

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12737-2025

BETWEEN:

and

ANDREW BRIAN ALEXANDER COOPER Respondent

Before:

Mr J Johnston (in the Chair)
Ms A Banks
Ms L Hawkins

Date of Hearing: 24 November 2025

Appearances

Jonathan White, employed by Blake Morgan LLP, One Central Square, Cardiff CF10 1FS
for the Applicant.

The Respondent did not attend and was not represented.

JUDGMENT

Allegations

1. The allegations against the Respondent, Andrew Brian Alexander Cooper, made by the SRA were that, while in practice as a Solicitor at Streathers Solicitors LLP, (“the Firm”):
 - 1.1 Between 16 August 2019 and 20 September 2022, he caused or allowed payments to be made from the Firm’s client account in circumstances where he did not have his clients’ instructions to do so, which led to a cash shortage of up to £1,174,493.62, and in doing so thereby breached any or all of:

To the extent the conduct took place before 25 November 2019:

- 1.1.1 Principles 2, 6 and 10 of the SRA Principles 2011; and
- 1.1.2 Rule 20.1(f) of the Solicitors Accounts Rules 2011.

To the extent the conduct took place on or after 25 November 2019:

- 1.1.3 Principles 2, 4 and 5 of the SRA Principles 2019 (“the Principles”);
- 1.1.4 Rule 5.1 of the Solicitors Accounts Rules 2019; and
- 1.1.5 Paragraph 4.2 of the SRA Code of Conduct for Solicitors, RELs and RFLs (“the Code”).

- 1.2 On or about 27 June 2022, Mr Cooper inserted a signature onto a letter to HMRC on behalf of Person A without their knowledge or consent, and caused this to be sent to HMRC, purporting to demonstrate that the letter had been signed by Person A when it had not, and in doing so breached any or all of:
 - 1.2.1 Principle 2 of the SRA Principles 2019;
 - 1.2.2 Principle 4 of the SRA Principles 2019;
 - 1.2.3 Principle 5 of the SRA Principles 2019; and
 - 1.2.4 Paragraph 1.4 of the Code of Conduct.
2. To the extent that the conduct alleged in Allegation 1.1 took place before 25 November 2019, that allegation was advanced on the basis that Mr Cooper’s conduct was dishonest. Dishonesty was alleged as an aggravating feature of his misconduct but was not an essential ingredient in proving the allegation. To the extent that the conduct in Allegation 1.1 took place on or after 25 November 2019, dishonesty is alleged by way of a breach of Principle 4 of the Principles.

Executive Summary

3. The alleged misconduct occurred between 16 August 2019 and 27 June 2022.
4. This case concerned allegations of professional misconduct brought by the Applicant against Mr Cooper who was admitted to the Roll in December 2007. At the time of the alleged misconduct, Mr Cooper was a Partner at the Firm where he specialised in probate work. Mr Cooper was dismissed by the Firm on 2 November 2022. He does not hold a practising certificate.

5. The first Allegation was that between 16 August 2019 and 20 September 2022 Mr Cooper caused or allowed payments to be made from the Firm's client account in circumstances when he did not have his clients' instructions to do so. This led to a cash shortage of up to £1,174,493.62. The second Allegation was that on or about 27 June 2022 Mr Cooper inserted an electronic signature onto a letter to HMRC on behalf of Person A without their knowledge or consent and caused this to be sent to HMRC purporting to demonstrate that the letter had been signed by Person A.
6. The Rule 12 Statement was dated 25 February 2025. The Tribunal issued Standard Directions on 27 February 2025. Pursuant to Standard Directions 2 and 5 Mr Cooper was required to file and serve his Answer and all documents he intended to rely on at the Substantive Hearing by Thursday 24 April 2025. He did not do so. A Case Management Hearing was listed on 19 May 2025. Mr Cooper did not attend and was not represented.
7. In the absence of Mr Cooper engaging with the proceedings or attending the Substantive Hearing, the Tribunal proceeded to hear the case in his absence. All of the Allegations were found proved to the requisite standard.
8. The Tribunal found on the balance of probabilities that Mr Cooper's conduct breached multiple Principles under both the 2011 and 2019 SRA Principles including acting without integrity, failing to maintain public trust and acting dishonestly. The Tribunal applied the test for dishonesty as set out in *Ivey v Genting Casinos (UK) Ltd t/a Crockfords* [2017] UKSC 67 and concluded that the Respondent's conduct was dishonest by the standards of ordinary decent people.
9. Mr Cooper was struck off the Roll of Solicitors and ordered to pay costs in the sum of £29,451.29.

Documents

10. The Tribunal considered all of the documents in the case which included:
 - Rule 12 Statement
 - Appendix 1
 - Appendix 2 dated 25 February 2025
 - SRA Forensic Investigation Report dated 25 April 2023
 - Applicant's Schedule of Costs for Substantive Hearing dated 10 November 2025

Preliminary Matters

11. Application to Proceed in absence
 - 11.1 Mr White confirmed to the Tribunal that Mr Cooper was neither present nor represented. He submitted that provided the Tribunal was satisfied that if notice of the hearing had been properly served on Mr Cooper, it was open to the Tribunal to proceed in his absence pursuant to Rule 36 of the Solicitors (Disciplinary Proceedings) Rules 2019 ("the SDPR").

11.2 In accordance with Rule 44 of the SDPR, which addressed the requirements as they related to service of documents on Mr Cooper, the Tribunal was informed that Mr White wrote to Mr Cooper at the home address held by the Applicant on 15 October 2025, informing him of the date and time of the Substantive Hearing. The Applicant had no indication that Mr Cooper did not reside at this address. Mr White wrote to Mr Cooper on 16 October 2025 in relation to the Substantive Hearing. There is proof of delivery of this letter which was tracked and signed for on 17 October 2025. This was also proof that Mr Cooper received full access to the case bundle. Also, Mr White wrote to Mr Cooper on 23 October 2025, 10 November 2025 and 19 November 2025 in relation to the date and time of the Substantive Hearing.

11.3 Mr Cooper failed to acknowledge or respond to the correspondence from Mr White of 16 October 2025, or to any other correspondence that contained the date and time of the Substantive Hearing. He provided no medical evidence to explain non-attendance and had not applied for an adjournment of the Substantive Hearing.

11.4 Mr White submitted that based on the extensive correspondence served on Mr Cooper, he had notice of the Substantive Hearing. It would be appropriate for the Tribunal to proceed in Mr Cooper's absence as he could be deemed to be voluntarily absent having regards to the authority of *Adeogba v General Medical Council* [2016] EWCA Civ 162.

Decision of the Tribunal

11.5 The Tribunal listened with care to the submissions of Mr White and reminded itself that it must proceed with caution when reaching a decision whether to proceed in Mr Cooper's absence. In considering whether to exercise its discretion on this occasion it considered the following:

- a) The nature of Mr Cooper's behaviour during the proceedings.
- b) Whether Mr Cooper had deliberately exercised his right not to attend or instruct legal representation.

11.6 The Tribunal noted that Mr Cooper had not engaged with the proceedings nor contacted the Applicant or the Tribunal to inform them of reasons why the Substantive Hearing should be stayed. The correspondence provided a clear indication that Mr Cooper had knowledge of the Substantive Hearing.

11.7 Mr Cooper had failed to engage with the proceedings and had not attended any of the listed hearings or engaged any legal representation. The Tribunal determined that he had voluntarily absented himself from the present hearing.

11.8 The Tribunal balanced fairness to Mr Cooper with fairness to the Applicant and the public interest in the efficient and expeditious resolution of the proceedings, in accordance with the overriding objective set out in Rule 4(3) of the SDPR 2019. The Tribunal exercised the discretion it was accorded under 36 SDPR and acceded to the application for the case to proceed in Mr Cooper's absence.

12. Application for Anonymity

12.1 The Applicant applied under Rule 35(9) for a direction prohibiting the disclosure or publication of any matter likely to lead to the identification of any person whom the Tribunal considered should not be identified. The application related to the individuals referred to as Persons A to F inclusive and two residential addresses on the Anonymisation Schedule at Appendix 2 of the Rule 12 Statement.

12.2 Mr White submitted that the primary basis of the application in respect of the names of Persons A to F was to maintain the legal professional privilege (“LPP”) attached to clients. Persons A to F were either clients of the Firm or were the names of the estates in relation to which the Firm was acting.

12.3 Mr White referred to the cases of Persons A to F. Mr Cooper acted for Person A, who was an executor in the administration of the estate of Person F. He submitted that the naming of an estate would be tantamount to the naming of the client. The Tribunal was familiar with the case of *SRA v Williams* [2023] EWHC 2151 Admin, which emphasised the importance of protecting LPP.

12.4 Mr White informed the Tribunal that Address 1 on Appendix 2 was Mr Cooper’s residential address. The Tribunal’s practice is not to read out the Respondent’s address when making The Statement of Full Order and this application was therefore consistent with maintaining that practice. Referring to Address 1 would undermine the Tribunal’s usual practice of maintaining the confidentiality of the Respondent’s address. Mr White further submitted that it is not in the interests of justice for the addresses of any individuals to be published or referred to during proceedings.

Decision of the Tribunal

12.5 The Tribunal referred to the importance of the case of *Williams* with regards to LPP and acceded to Mr White’s application for anonymity.

Factual Background

13. The conduct in this matter came to the attention of the SRA on 29 September 2022 when the Firm made an initial report in respect of Mr Cooper’s conduct following receipt of a client complaint. On 17 January 2023, a Forensic Investigation Officer (“FIO”) employed by the SRA commenced an investigation into Mr Cooper’s conduct. On 25 April a Forensic Investigation Report (“FIR”) was prepared. The report showed that the alleged conduct occurred between August 2019 and September 2022. The FIR highlighted a cash shortage of £1,174,493.62 on the Firm’s client account arising from improper payments being made from the Firm’s client account. The FIR also raised concerns about a letter to HMRC on a client file.

14. The minimum cash shortage on the Firm’s client account highlighted by the FIR arose as a result of three types of unauthorised payments. These were as follows:

- Payments to HMRC in respect of Mr Cooper’s personal tax of £76,652.82.
- Payments to clients and third parties, causing £1,429,647.45 of shortage on the client account.

- Client to business bank account transfers in the sum of £88,111.92.

Payments to HMRC

15. The FIO identified seven payments totalling £76,652.82 made from the client account to HMRC in respect of Mr Cooper's tax liabilities under his Unique Tax Reference Number ("UTR") between 13 January 2020 and 1 August 2022. The payments were made from six client matters. Mr Cooper requested these payments and his UTR was used in each instance.
16. In the matter of the estate of Person B, Mr Cooper emailed his colleague and asked for a Faster Bacs slip of £39,350.82 for a "tax payment" to HMRC using his UTR. The FIO found no evidence on the client file that the estate of Person B owed any tax liability to HMRC.
17. With reference to all of the payments to HMRC identified by the FIO using Mr Cooper's UTR, there was no evidence that the clients had consented to these transfers.

Payments to clients and third parties

18. The FIO identified 42 improper payments made from the Firm's client bank account to client and third parties between 16 August 2019 and 20 September 2022. These payments totalled £1,429,647.45 as set out in the FIR. Three of those payments totalling £419,918.57 were from client ledgers that received funds as a result of other improper transfers. This sum was offset from the client account shortage resulting in a net shortage of £1,009,728.88.
19. Mr Cooper acted for Person C in respect of her tax returns. On 8 July 2022 HMRC informed Person C that following a review of her tax return for the year ending 5 April 2020, her tax liability was £351,641.20 greater than the amount shown on her tax return. Between 6 May 2022 and 8 July 2022, six payments totalling £674,606.64 were made from the client bank account to HMRC in respect of Person C's tax liabilities. The payments were made out against ledgers for five other clients as set out in the FIR. One payment was made from the client account of the estate of Person E in the sum of £275,199.67 on 8 July 2022. Person C's UTR was used rather than the UTR of Person E. Mr Cooper authorised this transfer personally.
20. The FIO found no evidence that any of these clients consented to these transfers.

Client to Business bank account transfers

21. The FIO identified 34 improper transfers from the client account to the business account between 12 March 2020 and 11 May 2022. There was no evidence that any of the clients consented to these transfers.
22. On 12 March 2020, the Firm received £59,881.51 in respect of a tax refund for Person D. This payment was however credited to the client matter ledger AG31/2.

23. On 30 March 2020, Mr Cooper requested a client account to client account transfer of £49,481.41 from client matter ledger AG31/2 to client matter ALM17/1 in the sum of £49,281.51. This brought the balance of the AG31/2 to nil, so it can be inferred that the transfer could not have happened from this ledger if Person D's £59,991.51 had not been credited to this ledger.

24. On 31 March 2020 an invoice was raised in the sum of £20,000.00 in the matter of ledger ALM/17/1 with a bill number of 52076. On the same date a transfer of £20,000.00 was made from the client to the office account on the ALM17/1 ledger with the same number in the "Desc/payee" column as the bill number. Mr Cooper authorised this transfer. Prior to the crediting of the £49,481.51, the balance on the ALM/17 ledger had been nil. It can be inferred that the £20,000.00 transfer could not have happened if Person D's money had not been credited to ledger ALM/17. The FIO found no evidence that the clients in respect of ledgers AG31/2 or ALM17/1 had any entitlement to Person D's funds.

25. Mr Cooper acted for Person A in the administration of the estate of Person F. Person A was an executor of the estate. On 27 June 2022, Mr Cooper sent a letter to HMRC in relation to this matter in which he stated the following:

"Please can you note that a change of address for the executor of the estate [Person A] to [Address 1] for any future correspondence in this estate including future notices of inheritance tax. Should you have any questions please contact our Andrew Coper at acooper@streater.co.uk or on 020 7034 4200."

26. The letter was signed in the name of Mr Cooper. Underneath his signature he wrote "*I confirm the above change of address.*" Although Mr Cooper signed the letter, this was purportedly signed in the name of Person A as he inserted an electronic signature in the name of Person A onto the letter. The FIO established by reference to SRA records that the address referred to was the personal residential address of Mr Cooper.

27. On 25 August 2022 at 16.55, Person A emailed Mr Cooper to inform him that when she contacted HMRC directly, she was unable to pass security checks. She was informed that on 27 June 2022, Mr Cooper sent a letter to HMRC informing them of a change of address. She asked Mr Cooper for a copy of the letter of 27 June 2022. A few minutes later at 17.15, Person A sent another email to Mr Cooper in which she stated the following:

"Following our phone conversation, it is alarming to hear that you have not sent a letter to HMRC about my address as they say you have. Thank you for agreeing to call them now, and then call me back to let me know what they say. Hopefully, you can readjust my details to the above address so they are correct again, and HMRC are aware of the fraudulent letter."

28. Person A concluded the email by providing the telephone number she had called and her UTR. Mr Cooper replied to say that he would call the next morning.

29. On 26 August 2022 Mr Cooper sent the following letter to HMRC:

“We understand from our telephone conversations that you have a letter purporting to change the address of the executor, [Person A], dated 27 June 2022.

Please note that we did not send such a letter. Her address remains as follows:

[Address 2]

Please could you correct this as a matter of urgency and provide us with a copy of the letter as this clearly raises concerns.

Should you have any questions please contact our Andrew Cooper at acooper@streater.co.uk or on 020 7034 4200.”

30. Person A complained to the Firm about the handling of the estate of Person F. On 27 September 2022 Mr Cooper attended a meeting at the Firm with Mr Danaher, the Compliance Officer for Legal Practice and Money Laundering Reporting Officer and Ms Stapleton, the Compliance Officer for Finance and Administration. During the meeting it was put to Mr Cooper that he had sent a letter to HMRC in relation to the Person A using his home address. The Firm had located the deleted email in Mr Cooper’s F-drive and he was emailed a copy of the letter during the meeting. Mr Cooper admitted that he prepared and sent the letter to HMRC and that he had used his home address on the letter. Mr Cooper apologised and explained that he used his home address as Person A was getting upset at the lack of progress on the matter. He added that he felt that he could manage the matter more effectively if he received the letters from HMRC directly to his home address.
31. On 29 September 2022 Mr Cooper attended a meeting with Mr Danaher, Ms Stapleton and Mr Silverman, a Member of the Firm. During the meeting various ledgers were put to him as having irregular transfers or payments. Mr Cooper did not comment directly on the ledgers but eventually stood up and stated: “*I am absolutely fucked.*” Mr Cooper then left the building.

Witnesses

32. The oral evidence of Joanna Wright, the FIO at the SRA who led the investigation into Mr Cooper’s misconduct was heard at the hearing.
33. 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.

Findings of Fact and Law

34. Tribunal had due regard to its statutory duty, under section 6 of the Human Rights Act 1998, to act in a manner which was compatible with the Respondent’s right to a fair trial and to respect for their private and family life under Articles 6 and 8 of the

European Convention for the Protection of Human Rights and Fundamental Freedoms.

Dishonesty

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

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

When considering dishonesty, the Tribunal firstly established the actual state of Mr Cooper’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 was that set out in *Wingate and Evans v SRA and SRA v Malins* [2018] EWCA Civ 366, as per Jackson LJ:

“Integrity is a useful shorthand to express the higher standards which society expects from professional persons and which the professions expect from their own members ... [Professionals] are required to live up to their own professional standards ... Integrity connotes adherence to the ethical standards of one’s own profession.”

35. **Allegation 1.1-Between 16 August 2019 and 20 September 2022, Mr Cooper caused or allowed payments to be made from the Firm’s client account in circumstances where he did not have his clients’ instructions to do so, which led to a cash shortage of up to £1,174,493.62. In doing so, he thereby acted in breach of any or all of: Principles 2, 6 and 10 of the SRA Principles 2011; Rule 20.1(f) of the Solicitors Accounts Rules 2011; Principles 2, 4 and 5 of the Principles; Rule 5.1 of the Solicitors Accounts Rules 2019; and Paragraph 4.2 of the Code.**

Allegation 1.2-On or about 27 June 2022, Mr Cooper inserted a signature to a letter to HMRC on behalf of Person A without their knowledge or consent, and caused this to be sent to HMRC, purporting to demonstrate that the letter had been signed by Person A when it had not. In doing so, he thereby acted in breach of any or all of: Principle 2, Principle 4, Principle 5 of the Principles and Paragraph 1.4 of the Code.

The Applicant's Case

Allegation 1.1

35.1 Oral submissions were made by Mr White during the hearing. Mr White sought leave from the Tribunal for Lucy Moseley from the SRA to observe the proceedings. The Tribunal granted permission for Lucy Moseley to observe the proceedings.

35.2 Mr Cooper was previously employed as a Partner in the probate department of the Firm. Following receipt of a complaint to the Firm by a client an FIO employed by the SRA conducted an investigation into Mr Cooper's alleged misconduct resulting in the FIR dated 25 April 2023. The FIR highlighted a cash shortage of £1,174,493.62 on the Firm's client account arising from improper payments made from the Firm's client account by Mr Cooper. The FIR also raised concerns about a letter to HMRC on a client file.

35.3 Mr White opened with reference to Allegation 1.1. which concerned unauthorised payments from the client account resulting in the cash shortage highlighted by the FIR. Mr White submitted that the cash shortage was the result of three categories of payments made by Mr Cooper for which he did not permission from the affected clients.

35.4 The first category of payments for which Mr Cooper used client money without consent was when he made payments from the client account to HMRC in respect of his own personal tax liabilities in the sum of £76,652.82. Mr White referred the Tribunal to the identification of these payments by the FIO by reference to Mr Cooper's UTR. He referred the Tribunal to an email from Mr Cooper to a colleague at the Firm requesting a Fast Bacs payment to be made to HMRC with his UTR as the reference number. Mr White submitted that none of the clients identified by the FIO consented to the transfers of client money by Mr Cooper.

35.5 The second category of payments for which Mr Cooper used client money without consent was when he made payments to clients and to third parties. Mr White referred to the FIO's identification of 42 improper payments made from the Firm's client bank account to clients and third parties. Mr White identified that some of those payments were from client ledgers that received funds as a result of improper transfers.

35.6 Mr White submitted that Mr Cooper acted for Person C in respect of her tax liability. On 8 July 2022 HMRC informed Person C that following a review of her tax return for the year ended 5 April 2020, her tax liability was £351,641.20 greater than the amount shown on her tax return.

35.7 Mr White submitted that six payments were made from the client bank account to HMRC in respect of Person C's tax liabilities. The payments were made out against ledgers for other clients. One such payment was made to HMRC from the client account of the estate of Person E. The payment reference number however contained Person C's UTR rather than the reference number issued by HMRC in respect of the estate of Person E. Mr White noted that the FIO found no evidence that any of the clients referred to consented to the transfers made by Mr Cooper.

35.8 The third category of payments for which Mr Cooper used client money without consent concerned transfers from the client account to the business bank account of the Firm. Mr White referred the Tribunal to the receipt of £59,881.51 from HMRC in respect of a tax refund for Person D on 12 March 2020. Mr White submitted that on 30 March 2020 Mr Cooper requested a client account to client account transfer from a client matter ledger in the sum of £49,481.51. The first client matter ledger brought the second client matter ledger to nil. Mr White further submitted that it could be inferred that the transfer could not have happened if Person D's tax refund had not been credited to the second client matter ledger. The FIO found no evidence that these clients were entitled to Person D's funds.

35.9 Mr White referred to the invoice that was raised on 31 March 2020 in the sum of £20,000.00 for a ledger. On the same date Mr Cooper authorised a transfer of £20,000.00 from the client account to the office account in respect of a different ledger. Prior to the crediting of the £49,981.51 the balance on the relevant ledger had been nil. Mr White submitted that it could be inferred that the £20,000.00 transfer could not have happened if Mr Cooper had not credited Person D's money to the ledger. Again, the FIO found no evidence that there was any entitlement to Person D's funds.

35.10 Mr White referred to the evidence given by Joanna Wright, the FIO at the SRA who had prepared the FIR. She confirmed that the cash shortage at the Firm was as a result of the unauthorised transfers made by Mr Cooper from the Firm's client account. Ms Wright confirmed that she wrote to Mr Cooper in February 2023 informing him that she would like to interview him for the purpose of her investigation. She did not receive a response to her letter. The letter was sent again on 8 March 2023 and was signed for in the name ““COOPER”“ on 9 March 2023. Mr Cooper did not respond to the second letter or to text messages sent by Ms Wright urging cooperation with the investigation.

35.11 On 29 September 2022 Mr Cooper attended a meeting with Mr Danaher, the Compliance Officer for Legal Practice and Money Laundering Reporting Officer, Ms Stapleton, the Compliance Officer for Finance and Administration and Mr Silverman and Mr Prior, members of the Firm. Mr Cooper was asked about the various ledgers with irregular transfers or payments. He did not comment on the irregular transfers. During the meeting he stated that “*I am absolutely fucked*” and left the meeting and the building.

The SRA's case on the alleged breaches

Dishonesty (pledged as an aggravating factor for conduct before 25 November 2019 and a breach of Principle 4 of the Principles for conduct on or after 25 November 2019)

35.12 Mr White submitted that Mr Cooper's conduct was dishonest by the ordinary standards of reasonable and honest people.

35.13 As to his state of mind, it was submitted that at the time that Mr Cooper caused payments to be made from the Firm's client account he would have known or believed the following:

- The payments were being made from the client account. Mr Cooper made the transfers personally or sent instructions to a colleague to make them.
- In respect of the payments to HMRC, Mr Cooper would have known that these related to his personal tax affairs as he used his UTR as the reference number. Mr Cooper would have known that this was a breach of the Solicitors Accounts Rules 2011 and 2019.
- As evidenced in the FIR, none of the clients had given authorisation for payments to be made from the client account. Mr Cooper would therefore have known that he was not entitled to make those payments.

35.14 In those circumstances, Mr Cooper's conduct in making a considerable number of improper payments from the Firm's client account, including several which personally benefitted him, would be considered dishonest by the standards of ordinary decent people.

Principle 2 of the SRA Principles 2011 and Principle 5 of the Principles (Integrity)

35.15 Mr White submitted that Mr Cooper failed to act with integrity i.e. with moral soundness, rectitude and steady adherence to an ethical code. A solicitor acting with integrity would not cause transfers to be made from the client account without the consent of the client. The transfers took place over a number of years and involved 83 transfers, seven of which were made to HMRC in respect of Mr Cooper's personal tax liabilities. The cash shortage on the client account exceeded £1,000,000.00. Accordingly, Mr Cooper's conduct represented a manifest lack of integrity. In those circumstances, Mr Cooper breached Principle 2 of the SRA Principles 2011 and Principle 5 of the Principles.

Principle 6 of the SRA Principles 2011 and Principle 2 of the Principles (Public Trust)

35.16 Mr White submitted that the conduct amounted to a breach by Mr Cooper to behave in a way which maintained the trust placed in him by the public in the provision of legal services. It is a fundamental aspect of the trust placed in solicitors that they will safeguard client monies and not cause them to be transferred from the client account without consent and/ or in circumstances not permitted by the Solicitors Accounts Rules. By making the unauthorised payments, Mr Cooper breached Principle 6 of the SRA Principles 2011 and Principle 2 of the Principles.

Principle 10 of the SRA Principle 2011 and Paragraph 4.2 of the Code (Protecting Client Money and Assets)

35.17 Mr White submitted that Mr Cooper's conduct was manifestly in breach of the requirements to protect client money and assets and to safeguard money and assets entrusted to him by clients and others. The result of Mr Cooper's conduct was that there was a significant cash shortage on the client account which risked significant harm to clients and to the Firm. In those circumstances, Mr Cooper breached Principle 10 of the SRA Principles 2011 and Paragraph 4.2 of the Code.

Rule 20.1(f) of the Solicitors Accounts Rules 2011 and Rule 5.1 of the SRA Accounts Rules 2019

35.18 Both regimes in the 2011 and 2019 Rules required Mr Cooper to seek consent to the transfers that he made, save in limited circumstances which do not apply in this case. There was no evidence that the transfers Mr Cooper caused to be made were authorised by any clients. In those circumstances, Mr Cooper breached Rule 20.1(f) of the Solicitors Accounts Rules 2011 and Rule 5.1 of the SRA Accounts Rules 2019.

Allegation 1.2

35.19 Mr Cooper acted for Person A in the administration of the estate of Person F. Person A was an executor of the estate. On 27 June 2022 Mr Cooper sent a letter to HMRC in which he stated that:

“Please could you note that a change of address for the executor of the estate [Person A] to [Address 1] for any future correspondence in this estate including future notices of inheritance tax.

Should you have any questions please contact our Andrew Coper at acooper@streater.co.uk or on 020 7034 4200.”

35.20 The letter was signed in the name of Mr Cooper. Underneath his signature Mr Cooper inserted the words *“I confirm the above change of address.”* and inserted an electronic signature in the name of Person A. Mr White submitted that the letter was purportedly signed in the name of Person A using an electronic signature without her consent. The FIO established that Address 1 was the personal residential address of Mr Cooper.

35.21 On 25 August 2022 Person A emailed Mr Cooper to inform him that she had contacted HMRC directly and that not been able to pass security checks. She was informed that a letter was sent to HMRC on 27 June 2022 informing them of a change of address. Later, on 25 August 2022, Person A emailed Mr Cooper in which she referred to a telephone conversation. She stated the following in the email:

“Following our phone conversation, it is alarming to hear that you have not sent a letter to HMRC about my address as they say you have. Thank you for agreeing to call them now, and then call me back to let me know what they say. Hopefully, you can readjust my details to the above address so they are correct again, and HMRC are aware of the fraudulent letter.”

35.22 On 26 August 2022, Mr Cooper sent the following letter to HMRC:

“We understand from our telephone conversations that you have a letter purporting to change the address of the executor, [Person A], dated 27 June 2022.

Please note that we did not send such a letter. Her address remains as follows:

[Address 2]

Please could you correct this as a matter of urgency and provide us with a copy of the letter as this clearly raises concerns.

Should you have any questions please contact our Andrew Cooper at acooper@streater.co.uk or on 020 7034 4200."

35.23 Person A complained to the Firm about the handling of the estate of Person F. On 27 September 2022, there was a meeting between Mr Cooper, Mr Danaher and Ms Stapleton. During the meeting Mr Cooper was emailed a copy of the letter that he sent to HMRC in relation to Person A on 27 June 2022. The Firm located it as a deleted file in Mr Cooper's F-drive. Mr Cooper admitted that it was his address on the letter and that he had prepared and sent the letter to HMRC. He apologised for his actions. He stated that Person A was upset about the lack of progress on the matter and he felt that he could manage matters more effectively if he received correspondence to his home address.

Allegation 1.2 – The SRA's case on the alleged breaches

Principle 4 (Dishonesty)

35.24 Mr White submitted that Mr Cooper's conduct was dishonest by the ordinary standards of reasonable and honest people.

35.25 As to his state of mind, it was submitted that at the time that Mr Cooper sent the letter of 27 June 2022 to HMRC, he would have known or believed the following:

- Person A had not changed address.
- Person A had not instructed Mr Cooper to write to HMRC to notify them of a change of address.
- The address that was included in the letter was his own residential address.
- Person A had not signed the letter and had not instructed Mr Cooper to apply an electronic signature to the letter.
- Person A was unaware of the existence of the letter until she contacted HMRC directly in August 2022.

35.26 In the meeting at the Firm on 27 September 2022 Mr Cooper admitted that he created the letter personally therefore he would have known that he did not have Person A's consent to apply an electronic signature in her name and send the letter to HMRC. Person A had no knowledge that Mr Cooper drafted and sent the letter. Mr Cooper maintained the deception after Person A contacted him to inform him of her dealings with HMRC and the fact that she was unable to pass security checks because of the change of address. Mr Cooper deleted the letter and spoke with Person A and assured her that her that HMRC would be provided with the correct address.

35.27 Mr Cooper's letter to HMRC dated 26 August 2022 stated that no one from the Firm sent a letter to provide an alternative address for Person A and demanded that HMRC

should correct this error “*as a matter of urgency*”. In those circumstances, Mr Cooper’s conduct would be considered dishonest by the standards of ordinary decent people.

Principle 5 (Integrity)

35.28 It was submitted that Mr Cooper’s conduct had fallen below the standard expected of him as a legal professional and that he failed to act with integrity. A solicitor acting with integrity would ensure that he did not create documents containing misleading information and apply an electronic signature of a client to a letter without their consent. It was further submitted that Mr Cooper’s argument that he did so in order to better manage Person A’s case was implausible and would not excuse the failure to obtain Person A’s consent before sending this letter. In those circumstances, Mr Cooper breached Principle 5 of the Principles.

Principle 2 (Public Trust)

35.29 It was submitted that the conduct amounted to a breach by Mr Cooper to behave in a way which maintained the trust placed in him by the public in the provision of legal services. A member of the public would not expect a solicitor to send a letter containing untrue information to HMRC after applying an electronic signature of a client to the letter without their consent. The result of Mr Cooper’s conduct was that Person A was subjected to concern and inconvenience as her address has been changed without their knowledge or consent. In those circumstances, Mr Cooper breached Principle 2 of the Principles.

Paragraph 1.4 of the Code

35.30 Mr Cooper attempted to mislead HMRC by sending a letter containing untrue and misleading information on which he applied the electronic signature of Person A without consent. Given this state of knowledge, Mr Cooper’s conduct breached Paragraph 1.4 of the Code.

The Respondent’s case

35.31 The Respondent did not appear and was not represented.

The Tribunal’s Findings

35.32 The Tribunal considered the evidence presented to it, including oral submissions made during the hearing and the documentary exhibits. In reaching its findings the Tribunal also took into account the relevant provisions of the SRA Principles 2011, the Solicitors Accounts Rules 2011, the Principles, the Solicitors Accounts Rules 2019 and the Code.

35.33 The Tribunal considered Allegation 1.1. The Tribunal found on the balance of probabilities with reference to the FIR and the evidence of the FIO that Mr Cooper was responsible for making transfers from the Firm’s client account that resulted in a cash shortage at the Firm. The Tribunal found that Mr Cooper was responsible for the

cash shortage as a result of three unauthorised types of payments from the client account between 16 August 2019 and 20 September 2022.

- 35.34 First, the Tribunal found that Mr Cooper made payments to HMRC in respect of his personal tax liabilities in the sum of £76,652.82. The Tribunal found that Mr Cooper used his UTR when transferring money from the client account to discharge the personal tax liabilities. Secondly, the Tribunal found that Mr Cooper made several payments to clients and third parties contributing to the cash shortage on the client account. The Tribunal noted that there were over 80 unauthorised payments made by Mr Cooper. Thirdly, the Tribunal found that Mr Cooper contributed to the cash shortage when he made client to business bank transfers as set out in the FIR.
- 35.35 As a result of its factual findings the Tribunal considered whether Mr Cooper had breached Principle 2, Principle 6, Principle 10 of the SRA Principles 2011 and Principle 4, Principle 5, Principle 2 of the Principles and Rule 20.1(f) of the Solicitors Accounts Rules 2011 and Rule 5.1 of the SRA Accounts Rules 2019. Dishonesty was pleaded as an aggravating factor for conduct that occurred before 25 November 2019.
- 35.36 The Tribunal determined that Allegation 1.1 was found proved in all respects and that Mr Cooper breached all relevant Principles and Rules concerning Allegation 1.1.
- 35.37 The Tribunal considered dishonesty as an aggravating factor. The Tribunal considered Mr Cooper's state of mind when his conduct caused there to be a cash shortage on the client account. The Tribunal determined that Mr Cooper's conduct through making three types of unauthorised payments from the Firm's client account leading to a cash shortage would be considered dishonest by the ordinary standards of reasonable and honest people.
- 35.38 The Tribunal determined that Mr Cooper failed to act with integrity. A solicitor acting with integrity would not have made payments from the client account of the Firm without the consent of the relevant client. Such conduct failed to uphold trust and confidence in the legal profession. Members of the public would not expect a solicitor to knowingly make unauthorised transfers from the Firm's client account leading to a cash shortage.
- 35.39 The Tribunal considered Allegation 1.2. The Tribunal found that on the balance of probabilities Mr Cooper acted for Person A in the administration of the estate of Person F as an executor of the estate. The Tribunal found that on 27 June 2022, Mr Cooper sent a misleading letter to HMRC stating that there was a change of address for Person A and substituted his own residential address for that of Client A's. Mr Cooper inserted Person A's electronic signature onto this letter so that HMRC assumed that this letter was signed in the name of Person A. This fact was found by the Tribunal because the Firm located the letter as a deleted file on Mr Cooper's computer and he admitted to sending the letter during the meeting with the Firm on 27 September 2022.
- 35.40 The Tribunal found that Mr Cooper claimed ignorance of the letter both to Person A and the HMRC when he contacted Person A on 25 August 2022 and when he wrote to HMRC on 26 August 2022.

35.41 The Tribunal determined that Allegation 1.2 was found proved in all respects and that Mr Cooper breached the relevant Principles.

35.42 The Tribunal considered Principle 4 of the Principles and Mr Cooper's state of mind when he sent the misleading letter to HMRC. At the time that Mr Cooper sent the letter he would have known that he did not have Person A's consent to apply an electronic signature onto it, in circumstances where the contents of the letter were untrue. When Mr Cooper was contacted by Person A he presented that he had no knowledge of the letter and proceeded to delete it from his computer. The Tribunal determined that Mr Cooper's conduct would be considered dishonest by the standards of ordinary decent people. The Tribunal determined that Mr Cooper breached Principle 4 of the Principles.

35.43 The Tribunal considered Principle 5 of the Principles. The Tribunal determined that Mr Cooper failed to act with integrity i.e. with moral soundness, rectitude and steady adherence to an ethical code. A solicitor acting with integrity would not send a misleading letter to the HMRC substituting the client's address for his personal address after applying an electronic signature on behalf of his client without consent. The Tribunal determined that Mr Cooper breached Principle 5 of the Principles.

35.44 The Tribunal considered Principle 2 of the Principles. The Tribunal determined that a member of the public would not expect Mr Cooper to attach his client's electronic signature to a misleading letter which he sent to the HMRC without his client's consent. This misconduct admitted by Mr Cooper amounted to a breach by Mr Cooper to behave in a way which maintained the trust placed in him by the public in the provision of legal services. The Tribunal determined that Mr Cooper breached Principle 2 of the Principles.

35.45 The Tribunal considered Paragraph 1.4 of the Code. The Tribunal determined that Mr Cooper breached Paragraph 1.2 of the Code when he attempted to mislead HMRC by inserting Person As electronic signature onto the letter of 29 June 2022 containing misleading information without her consent.

Previous Disciplinary Matters

36. Mr Cooper had no previous disciplinary findings recorded against him.

Mitigation

37. No mitigation was advanced on behalf of Mr Cooper.

Sanction

38. The Tribunal had regard to its Guidance Note on Sanctions (11th edition – February 2025). The Tribunal's overriding objective, when considering sanction, was the need to maintain public confidence in the integrity of the profession. In determining sanction, it was the Tribunal's role to assess the seriousness of the proven misconduct and to impose a sanction that was fair and proportionate in all the circumstances.

39. The Tribunal found that Mr Cooper's motivation for his conduct was financial gain. His misconduct in Allegations 1.1 and 1.2 was calculated and deliberate. He was in a position of trust as a probate Partner and he breached the trust of his clients and the Firm. Mr Cooper was in direct control of his client files and had full responsibility for the circumstances leading to the misconduct. He was a Partner and therefore an experienced solicitor. Mr Cooper did not mislead his regulator but he did not engage with his regulator when it sought to investigate his conduct at the Firm.

40. The Tribunal determined that Mr Cooper's misconduct leading to the cash shortage caused great harm to the Firm. He was aware of the extent of the harm caused to the Firm as the cash shortage was over £1,000,000.00. Mr Cooper's misconduct caused harm to Person A when this client sought to deal with probate matters and HMRC. The Tribunal determined that Mr Cooper brought the reputation of the legal profession into disrepute and departed from the integrity, probity and trustworthiness expected of a solicitor. Mr Cooper continued to misrepresent the circumstances concerning Person A's probate matters after he sent the letter of 27 June 2022. This misconduct demonstrated the extent of the harm that was intended by Mr Cooper.

41. The Tribunal determined that Mr Cooper's misconduct was aggravated by his proven dishonesty. His misconduct was aggravated in that it was deliberate, calculated and repeated and took place over a period of three years. Mr Cooper abused his position of power and authority as a Partner in the Firm. He tried to conceal his misconduct when he deleted the letter of 27 June 2022 to HMRC. In his letter of 26 August 2022 to HMRC, Mr Cooper placed the blame for the change of address on HMRC. As an experienced Partner, Mr Cooper knew that the conduct complained of was in material breach of his obligations to protect the public and maintain public confidence in the reputation of his profession.

42. The Tribunal considered the relevant authorities including *Sharma and James* which emphasised that a finding of dishonesty would ordinarily result in striking off, save in exceptional circumstances. The Tribunal examined the dishonesty itself, considering its nature, scope, and extent and the degree of culpability before determining if there were any exceptional circumstances in this case. The Tribunal determined that no exceptional circumstances were identified in this case.

43. The Tribunal considered mitigating factors before imposing the appropriate sanction. The Tribunal determined that there were no mitigating factors that would mitigate the seriousness of Mr Cooper's misconduct.

44. Given the serious nature of the allegations, the Tribunal considered and rejected the lesser sanctions within its sentencing power such as no order, a reprimand, a fine or restrictions. The Tribunal decided that in view of the serious nature of the misconduct, the only appropriate and proportionate sanction was to strike Mr Cooper off the Roll of Solicitors.

Costs

45. Mr White, appearing on behalf of the SRA, presented the application for costs as set out in the Applicant's Schedule of Costs for Substantive Hearing dated 10 November 2025. The total costs claimed amounted to £38,731.29. He submitted

that the Part A. SRA costs in the sum of £9,451.29 constituted the costs that were necessary for Forensic Investigation. He referred the Tribunal to the Part B. Costs of Blake Morgan LLP at a fixed fee of £24,400.00 (plus VAT of £4,880.00). He submitted that the Part B. Costs were proportionate in this case. He referred the Tribunal to the breakdown of the time spent preparing for the case by James Danks and himself and submitted that he had spent approximately ten hours preparing for the Substantive Hearing.

The Tribunal's Decision on Costs

46. The Tribunal noted that under Rule 43(1) of the Solicitors (Disciplinary Proceedings) Rules 2019 it had 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 consider 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.
47. The Tribunal reminded itself of the principles established 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 relevant authorities confirming that costs should be moderated in appropriate circumstances.
48. Applying those principles, the Tribunal concluded that while the SRA was entitled to recover its costs in principle, a reduction was appropriate to reflect Mr Cooper's lack of engagement in proceedings and the overall proportionality of the claim. Accordingly, the Tribunal fixed the final costs order at £29,451.29.

Statement of Full Order

49. The Tribunal ORDERED that the Respondent, ANDREW BRIAN ALEXANDER COOPER, solicitor, be STRUCK OFF The Roll of Solicitors and it further Ordered that he do pay the costs of and incidental to this application and enquiry fixed in the sum of £29,451.29.

Dated this 13th day of January 2026
On behalf of the Tribunal

J. Johnston

J. Johnston
Chair