

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12752-2025

BETWEEN:

SOLICITORS REGULATION AUTHORITY LTD

Applicant

and

CLARE ELIZABETH FORSTER

Respondent

Before:
Mrs L Murphy (Chair)
Mr U Sheikh
Ms L Fox

Date of Hearing: 9 March 2026

Appearances

Jonathan White, Legal Director, of Blake Morgan LLP, of Apex Plaza, Forbury Road, Reading, RG1 1AX, for the Applicant.

David Taylor, Solicitor of Hanne & Co, The Candle Factory, 112 York Road, London SW11 3RS for the Respondent.

JUDGMENT

Allegations

1. The allegation against the Respondent, Clare Elizabeth Forster, made by the SRA is that, whilst in practice as a Solicitor at Hudgell Solicitors (“the Firm”):
 - 1.1 Between 8 June 2023 and 27 November 2023, she falsely recorded time for tasks she purportedly undertook on four client matters.

In doing so, she breached any or all of:

 - 1.2.1 Principle 2 of the SRA Principles 2019 (‘the Principles’).
 - 1.2.2 Principle 4 of the Principles.
 - 1.2.3 Principle 5 of the Principles; and
 - 1.2.4 Paragraph 1.4 of the Code of Conduct for Solicitors, RELs and RFLs (‘the Code’).

Proved

Executive Summary

2. The Respondent admitted falsely recording time on four client matters between June and November 2023 while employed as a clinical negligence solicitor at Hudgell Solicitors. The entries recorded work that had not been undertaken, and in one instance the Respondent falsely attributed the absence of a file note to an IT failure. An internal investigation identified approximately 99.9 hours of unsubstantiated time. The Tribunal was satisfied that the Respondent’s admissions were properly made and supported by the evidence.
3. Although the Tribunal accepted that the Respondent had experienced significant personal and mental health difficulties and had shown insight and remorse, the misconduct involved repeated and deliberate dishonesty over several months. Applying the established principle that dishonesty will ordinarily lead to strike-off unless exceptional circumstances are shown, the Tribunal concluded that the mitigation did not meet that threshold.

Sanction

4. The Respondent was struck off the Roll and ordered to pay costs of £25,000. The Tribunal’s reasons can be found [\[here\]](#)

Documents

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

Preliminary Matters

6. Prior to the hearing the Tribunal had considered two applications on the papers as follows:

- (i) the Respondent's application under Rule 30(3) SDPR 2019 to adduce the expert report of Dr Nimmagadda, and (ii) the SRA's contingent application to make submissions on sanction.

7. Respondent's Application

7.1 The Tribunal made the following decisions on 2 March 2026.

- The only live issue following the Respondent's admissions is whether exceptional circumstances arise to displace the usual sanction following a finding of dishonesty. It was noted that the Respondent's Answer gave notice that medical evidence would be relied upon.
- The Tribunal is satisfied that Dr Nimmagadda's report is capable of assisting on that issue and is therefore necessary for its proper consideration within the meaning of Rule 30(3). Questions of weight are for the substantive hearing.
- Permission is granted. The report is admitted.

8. SRA's Application

- In light of the report's admission, the SRA seeks permission to make submissions addressing those parts of the report said to stray into legal analysis relevant to exceptional circumstances. The Respondent does not oppose the application.
- The Tribunal considers this a proportionate case-management step and preferable to requiring the expert's attendance, which is unlikely to add materially to the issues in dispute.

8.1 Permission is therefore granted but limited strictly to submissions arising from the content of Dr Nimmagadda's report insofar as it relates to the issue of exceptional circumstances, and not beyond that.

Factual Background

9. The Respondent was admitted as a solicitor on 3 June 2019 and was employed by the Firm from 7 March 2022 as a clinical negligence solicitor.

10. The Firm's expectation was that fee-earners, at the level of the Respondent, should record 125 chargeable client matter hours per month, in order to achieve a target of 1500 client matter hours per year.

11. The Respondent's work was undertaken on an hourly rate basis, with the claim values ranging from £5000 to £50,000. None of the matters that the Respondent had conducted were undertaken on a fixed fee basis.

12. The Firm used a Case Management System (“CMS”) onto which time working on client files would be recorded and on which all employees are given training as part of their induction.
13. In August 2022, Ms Murgatroyd, the Respondent’s manager, noted that the Respondent was working late into the evening on client matters. Ms Murgatroyd raised this concern directly to the Respondent, who explained that she was aware that her time recording had not reached her target and that she was working late at night in order to meet the necessary time targets.

Witnesses

14. There was no live evidence.

Findings of Fact and Law

15. The Applicant was required to prove the allegations on the balance of probabilities. The Tribunal had due regard to its statutory duty, under section 6 of the Human Rights Act 1998, to act in a manner which was compatible with the Respondent’s right to a fair trial and to respect their private and family life under Articles 6 and 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms. The Tribunal had regard to, and applied the following tests in its fact-finding exercise:

Dishonesty

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

Integrity

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

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

Rule 12 Statement [[here](#)]

18. **Allegation 1.1: Between 8 June 2023 and 27 November 2023, she falsely recorded time for tasks she purportedly undertook on four client matters.**

The Applicant’s Case

- 18.1 It was said by Mr White that from the outset of the Respondent's employment, her time recording gave rise to concern. Between November 2022 and April 2023, she averaged only 87.7 chargeable hours per month, a shortfall of approximately 30% against the required target. Management first noted concerns as early as August 2022, when it was observed that she was working late into the evening in an attempt to meet those expectations.

- 18.2 Notwithstanding the emerging concerns, Mr White said the Firm adopted a supportive and measured approach to the Respondent's performance difficulties. She passed her probationary period and received guidance on improving her time-recording practices. A performance review conducted in January 2023 highlighted continued shortfalls, and by February it was apparent she was struggling to complete tasks within expected timeframes. In the same month, the Firm took the step of ceasing to allocate new cases to the Respondent, allowing her to focus on her existing caseload.
- 18.3 Ahead of her annual review in April 2023, consideration was given to placing the Respondent on a formal Performance Improvement Plan (PIP). That step was, however, deferred for a further two months in order to afford her additional time to demonstrate improvement. During this period, the Respondent was set a reduced target of 100 chargeable hours for June 2023, rising to the standard 125 hours for July 2023, both of which she recorded. Ms Repanos, who had recently assumed the role of Head of Clinical Negligence, held an informal meeting with the Respondent and explicitly reassured her that, given her lower hourly rate compared with Grade A fee earners, it was entirely acceptable for tasks to take her longer to complete.
- 18.4 Despite this ongoing support, concerns resurfaced in July 2023 when it was noted that the Respondent had recorded significantly fewer hours than expected on a number of days. As a result, she was formally placed on a PIP with effect from 1 August 2023, overseen by Ms Repanos. The Respondent subsequently reported personal difficulties in October, which led to a short period of sick leave. Whilst her managers responded with sympathy, her time recording deteriorated further during this period.
- 18.5 Against this background, Mr White said the Applicant alleged a planned and repeated course of dishonest conduct on the Respondent's part, comprising four distinct instances of false time recording, all of which the Respondent admitted.
- 18.6 The first instance arose on 6 November 2023, when the Respondent recorded 43 units of time on a client matter. When subsequently questioned about the absence of a corresponding file note, she represented to management that the note had been lost as a result of an IT issue. On 21 November 2023, she sent an email to management asserting that she had retrospectively dated the note. She later admitted, however, that the work had never been carried out and that the IT issue was a fabrication deployed as a post-hoc explanation.
- 18.7 The second instance involved the recording of 12 units in late November 2023 for the purported drafting of a 'Stage 2 pack'. Upon review, a manager discovered that all documents within the relevant case management system were entirely blank, revealing that no substantive work had in fact been performed.
- 18.8 The third instance predated the PIP and concerned an entry recorded on 8 June 2023, in which the Respondent recorded 55 units for an attendance note. The document was subsequently found to contain nothing beyond the date and file reference number, with no substantive content whatsoever.
- 18.9 The fourth instance occurred on 23 November 2023, when the Respondent recorded 16 units for work purportedly carried out on three separate documents. Investigation

revealed that none of those documents had been accessed or amended by the Respondent.

- 18.10 Matters came to a head at a meeting on 30 November 2023, at which the Respondent made further admissions. She confirmed that she had falsely recorded time across several matters and disclosed that she had maintained a list of files in respect of which she had done so. A subsequent internal investigation conducted by the firm identified 99.9 hours of recorded time that could not be substantiated, all of which were accordingly removed.
- 18.11 A pattern of late-night-time recording was also identified during the Firm's review of the Respondent's entries, which was consistent with the fabrication of entries outside normal working hours. When questioned about the blank documents, she admitted that she had recorded time for work she had intended to complete later, attributing her conduct to the pressure of meeting time-recording targets.
- 18.12 Throughout the SRA's subsequent investigation, the Respondent accepted her conduct and provided explanations relating to her health and personal circumstances. Her admissions remained consistent, and her representative formally accepted the allegation in response to the SRA's Notice, supported by medical evidence. The SRA decided to refer the matter to the Solicitors Disciplinary Tribunal on 13 December 2024.
- 18.13 As to the regulatory breaches, Mr White submitted that the Respondent's conduct constituted breaches of Principles 2, 4 and 5 of the SRA Principles 2019, and Paragraph 1.4 of the Code of Conduct for Solicitors.
- 18.14 In respect of dishonesty (Principle 4 and Paragraph 1.4), the SRA applied the test established in *Ivey v Genting Casinos* [2017] UKSC 67. It was submitted that the Respondent was fully aware that she had not carried out the work she purported to record, that she was falling short of the Firm's performance targets, and that she deliberately created a false impression of productivity. Mr White contended that ordinary decent people would regard such conduct as dishonest.
- 18.15 In respect of integrity (Principle 5), it was submitted that a solicitor of integrity would have engaged honestly with the PIP process, even where doing so was to her personal and professional detriment by exposing the true extent of her failure to meet the required targets.
- 18.16 In respect of public trust (Principle 2), it was said that accurate time recording is a fundamental professional obligation, particularly where client billing is conducted on an hourly-rate basis. The Respondent's conduct undermined the trust which the public and clients must be able to place in solicitors and, more broadly, damaged the reputation of the legal profession as a whole.

The Respondent's Case

- 18.17 The Respondent admitted the allegation in full. However, she sought to place her conduct in context and relied upon mitigating circumstances, set out below.

The Tribunal's Findings – Allegation 1.1

- 18.18 The Tribunal acknowledged the burden of proving its case fell solely upon the Applicant and the standard of proof was the balance of probabilities.
- 18.19 The Tribunal carefully considered the Respondent's admissions, and it was satisfied that the admissions were properly made and supported by the evidence before the Tribunal. In reaching its conclusions, the Tribunal examined the admissions in detail and treated them as an accurate reflection of the matters admitted.

Previous Disciplinary Matters

19. None

Applicant's Submissions on Sanction

Permission having been granted: (see preliminary matters above)

20. Mr White submitted that dishonesty by a solicitor was to be regarded with the utmost seriousness. Established authority made clear that a finding of dishonesty almost invariably resulted in a strike-off, save only in cases where genuinely exceptional circumstances were demonstrated. The protection of the public and the preservation of confidence in the solicitors' profession remained the Tribunal's paramount considerations. The Tribunal's guidance notes on sanction reflected this position, and the burden fell upon the Respondent to establish that such exceptional circumstances existed in her case.
21. The Respondent's culpability was high. The misconduct was not a momentary lapse, but a pattern of behaviour repeated on four separate occasions over a period of five months. It was accompanied by an element of deliberate concealment, most notably the fabrication of an IT issue to account for a missing file note relating to work that had never in fact been performed. The Respondent had been qualified for approximately four years at the material time and was therefore sufficiently experienced to understand the standards required of her and the gravity of her conduct.
22. The Respondent relied upon a psychiatric report in mitigation, contending that her mental health difficulties at the material time constituted exceptional circumstances. Mr White did not challenge the clinical findings themselves but submitted that the report was of limited assistance in determining the appropriate sanction. While the report identified periods during which the Respondent's judgment might have been impaired, it did not conclude that she lacked awareness of her actions or the capacity to understand their dishonest nature. Nor did it suggest that any such impairment was continuous throughout the full five-month period during which the misconduct occurred. It was further observed that the author of the report, whilst clinically expert, did not appear to have experience in professional disciplinary matters or familiarity with the legal authorities and guidance notes governing solicitor sanctions.
23. Mr White drew particular attention to the Respondent's voluntary admission to the Firm in November 2023, at a time when her health was said to be at its lowest. He submitted that this demonstrated she had retained the capacity to act honestly throughout the

relevant period, and it therefore undermined any suggestion that her mental health difficulties had rendered her incapable of honesty during the preceding months. Referencing the authorities of *Sharma* and *James*, he contended that workplace pressure and personal health difficulties did not, in the context of their relationship to the specific acts of misconduct, amount to exceptional circumstances, and that less weight should be attached to personal mitigation than to the nature and extent of the dishonesty itself.

24. Concerns were also raised by Mr White regarding the reliance placed in the report of observations by a therapist, Mr Parkes, who had not been called as an expert witness. His opinions as to alleged shortcomings on the part of the Firm were not supported by the evidence. The Firm's witnesses had given clear and unchallenged testimony, the Respondent having not required them to attend for cross-examination, and there was no evidential basis upon which to conclude that any failing by the firm had contributed to or explained the dishonest conduct. Even if such failings were to be established, Mr White's secondary position was that they would not constitute exceptional circumstances sufficient to displace the ordinary consequence of a finding of dishonesty.
25. In all the circumstances, Mr White submitted that the threshold for exceptional circumstances had not been met. The nature, repetition, and deliberate concealment of the misconduct, taken together with the Respondent's level of experience, rendered this a serious case that significantly undermined public confidence in the profession. Whilst the Respondent's personal circumstances attracted genuine sympathy, they did not displace the principled starting point applicable to dishonest conduct. Accordingly, the SRA contended that strike-off was the appropriate and necessary sanction.

Mitigation

26. Mr Taylor appeared on behalf of the Respondent and advanced detailed submissions in mitigation. He invited the Tribunal to conclude that the circumstances of this case fell within the narrow residual category, recognised in *The Law Society v Salsbury* [2008] EWCA Civ 1285, in which striking off would be a disproportionate sanction notwithstanding a finding of dishonesty.
27. The starting point, Mr Taylor acknowledged, was the well-established principle from *Bolton v Law Society* [1994] 1WLR 512 that dishonesty ordinarily left no room for any outcome short of removal from the Roll. However, he submitted that the facts of this case were sufficiently exceptional to engage the qualification to that principle. He drew further support from *SRA v Sharma* [2010] EWHC 2022 (Admin), which confirmed that the Tribunal was required to consider the nature, extent, and duration of the dishonesty; whether it was momentary or sustained; whether the solicitor had derived personal benefit; and whether harm had been caused to others. He also referred to *SRA v Imran* [2015] EWHC 2572 (Admin) and *SRA v James* [2018] EWHC 3058 (Admin) in support of the proposition that mental health difficulties and workplace pressures could meaningfully reduce culpability and, in appropriate cases, bring a matter within the exceptional category.
28. The Respondent had faced significant personal challenges. This had had a profound and lasting impact upon her mental health, which had materially affected her ability to concentrate and to function effectively in the workplace. Those difficulties were

substantiated by a report which the Tribunal had read. The report described her as an honest and self-deprecating individual who had been simply overwhelmed, and it concluded that her mental state at the material time had a significant causal connection to her behaviour. Mr Taylor argued that the Tribunal ought to give that conclusion appropriate weight, coming as it did from a respected medical practitioner.

29. Against that personal background, Mr Taylor described the professional environment in which the Respondent had been working. In January 2023, her employer had imposed what she considered to be unreasonable and oppressive demands, requiring staff to log their activities in detail throughout the working day. This was shortly followed by the introduction of an informal PIP. Given her already fragile mental state and the absence of any meaningful support at home, the imposition of the PIP caused a further deterioration in her self-esteem and sense of self-worth.
30. In May 2023, following a change in the Head of Department, the previously informal PIP was formalised, and the Respondent was thereafter required to record in excess of 6.5 billable hours per day, equivalent to approximately 130 hours per month. Mr Taylor contrasted that figure with the Law Society's recommended annual target of 1,100 billable hours, which equated to some 91.6 hours per month, characterising the Firm's requirement as significantly and unreasonably elevated.
31. Mr Taylor submitted that the combination of the Respondent's compromised mental health and the escalating pressures of the PIP had created an overwhelming situation. He noted that her time-recording patterns, which included entries made late at night and at weekends, ought to have been a red flag to her employer that she was struggling. Despite having been aware, or as a responsible employer having ought reasonably to have been aware, of the Respondent's deteriorating wellbeing, the Firm had made no adjustments or allowances on her behalf. Mr Taylor invited the Tribunal, drawing on their own experience as solicitors, to consider what constituted reasonable management of junior members of staff and it was in that context, Mr Taylor argued, that the false time recording had to be understood.
32. He said that no client had been adversely affected and that the inaccurate entries had never reached a final invoice. The Respondent had derived no personal or financial benefit from the conduct beyond the continuation of her employment and the receipt of her ordinary salary. The misconduct was short-lived, isolated, and had not materially affected the standing of the profession, as no client had ever been made aware of it.
33. Mr Taylor referred to the Respondent's early admissions and full cooperation. She had admitted the wrongdoing promptly, including at the outset of the SRA's investigation, and had made no attempt to obfuscate the position once the issues were raised. He acknowledged that the dishonesty had not been confessed immediately and suggested that her impaired rational thinking at the material time had made it difficult to confront matters at once, as those in significant distress often harboured the hope that the situation might resolve itself.
34. However, once confronted, she had been entirely candid and had remained so throughout.
35. As to the Respondent's experience, Mr Taylor took issue with any characterisation of her as a seasoned practitioner. He described her as a young and vulnerable person with

approximately four and a half years of post-qualification experience, which he submitted was not particularly extensive and had contributed to her inability to manage the professional pressures she had faced.

36. Mr Taylor acknowledged that the Respondent had not worked in the legal sector for over two years since her dismissal. Having regard to that period of effective hiatus and applying the principle derived from *Fuglers & Ors v SRA* [2014] EWHC 179 that the Tribunal should impose the least severe sanction capable of protecting the public interest, he submitted that a short suspension, or potentially a suspended suspension, would adequately reflect the seriousness of the misconduct. Such a sanction, he argued, would be proportionate to a case in which culpability was substantially diminished, no harm had been caused, cooperation had been full and consistent, and compelling medical evidence pointed to the Respondent's genuinely compromised state of mind at the relevant time.

Sanction

37. The Tribunal had regard to the Sanctions Guidance (11th Edition, February 2025) and the structured approach endorsed in *Fuglers*.
38. The Tribunal gave careful consideration to the Respondent's culpability. It found that her misconduct arose primarily from personal motivation rather than financial gain. She had been placed, or was facing placement, on a PIP, and her actions appeared to have been driven by a desire to preserve her employment. Whilst her initial conduct may have arisen spontaneously as a reaction to an apprehension that she would be dismissed, this was overtaken by a more deliberate and sustained course of conduct. Over a period of approximately five months, her behaviour crystallised into a planned approach involving repeated acts of falsifying timesheets across multiple client files, accompanied by an element of concealment through an untrue explanation that an IT failure had caused the loss of the relevant file note.
39. Although the Respondent did not act in breach of a position of trust, she exercised direct control and responsibility over the circumstances giving rise to the misconduct. She had four years' post-qualification experience and, whilst junior by comparison with partners and more senior colleagues, was sufficiently experienced to understand the fundamental obligations of a solicitor. The Tribunal observed that even with only four years' PQE, a solicitor would be expected to know that falsifying timesheets and acting dishonestly constituted a serious breach of professional standards. The Tribunal concluded that the Respondent's overall culpability was moderate to high, reflecting the deliberate, repeated, and planned nature of her conduct.
40. The Tribunal assessed the harm caused by the misconduct. Whilst no client suffered actual financial or procedural loss, this was regarded as a matter of luck rather than judgment. The Respondent had maintained a detailed record of the false time entries, a fact which cut both ways: on the one hand it indicated that the misconduct was methodical and planned, undermining any suggestion of a spontaneous lapse; on the other, it enabled the firm to trace the affected client matters and ensure that no client ultimately suffered loss. Solicitors who act dishonestly inevitably risk damaging public confidence in the profession, and this was harm the Respondent ought reasonably to

have foreseen, consistent with the principles set out in *Bolton*. Taking these matters together, the Tribunal assessed the harm caused as moderate to high.

41. Several aggravating features were identified. There was dishonesty, it was deliberate, calculated, and repeated. Whilst the Respondent had initially sought to attribute her actions to an IT problem, that explanation fell away. There was no evidence of coercion by or the involvement of others, and the Tribunal concluded she knew, or ought to have known, that her conduct constituted a serious breach of her obligations to protect the public and maintain the reputation of the profession.
42. As to mitigating features, the Tribunal recognised that no third party had influenced the Respondent by coercion or deception. Her maintenance of a record of the false entries had, in practice, mitigated the potential impact on clients. The Tribunal also accepted that there was substantial mitigation in the form of a deterioration in her mental health, difficult personal circumstances arising from a prolonged abusive relationship, and significant workplace pressure.
43. The Tribunal noted that no character references had been submitted on her behalf though it accepted that the Respondent had acted against her normal character and that she had shown insight and remorse, making full admissions of her misconduct, and had not sought to mislead the regulator. These were all relevant mitigating factors. However, the Tribunal emphasised that insight, remorse, and personal mitigation could not completely offset the seriousness of deliberate and prolonged dishonesty.
44. Applying the principles in *Sharma*, the starting point for proven dishonesty was strike-off unless exceptional circumstances existed. The Tribunal also considered *James*, which made clear that mental health difficulties and workplace pressures are rarely sufficient to justify a lesser sanction. For these factors to count as exceptional, they must be at the heart of the misconduct, so that the dishonesty cannot be understood without reference to them. Mental health issues that arise as a reaction to the misconduct, or as a consequence of covering it up, do not qualify.
45. In the Respondent's case, there was no doubt that while her state of mental health had fluctuated it had not done so to the extent that her capacity for rational decision-making had been degraded throughout the relevant period and not to the extent where she had not appreciated the difference between honest or dishonest conduct. There may have been isolated instances of clouded judgment, but these did not rise to a level that would have impaired her ability to distinguish right from wrong.
46. Further, this was not a case of a momentary lapse in which corrective action had been taken quickly. The misconduct was sustained over five months, involved multiple client matters, and included deliberate concealment. Whilst the mitigation was genuine and substantial, it was not sufficient to bring the case within the very small residual category in which striking off would be disproportionate.
47. The Tribunal acknowledged that this was a sad case and expressed sympathy for the Respondent's personal circumstances and the human pressures that had contributed to her conduct. It emphasised, however, that individuals bore a professional responsibility to seek assistance before actions spiralled into serious misconduct.

48. Applying the duty to maintain public confidence in the profession, the Tribunal concluded that the only appropriate sanction was that the Respondent be struck off the Roll.

Costs

49. Mr White applied for the Applicant's costs in the total sum of £36,817.50. The breakdown of those costs was as follows:
- Investigation Costs (Part A): £7,537.50 in respect of the SRA's internal investigation and supervision up to the point of referral.
 - Proceedings Costs (Part B): £29,280, comprising a fixed fee of £24,400 for the instructed firm, Blake Morgan, together with VAT.
50. Mr White advanced that the costs claimed were reasonable and proportionate having regard to the nature of the case. He submitted that, notwithstanding the Respondent's admissions, the SRA had remained under a legal burden to prove the matters alleged and to satisfy the Tribunal that the admissions had been properly made and that the Tribunal had been the proper forum to hear the matter, given the allegations of dishonesty and that the potential sanctions available exceeded the SRA's internal powers, rendering the matter an appropriate one for referral to the Tribunal.
51. Mr Taylor, did not challenge the principle that costs were due but addressed the Tribunal on quantum and the Respondent's ability to pay. The Respondent relied upon a comprehensive statement of means, which had been filed with the Tribunal, in order to demonstrate the extent of her financial hardship.
52. Mr Taylor drew the Tribunal's attention to the fact that, whilst the Respondent held unencumbered ownership of a property, her monthly disposable income was relatively modest. He submitted that the Tribunal ought to assess her ability to pay by reference to her monthly surplus income rather than the equity held in her home.
53. He argued that, given the limited nature of the Respondent's monthly surplus, it would not have been practicable for her to secure a loan against the equity in her property or to meet the repayments on any such borrowing. It was confirmed that the Respondent resided at the property with her partner.

Tribunal's Decision on Costs

54. The Tribunal considered its discretion under Rule 43 of the Solicitors (Disciplinary Proceedings) Rules 2019.
55. The Tribunal was satisfied that the proceedings had been properly brought and that, in principle, it was appropriate that the Applicant recover its costs, subject to the question of quantum.
56. Neither party sought a detailed assessment and the Tribunal therefore proceeded by way of summary assessment. By its nature this required the Tribunal to adopt a broad-brush approach, standing back and considering the matter in the round.

57. The Tribunal noted that the Applicant claimed a global figure of £36,817.50. Although the fixed fee charged by Blake Morgan represented the lowest level available within its scale, the Tribunal considered that the figure remained high when viewed against the nature of the case.
58. Standing back and considering the matter as a whole, the Tribunal did not regard the case as being factually or legally complex. The documentation was limited, the factual background was agreed, and the hearing lasted less than a day. Admissions had been made at a very early stage and no witnesses were required. In those circumstances it was difficult to see why the investigation required the level of work reflected in the costs claimed. The Tribunal also considered it likely that some of the material relied upon had originally been prepared in the course of the Applicant's internal investigation.
59. In substance, the only issue which required determination by the Tribunal concerned the Respondent's case on exceptional circumstances, including consideration of the medical evidence relied upon in support of that submission.
60. Taking all matters into account the Tribunal was not satisfied that the sum claimed represented a reasonable and proportionate figure in the circumstances of this case and that some reduction was required.
61. The Tribunal also had regard to the Respondent's means. The Respondent's income was modest and produced a monthly surplus of approximately £400. However, the Tribunal noted that the Respondent owned her property free from any encumbrance and therefore had access to capital resources. The Tribunal was satisfied that she could not properly be described as impecunious.
62. Balancing all relevant factors, the Tribunal determined that a costs order in the sum of £25,000 was appropriate. This represented broadly 70% of the amount claimed and reflected the Tribunal's assessment of what was reasonable and proportionate in the circumstances of the case.

Statement of Full Order

63. The Tribunal ORDERED that the Respondent, CLARE ELIZABETH FORSTER, solicitor, be STRUCK OFF the Roll of Solicitors and it further Ordered that she do pay the costs of and incidental to this application and enquiry fixed in the sum of £25,000.00.

Dated this 18th day of March 2026

On behalf of the Tribunal

L. Murphy

L. Murphy
Chair