documents were signed. Mr Lawrence submitted that this chaser email prompted Ms Charlton to call the OPG. On 13 May 2022 she sent the following email to Person B and Person C:
- “Apologies for the delay in updating you in relation to the LPAs – trying to get through to the OPG is quite difficult at the moment.*
- They have explained that there is a delay in registering the documents at the minute and the lady I spoke to this morning Rhiannon confirmed that the LPAs have been accepted for the fee remission so she believes that this may have contributed to the delay as they would have had to go through that department first. They have put in a request to try and push this through”.*
- 44.7 There was an attendance note of the call to Rhiannon at the OPG. Mr Lawrence submitted that Ms Charlton reviewed the client file before her correspondence with Person B and Person C on or before 6 April 2022. When she wrote the email of 13 May 2022, she was already aware of the reason for the delay in processing the LPAs. They were delayed because they were not sent to the OPG in November 2021. In the email of 13 May 2022, she failed to mention that the LPAs were not sent to the OPG in November 2021 or that she sent them on 6 April 2022. Mr Lawrence submitted that she sought to mislead Person B and Person C by omission of these facts. Further, Ms Charlton agreed during the disciplinary meeting at the Firm on 18 August 2022 that she should have owned up to Person B and Person C that the reason for the delay was that the LPAs were not sent to the OPG in November 2021. Ms Charlton contradicted this position in her Answer where she claimed that she did not check the client file before May 2022. Alternatively, if she sent the email quickly and without taking the time to set out the facts to Person B and Person C, she did so recklessly.
- 44.8 With regard to the allegation that Ms Charlton’s conduct was dishonest in breach of Principle 4 of the Principles, Mr Lawrence submitted that when she sent the emails to Person B and Person C on 7 April 2022 and 13 May 2022, she knew or believed the following:
- The LPAs were not sent in November 2021, and she only sent them on 6 April 2022; and
 - The main reason for the delay in processing the LPAs was because they were not sent out until 6 April 2022.

- 44.9 Ms Charlton did not mention her knowledge about the delayed LPAs to Person B and Person C because she intended to mislead them into thinking that the delay had nothing to do with the Firm. It was submitted that in those circumstances, ordinary and decent people would consider it dishonest for a solicitor to mislead Person B and Person C about a failure to send out the LPAs in November 2021 and confirm that this was the reason for the delay in their return from the OPG.
- 44.10 Mr Lawrence submitted that a solicitor acting with integrity would not have emailed Person B and Person C on 7 April 2022 without admitting that the LPAs were not sent to the OPG in November 2021. He further submitted that a solicitor acting with integrity would not have emailed Person B and Person C on 13 May 2022 stating that the delay in registering the LPAs was due to the fee remission when the delay was because the LPAs were sent for registration in April 2022 and not in November 2021. Both emails undermined the trust and confidence the public placed in the profession. Members of the public would not expect a solicitor to send two misleading emails to Person B and Person C. In doing so, Ms Charlton's conduct breached Principle 2 of the Principles. It also misled Client A, Person B and Person C and the Firm in breach of Paragraph 1.4 of the Code.
- 44.11 Mr Lawrence further submitted that because Ms Charlton failed to tell Person B and Person C that the LPAs were not sent out until 6 April 2022 there was a risk that they would assume that the delay was caused by the OPG rather than by her or the Firm. Communicating with Person B and Person C without providing the full set of facts regarding the processing of the LPAs was reckless.

The Respondent's Case

- 44.12 In closing Mr Saunders reminded the Tribunal that Ms Charlton was a solicitor with a spotless regulatory record. He argued that a finding of dishonesty would be unsupported by the evidence and would be devastating to her personal and professional life. He referred to the common strand throughout the character references of Ms Charlton being "*honest*" and "*transparent*". The Managing Partner at Smith Partnership stated that she was "*completely transparent*" about the SRA regulatory proceedings prior to her joining the firm in August 2024.
- 44.13 Mr Saunders submitted that the evidence of Ms Charlton's good character supported her case in two ways. First, the evidence of her good character supported her credibility and should be considered by the Tribunal when they decided whether to believe her evidence. Secondly, her good character may mean that she was less likely to have committed the allegations with which she was charged.
- 44.14 Mr Saunders submitted that Allegation 1.1 was framed by reference to omissions in that Ms Charlton omitted to tell Person B and Person C in emails of 7 April 2022 and 13 May 2022 that she sent the LPAs to the OPG on 6 April 2022. The evidence presented by the SRA was devoid of positive deception. Ms Charlton had a number of opportunities to mislead Person B and Person C but there was no evidence that she chose to mislead them at the material time.
- 44.15 Mr Saunders submitted that the SRA failed to discharge its evidential burden concerning the *mens rea* element of Allegation 1.1. The SRA case in relation to

dishonesty related to an assertion made in oral submissions by the SRA that Ms Charlton intended to mislead Person B and Person C. This was not expressly pleaded in the Rule 12 Statement. The SRA sought to prove *mens rea* from the disciplinary meeting notes of 18 and 25 August 2022. However, it provided no evidence that the meeting notes were accurate. The SRA Investigation Officer, Dominic Hickey asked Cathryn Selby of the Firm if Ms Charlton had seen or agreed the disciplinary meeting notes of 18 and 25 August 2022. He was informed that she had been provided with a copy of the meeting notes of 18 August 2022 but not that they were agreed. Ms Selby confirmed that she had not agreed the meeting notes of 25 August 2022. Mr Saunders submitted that Ms Charlton appeared at the disciplinary meeting for a lecture from Mr Miller who would not allow her to fully contribute to the meeting. The meeting notes could not be relied upon as evidence to prove Allegation 1.1.

44.16 Mr Saunders submitted that the SRA’s case was misconceived. Ms Charlton’s evidence clearly showed that the email to Person B and Person C of 7 April 2022 was a “*holding email*” sent in response to their email of 5 April 2022. The SRA’s case was that the proximity of the correspondence between 5 and 7 April 2022 inferred Ms Charlton’s state of knowledge. However, the material passage regarding Allegation 1.1 was in her email of 7 April 2022 where she stated, “*Thank you for your email, I will look into [Client A’s] LPA and speak to the Office of the Public Guardian and update you*”. The email did not refer to registration of the LPAs or when the LPAs were sent to the OPG. She acknowledged receipt of the email from Person B and Person C and said that she would revert after she had spoken to the OPG.

44.17 Ms Charlton acknowledged that upon reading the email dated 5 April 2022 on the morning of 6 April 2022 she realised that the LPAs had not been sent to the OPG. It followed that she asked IO to send out the LPAs as a matter of urgency. It was significant that in her instruction to IO, she expressly told them to print off the LPA120 that she drafted on 8 November 2021 and sign the documents with “*today’s date*”. Mr Saunders submitted that such conduct lacked the hallmarks of conscious deception.

44.18 Mr Saunders submitted that if Ms Charlton intended to mislead Person B and Person C, she would have replied swiftly to their email on 6 April 2022 in order to allay considerations and concerns. The fact that she did not reply to the email until 7 April 2022 indicated that she had become distracted away from the task due to her reactive work process and environment. The nature and tone of the email dated 7 April 2022 reflected Ms Charlton’s oral evidence before the Tribunal. In correspondence to the SRA dated 5 December 2022 she described the email dated 7 April 2022 in the following terms:

“The email to Mr and Mrs Carter was a ‘holding email’ to them. I didn’t look at the file prior to sending the email which was of course a mistake. It was just what I believed was an automatic response to them. I was then aware when checking the file that they [the LPAs] had not been sent out as I initially believed in November”.

44.19 Mr Lawrence submitted that by the time Ms Charlton responded to the email dated 5 April 2022 from Person B and Person C she did not put two and two together and provided a generic response about the delay in registering the LPAs. She acknowledged in her evidence that she had looked at the LPAs at the time she sent the response but

her work environment at that time was very reactive and she worked under significant pressure.

- 44.20 Mr Saunders referred to Ms Charlton's email to Person B and Person C on 13 May 2022 following their request by email on 12 May 2022 for an update on the LPAs. Ms Charlton recorded a file note of her telephone call with Rhiannon of the OPG on 13 May 2022 who advised her that the LPAs were in the process of being approved for fee remission. She emailed Person B and Person C and relayed the information provided to her by the OPG. Mr Saunders submitted that the accuracy of the information she conveyed in the email was supported by the file note of the telephone call with Rhiannon for the purpose of client file billing. Mr Lawrence further submitted that Ms Charlton simply relayed the information that she was asked for by Person B and Person C. There was no intention to deceive or mislead Person B and Person by the content of the email.
- 44.21 It was submitted that Ms Charlton's evidence was compelling. She explained that she had experienced similar situations where documents had not been sent out by IO or Ricoh, and she admitted to the Firm when these mistakes occurred. Clients would be given a fee reduction by the Firm after an apology. Ms Charlton was a solicitor with candour.
- 44.22 Mr Saunders submitted that there was administrative drift on Client A's file which showed that Ms Charlton was overworked and under resourced. It could be argued that she was not performing as well as she could have done but there was no conscious deception towards Person B and Person C. On 11 August 2022, Mr Miller emailed Ms Charlton after a review of a number of her files and set out issues and complaints of which he was aware over the preceding two years. Attached to the email was a document that set out a timeline and identified missing emails from Client A's file. The timeline showed that she had not saved multiple emails to the client file. It was submitted that some of the emails showed that Ms Charlton believed that the LPAs were sent to the OPG for registration in November 2021. If she were seeking to mislead then she would have saved the exculpatory emails to the client file. The absence of these emails was indicative of the administrative failures of the Firm and the reactive method of working asserted by Ms Charlton in her oral evidence.
- 44.23 Mr Saunders further submitted that if Ms Charlton did not know that her correspondence was misleading then it would follow that there was no intention to mislead. It could not be reasonably argued that the test for dishonesty set out in Ivey was satisfied by the SRA's case. In these circumstances, Ms Charlton's conduct did not breach Principles 2, 4 and 5 of the Principles or Paragraph 1.4 of the Code.
- 44.24 In the alternative to dishonesty, the SRA contended that Ms Charlton acted recklessly and relied on the test set out in the case of *Brett*. At paragraph 78 of *Brett*, Mr Justice Wilkie adopted the working definition of recklessness from the case of *R v G* [2004] 1 AC 1034. According to this authority the word "*recklessly*" is satisfied when there is:

“(i) a circumstance when [the solicitor] is aware of a risk that it exists or will exist; and

(ii) a result when [the solicitor] is aware that a risk will occur and it is, in circumstances known to them, unreasonable for them to take the risk”.

- 44.25 Mr Saunders submitted that if Ms Charlton did not know that her correspondence was misleading, then it could not be reasonably argued that the test for recklessness was satisfied.
- 44.26 Mr Saunders further submitted that Allegation 1.1 was pleaded on the basis of omissions by Ms Charlton. The SRA relied on speculative theories and the unverified disciplinary meeting notes. This evidence failed to meet the SRA’s evidential burden of proving Allegation 1.1 on the balance of probabilities.

The Tribunal’s Findings – Allegation 1.1

- 44.27 The Tribunal carefully considered all the evidence presented by the SRA and Ms Charlton, 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. Allegation 1.1 was assessed on the balance of probabilities, while acknowledging the seriousness of the allegation and the high threshold required when considering potential findings of dishonesty against a professional with an otherwise unblemished record.
- 44.28 In considering dishonesty the Tribunal applied the two-stage test for dishonesty set out in *Ivey*. The first stage required the Tribunal to ascertain Ms Charlton’s actual state of knowledge or belief at the time of the relevant conduct, noting that the belief did not have to be reasonable, merely that it had to be genuinely held. The Tribunal found that on 9 November 2021 Ms Charlton sent an email to *Outgoing Post* attaching the LPAs and believed that it was clear from the email that these should be sent by the administrative team to the OPG. The Tribunal found that Ms Charlton genuinely believed that Client A’s LPAs were sent to the OPG in November 2021. The Tribunal accepted Ms Charlton’s evidence that when she sent the emails to Person B and Person C on 7 April 2022 and 13 May 2022, she had in her mind that the LPAs were sent in November 2021 and this arose because at the time when she sent the emails, she had not reviewed the particulars files. She had 130 files and many LPAs clients.
- 44.29 The Tribunal accepted Ms Charlton’s evidence that the email of 7 April 2022 was a generic *holding email* in response to the email from Person B and Person C of 5 April 2022 and that she did not have in her mind the client matters she expedited the previous day. It determined that at the time of sending the email she did not recall that she wrote to the OPG sending the LPAs on 6 April 2022 because she had so many matters and was simply “firefighting” these owing to the professional and personal pressures she faced at the time. The Tribunal accepted her evidence that when writing the email Ms Charlton had no intention to mislead Person B and Person C. It considered the extraordinary personal and professional pressures she was under at the material time, including her workload of around 130 files with limited administrative support through IO and Richo, both systems having let Ms Charlton down in the past (as she had raised with those senior to her in the firm). The Tribunal reviewed the evidence in the bundle where there were reported problems with the systems and that these had affected Ms Charlton personally on her cases. The Tribunal accepted her evidence that

there were systemic failures in the provision of administrative support and that file delays were not uncommon in these circumstances. The Tribunal considered the explanation of Ms Charlton to be credible; she sometimes didn't record all of her time on the client files because of her significant workload and problems with the administrative support system in place to service the Derby office. She used the term "firefighting".

- 44.30 The Tribunal also considered that the SRA's case was based on omissions alleged against Ms Charlton in that she did not inform Person B and Person C in the emails that the LPAs were not sent in November 2021. The Tribunal found that the emails sent by Ms Charlton were factually correct. The emails were responses to emails sent on 5 April 2022 and 12 May 2022 which did not ask specific questions about the timing that the LPAs were filed. The Tribunal found that she believed that she responded accurately to the emails sent to her and she did not seek to mislead Person B and Person C by their contents. Her belief was honestly held. She was a credible and largely consistent witness whose evidence before the Tribunal in 2026 largely reflected her position to the SRA from 2022 onwards.
- 44.31 Whilst the Tribunal fully accept that there can be occasions where omissions are tantamount to misleading information, the Tribunal concluded that Ms Charlton did not mislead by omission in her emails and that her emails were honest. Her factual evidence was accepted by the Tribunal. She made a mistake in not properly checking the files immediately before responding, owing to the significant pressures outlined above. Furthermore, the SRA's position that the meeting notes confirmed that she had agreed her conduct was disingenuous was a flawed position because the SRA had known, or ought to have known from the emails to the Firm's COLP, that Ms Charlton never agreed the content of the meeting notes. The Tribunal accepted Ms Charlton's evidence that she never agreed as part of the disciplinary process in 2022, or beyond, her conduct was disingenuous or intended to mislead. Her conduct therefore did not meet the objective standard of dishonesty by the standards of ordinary decent people. Allegation 1.1 was not proven to the extent of dishonesty and there was no breach of Principle 4 of the Principles.
- 44.32 The Tribunal next considered whether Ms Charlton's conduct demonstrated a lack of integrity, applying the objective standard set out in *Wingate*. Integrity in this context fell significantly short of the standards of probity and rectitude expected of a solicitor, assessed by reference to objective standards rather than Ms Charlton's subjective state of mind.
- 44.33 The Tribunal examined all relevant evidence, including Ms Charlton's workload and the lack of administrative support servicing the Derby office. It noted that, although she did not inform Person B and Person C that the LPAs were sent to the OPG on 6 April 2022 and not in November 2021, there was no evidence that she knowingly misled Person B and Person C, concealed information, or engaged in any other conduct that would objectively amount to serious professional impropriety. The Tribunal concluded that Ms Charlton's conduct did not fall below the threshold of integrity expected of a solicitor. The Tribunal noted that the expectations expected of her at the material time were too high. It accepted her evidence that she was over worked and given limited administrative support. She was firefighting in order to keep her work commitments moving and supporting and supervising the team in Derby in the absence

of a partner in that office. Allegation 1.1 related to what Ms Charlton ought to have known rather than deliberate or intentional misconduct. Accordingly, the Tribunal found that the allegation of lack of integrity was not proven and there was no breach of Principle 5 of the Principles.

- 44.34 Recklessness as defined in *Brett* required conscious disregard of a substantial and obvious risk. The Tribunal found that Ms Charlton did not act recklessly. She provided correct answers to the questions asked of her in her emails to Person B and Person C on 7 April 2022 and 13 May 2022. The Tribunal noted that there was no evidence that Ms Charlton was aware of a risk and proceeded with reckless behaviour. She did not accept that she acted recklessly in her witness statement and she was not cross-examined on the matter of the alleged reckless behaviour. The Tribunal found that there was no conscious indifference to a known risk. Recklessness was therefore not proven.
- 44.35 The Tribunal considered whether Ms Charlton breached Principle 2 of the Principles requiring her to act in a way that upheld public trust and confidence in the profession. The Tribunal also considered whether Ms Charlton breached Paragraph 1.4 of the Code by misleading Person B and Person C by omitting to inform them in the emails that the LPAs were not sent to the OPG in November 2021. The Tribunal considered all factors, including Ms Charlton's high workload, personal circumstances, the challenges posed by the poor service support offered to the Derby office and her good character evidence. The Tribunal was required to make findings based on the available evidence while keeping in mind that the burden of proof rested entirely with the SRA. The Tribunal noted that the SRA relied heavily on the disciplinary meeting notes of 18 and 25 August 2022 in the absence of evidence from the author of the meeting notes. The meeting notes were not agreed with Ms Charlton, and she was not interviewed about the meeting notes by the SRA during the investigation. She was only asked about the meeting notes when she was unrepresented. The Tribunal determined that it was not in the interests of justice to attach significant weight to this evidence particularly in the absence of any witness called by the SRA to deal with the disciplinary meetings in August 2022. In any event, the Tribunal accepted Ms Charlton's account of what she informed Mr Miller in the meeting, specifically that she never agreed that she had been disingenuous or with intent to mislead.
- 44.36 The Tribunal accepted Ms Charlton's evidence and found that there was no breach of Principle 2 of the Principles and Paragraph 1.4 of the Code. Her emails to Person B and Person C did not seek to mislead. They were responses to prompting emails and were factually accurate.
- 44.37 The Tribunal found on the balance of probabilities that Allegation 1.1 was not proved.
45. **Allegation 1.2-On 27 July 2022, she sent correspondence to the Firm's Professional Standards Team, which she knew or ought to have known was misleading as she omitted to inform them that the client's applications to register Lasting Powers of Attorneys had only been sent to the Office of the Public Guardian on 6 April 2022 and thereby breached any or all of Principles 2, 4 and 5 of the Principles and Paragraph 1.4 of the Code for Solicitors.**

The Applicant's Case

- 45.1 Mr Lawrence submitted that in an email to the PST on 27 July 2022 Ms Charlton withheld the information that she sent the LPAs to the OPG on 6 April 2022 and claimed that the delay in their processing was due to the fee remission. In doing so she sought to mislead the PST. The OPG had started to process the LPAs. On 17 June 2022, the OPG sent the Firm a letter requesting payment for one of the LPAs. On 14 July 2022, the OPG sent the Firm a letter requesting payment for the other LPA. On 26 July 2022 Person B and Person C sent an email to Ms Charlton and the PST complaining about the length of time it was taking to process the LPAs. They referred to "*the company's failure to provide a service we paid for 9 months ago, specifically, the lasting powers of attorney for [Client A]*". Mr Lawrence submitted that Ms Charlton's email to the PST on 27 July 2022 in response to the complaint deflected the true reasons for the delay. Ms Charlton stated that "*The LPAs are with the OPG to be registered, there is a fee remission so that takes longer to process – this is what the OPG said from when I last tried to chase*".
- 45.2 Mr Lawrence submitted that when Ms Charlton sent the email to the PST she knew or suspected that the LPAs were sent to the OPG in April 2022, but she did not state this in her email. He referred to her Answer in which she denied that the email was misleading. She claimed that she had not checked the client file.
- 45.3 He referred to the disciplinary meeting notes of 18 August 2022 which recorded that it was put to her that she compounded things by her sending the email and suggesting that the delay was due to processing of the LPAs by the OPG. The disciplinary meeting notes recorded that Ms Charlton agreed that she had taken the "*wrong approach by trying to deflect the true reasons for these shortcomings*" in sending the email. Mr Lawrence submitted that the disciplinary meeting notes of 25 August 2022 recorded that Ms Charlton stated that this conduct was "*not her style, doesn't know what to say, very sorry, don't normally do this*".
- 45.4 Mr Lawrence referred to Ms Charlton evidence that she suffered from depression at the time of the conduct and submitted that there was no medical evidence in support of this assertion. He submitted that the character evidence relied upon by Ms Charlton was outweighed by the documentary evidence. It was submitted that Ms Charlton's email and the conduct set out in Allegation 1.2 evidenced a pattern of dishonest behaviour.
- 45.5 Mr Lawrence submitted that omissions as alleged in Allegations 1.1 and 1.2 can be viewed as positive acts depending on the knowledge of the person. Ms Charlton was aware that the LPAs were not sent in November 2021 and that they were sent in April 2022. She omitted to inform the relevant parties at the material times that the LPAs were sent to the OPG in April 2022. She was aware that this was important information to share with anyone concerned about the LPAs and she chose not to share this information. The omissions in behaviour were positive acts because of her knowledge. Mr Lawrence submitted that once the state of mind was established the standards of ordinary people could be applied.

The Respondent's Case

- 45.6 Mr Saunders submitted that the Tribunal should examine the context in which Ms Charlton sent the email to the PST on 27 July 2022. Ms Charlton was working under immense pressure dealing with serious performance and service issues. Following the complaint from Person B and Person C sent by email on 26 July 2022, Ms Charlton acted reactively and forwarded her plan of action to deal with the complaint to the PST. In the email she referred to a number of LPAs she intended to enquire about which is evidence of the reactive nature of her working environment. She provided a two-sentence email response to the PST which was factually correct. It was not a specific response to a specific enquiry and was not intended to be a comprehensive account of Client A's matter. The LPAs were physically with the OPG awaiting registration and there was a fee remission process in place which contributed to the delay.
- 45.7 Mr Saunders submitted that in the Rule 12 Statement the SRA alleged dishonesty but again a breach of Principle 4 of the Principles did not sit with how Allegation 1.2 was pleaded. The SRA brought a case against Ms Charlton based on her intention to mislead but intention was not pleaded in Allegation 1.1 or 1.2.
- 45.8 Mr Saunders further submitted that Allegation 1.2 was pleaded on the basis of an omission by Ms Charlton. The SRA relied on speculative theories and the unverified disciplinary meeting notes. This evidence failed to meet the SRA's evidential burden of proving Allegation 1.2 on the balance of probabilities for the same reasons that it could not prove Allegation 1.1 on the balance of probabilities.

The Applicant's Reply

- 45.9 Mr Lawrence submitted that the SRA's case in Allegations 1.1 and 1.2 was that Ms Charlton had the intention to mislead in the sending of the three emails. He referred to Ms Charlton's Answer and submitted that it appeared to the SRA that their case against her was understood.
- 45.10 The Tribunal asked Mr Saunders to confirm that Ms Charlton's case was that she wrote the emails but that there was no intention to mislead. Mr Saunders confirmed to the Tribunal that this was her case. He submitted that Allegations 1.1 and 1.2 were not pleaded on the basis that Ms Charlton's intention led to the misconduct. They were pleaded on the basis that *she knew or ought to have known* that the emails were misleading. Mr Saunders submitted that if the Tribunal formed the view that the emails were misleading the only pleading it should consider would be Paragraph 1.4 of the Code as it would be examining a mistake. However, a mistake could not contravene Paragraph 1.4 of the Code.

The Tribunal's Findings – Allegation 1.2

- 45.11 The Tribunal carefully considered all the evidence presented by the SRA and Ms Charlton, 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. Allegation 1.2 was assessed on the balance of probabilities, while acknowledging the seriousness of the allegation and the high

threshold required when considering potential findings of dishonesty against a professional with an otherwise unblemished record.

- 45.12 The Tribunal accepted Ms Charlton's evidence and found that there was no breach of Principles 2, 4 and 5 of the Principles and Paragraph 1.4 of the Code. Her email to the PST did not seek to mislead. She updated the PST with the status of Client A's file, and her email was factually accurate. The Tribunal found Ms Charlton's evidence compelling and the SRA did not present any evidence to contradict her position about the difficulties she faced managing her heavy caseload with minimal service support.
- 45.13 The Tribunal found on the balance of probabilities that Allegation 1.2 was not proved. The reasons for the Tribunal's findings were the same as the reasons for its findings for Allegation 1.1.

Previous Disciplinary Matters

46. Ms Charlton had no previous disciplinary findings recorded against her.

Costs

47. On account of the Tribunal's decision to dismiss all of the allegations against Ms Charlton there was no application for costs from either party. Accordingly, no order for costs was made by the Tribunal.

Statement of Full Order

48. The Tribunal ORDERED that the allegations against DAVINA CHARLTON, solicitor be DISMISSED, and it further Ordered that there should be no Order as to costs.

Dated this 15th day of April 2026
On behalf of the Tribunal

G Sydenham

G Sydenham
Chair