SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974 Case No.12756-2025

BETWEEN:

ISOBEL STANDING Applicant

and

SOLICITORS REGULATION AUTHORITY LTD Respondent

Before:

Ms A Banks (in the chair)
Mrs A Sprawson
Ms L Fox

Date of Hearing: 18 August 2025

Appearances

Gregory Treverton- Jones KC, counsel of 39 Essex Chambers, 81 Chancery Lane, London WC2A 1DD for the Applicant.

Louis Weston, counsel of The Outer Temple, 222 Strand, London WC2R 1BA instructed by the Solicitors Regulation Authority Ltd, The Cube, 199 Wharfside Street, Birmingham B1 1EN for the Respondent.

JUDGMENT ON AN APPLICATION FOR REVIEW OF A S43 ORDER

The Legal Framework

1. The Tribunal's Guidance Note on other powers of the Tribunal (7th Edition – February 2025) contained details of its jurisdiction and its approach to reviewing and revoking S.43 Orders:

> *"(9) The Tribunal has jurisdiction under Section 43(3) and (3A) of the Act to decide an application by the person subject to a Section 43 Order or by the SRA for review of that Order (Section 43(3)(a)). In addition, the Tribunal having made a Section 43 Order, may at any time revoke it (Section 43(3)(b)). Under Section 43(3A) the Tribunal may order:*
>
> *(a) the quashing of the order;*
> *(b) the variation of the order; or*
> *(c) the confirmation of the order;*
>
> *and where in the opinion of the Tribunal no prima facie case for quashing or varying the order is shown, the Tribunal may order its confirmation without hearing the applicant. The Tribunal, on hearing any application under Section 43(3) may make an order for the payment of costs by any party to the application.*
> *...*
> *(11) A Section 43 Order has a regulatory function, not a punitive function. That is why the Order is of indefinite duration, subject to review and revocation as set out at paragraph 9 above. The purpose of the Order is to safeguard the public and the reputation of the legal profession by ensuring that certain steps in relation to employment can be taken."*
>
> *(12) If the SRA made the original Section 43 Order an application for it to be revoked must be made to the SRA (see Section 43(3)(b)). If the SDT made the original Order then an application for revocation of the Order must be made to the SDT (see Section 43(3)(b))".*

2. Given that the S.43 Order was made by the SRA, the Tribunal's jurisdiction was limited to carrying out a review, with power to (a) quash the order, (b) vary the order, or (c) confirm the order.

Background

3. By an application dated 24 April 2025, Ms Standing applied to the Tribunal for a review of an order made on 26 March 2025 by an SRA Adjudicator, pursuant to Section 43(2) of the Solicitors Act 1974 ("the S.43 Order").

4. The Adjudicator found two allegations proved, namely:

   (i) Between 2 and 13 October 2023, Ms Standing had submitted multiple time recording entries which were inaccurate and/or misleading and provided explanations when questioned which were inaccurate and/or misleading; and

(ii) Between 2 and 6 October 2023, Ms Standing had submitted inaccurate overtime claims.

5. The Adjudicator found that Ms Standing's conduct in respect of both allegations had been dishonest.

6. The grounds for the application were that:

(i) the finding of dishonesty was both (a) unjust as a result of a serious procedural error, and/or (b) was wrong in any event; and

(ii) the reasoning leading to the findings on Allegations 1 and 2 was seriously flawed, meaning that each finding was wrong.

7. Mr Treverton-Jones KC submitted that the dishonesty findings were unfair and contrary to authority as Ms Standing was not given an opportunity by the Adjudicator to have an oral hearing. In representations made on Ms Standing's behalf dated 19 December 2024, it was stated:

> *"No ADM can safely decide on the balance of probabilities what [Ms Standing's] subjective belief was and without a finding as to her subjective belief there can be no finding of dishonesty. The burden rests with the SRA to prove the misconduct. It cannot be proven on the papers ... If the ADM remains concerned that the allegation should be tested further, the proper course of action would be to refer the matter to the SDT. A decision to find the allegation of dishonesty proven without at least having [Ms Standing's] evidence heard orally and tested properly in a Tribunal would be manifestly unjust. Save in the clearest of cases, it cannot be right that any legal professional, certainly not one at the commencement of their career, is subject to a decision concerning their subjective belief without ever having had the chance of giving evidence and being tested on that. "*

8. Those submissions were not addressed in the Adjudicator's decision. Mr Treverton-Jones KC submitted that it was fundamentally unfair for the Adjudicator to reject Ms Standing's representations without offering her an oral hearing. The Tribunal was referred to Youssef v SRA [2018] EWHC 211 (Admin) at [99]:

> *"In summary, therefore, when the SRA are deciding whether it is satisfied as to an applicant's character and suitability as a solicitor, fairness requires an oral hearing when material facts are in dispute which cannot fairly be resolved on the basis of the documentation available or when a significant explanation or mitigation is advanced which needs to be heard orally in order fairly to determine its credibility. When considering whether the applicant has acted dishonestly, if such factual issues arise or such an explanation is advanced, fairness requires that an opportunity should be provided to give evidence on such matters orally except when oral evidence could truly make no difference. An applicant may decide not to take advantage of such an opportunity but it is one that he or she should be offered."*

9. In its Response to the application, the SRA stated that the application to quash the S.43 Order was not opposed. The SRA invited the Tribunal to remit the matter back to an Adjudicator for reconsideration. During the hearing, the SRA confirmed that the application to remit was abandoned as it was accepted that the Tribunal had no power to remit the case back, its powers being as defined above, namely, to quash, vary or confirm the S.43 Order.

The Tribunal's Decision

10. The Tribunal found that this was a case in which fairness required the Adjudicator to have offered Ms Standing an oral hearing. There were material facts in dispute that could not fairly be resolved on the available documentation, and Ms Standing had provided explanations which required an oral hearing to assess credibility.

11. The Tribunal found that in failing to offer Ms Standing an oral hearing, there had been a serious procedural error. Accordingly, the application for the S.43 Order to be quashed was granted.

Costs

The Applicant's submissions on awarding costs in principle

12. Mr Treverton-Jones KC submitted that given the SRA's position on the substantive application, the only issue between the parties was the correct order as to costs. In making any determination as to costs, the Tribunal was required to consider whether the principles in Baxendale-Walker v The Law Society [2007] EWCA Civ 233 applied.

13. It was Mr Treverton-Jones KC's primary position that Baxendale-Walker did not apply to a costs decision in this matter, thus costs should follow the event. Baxendale-Walker observed:

> *"As Bolton demonstrates, identical, or virtually identical considerations apply when the Law Society is advancing the public interest and ensuring that cases of possible professional misconduct are properly investigated and, if appropriate, made the subject of formal complaint before the Tribunal. Unless the complaint is improperly brought, or, for example, proceeds as it did in Gorlov, as a "shambles from start to finish," when the Law Society is discharging its responsibilities as a regulator of the profession, an order for costs should not ordinarily be made against it on the basis that costs follow the event. The "event" is simply one factor for consideration. It is not a starting point. There is no assumption that an order for costs in favour of a solicitor who has successfully defeated an allegation of professional misconduct will automatically follow. One crucial feature which should inform the Tribunal's costs decision is that the proceedings were brought by the Law Society in exercise of its regulatory responsibility, in the public interest and the maintenance of proper professional standards."*

14. Baxendale-Walker, it was submitted, was a decision arising from first instance disciplinary proceedings prosecuted by the SRA. The decision in that matter was handed down on 15 March 2007. This preceded the SRA's in house powers, the Legal

Services Act not being in force until 1 October 2007. Accordingly, the decision in Baxendale-Walker was not contemplating or referring to appeals from in-house SRA decisions, as those powers did not exist at the time. Further, there was nothing in the Judgment that suggested that the court had considered the Tribunal's jurisdiction under Section 43 of the Act.

15. The present matter concerned a regulatory decision of the SRA in respect of which Parliament had provided for a review to the Tribunal. Accordingly, it was submitted, the public policy considerations set out in Baxendale-Walker above, did not apply. Mr Treverton-Jones KC submitted that in Arslan v SRA [2016] EWHC 2862 (Admin) Leggat J (as he then was) approved the principle that in such cases, the Tribunal should apply, by analogy, the provisions of CPR 52.11 relating to reviews, and should only interfere with a decision where that decision was wrong or unjust due to a serious procedural or other irregularity:

> *"I turn to the nature of the Tribunal's task in conducting a review under section 43(3) and an appeal under section 44E. It is not in dispute that the Tribunal was correct to hold that, in both cases, the proper approach was to proceed by way of a review and not a re-hearing. As for what such a review involves, the Tribunal accepted submissions made to it by Ms Emmerson that its function was analogous to that of a court dealing with an appeal from another court or from a tribunal and that it should apply by analogy the standard of review applicable to such appeals which is set out in rule 52.11 of the Civil Procedure Rules. Rule 52.11 makes it clear that a court or tribunal conducting a review should not generally receive new evidence that was not before the original decision-maker, although it may do so if justice requires it; and it should interfere with a decision under review only if satisfied that the decision was wrong or that the decision was unjust because of a serious procedural or other irregularity in the proceedings."*

16. Accordingly, Mr Treverton-Jones KC submitted, in order for an Applicant to successfully contest an in-house decision imposing a S.43 Order, the Applicant would have to demonstrate that something seriously wrong had occurred in the making of that decision. Given that hurdle, the correct test to apply was that costs followed the event.

17. Mr Treverton-Jones KC submitted that the position on an appeal of a Tribunal decision to the High Court was that the ordinary rule applied, namely that costs followed the event. In Bass & Ward v SRA [2012] EWHC 2457 (Admin) Bean J stated at [43]:

> *"In my judgment, the decision in Baxendale-Walker does not govern costs on appeal, and therefore there is no reason in principle why Mr Bass and Mr Ward should not recover costs on the appeal."*

18. Further, the case of Andrew v SRA (Case No. 12430-2023) was an appeal to the Tribunal by Mr Andrew against an internal decision of the SRA. The Tribunal's Judgment recorded at [61] that Ms Sheppard-Jones (counsel for the SRA) *"did not object to the principle of costs following the event, but invited the Tribunal to scrutinise the costs claimed in the usual way."*

19. Mr Treverton-Jones KC submitted that whilst the decision in Andrew related to an appeal, the same considerations should apply when the Tribunal was reviewing the imposition of a S.43 Order.

20. The SRA stated in its Response:

> *"an adjudication decision is not an SRA decision but it is a decision of an independent tribunal."*

21. That assertion, it was submitted, was hopeless given the statutory regime; the SRA was the statutory decision maker. It could not be said, in any meaningful sense, that Adjudicators were independent of the SRA. They were SRA employees, inducted and trained by the SRA, and the SRA was liable for any torts committed by its Adjudicators during their employment.

22. Mr Treverton-Jones KC directed the Tribunal to the SRA Application, Notice, Review and Appeal Rules which stated in its introduction:

> *"These rules make provision for all notices given by the SRA and applications made to it under the SRA's rules and regulatory arrangements. They also make provision for internal reviews and external appeals against our disciplinary and regulatory decisions." (emphasis added)*

23. The fact that the SRA had separated its adjudicatory function from its advisory function did not make Adjudicators independent in law; they remained a part of the SRA and their decisions were the decisions of the SRA. Mr Treverton-Jones KC submitted that once the fallacious assertion of independence was eliminated, it was obvious that costs should follow the event.

24. Mr Treverton-Jones KC submitted that even if the Tribunal found that Baxendale-Walker did apply, the result would be the same, namely that Ms Standing should recover her costs. The SRA accepted that the decision reached by the Adjudicator, was unfair. In SRA v Tsang [2024] EWHC 1150 (KB) (Admin) Eyre J stated at [74]:

> *"It is clear that the fact that proceedings were not properly brought can be a good reason for the making of a costs order. I am satisfied that a finding that the proceedings were brought on a basis which was fundamentally misconceived as a matter of law can be a good reason for a costs order. This is so even if the proceedings are brought in good faith and even if the SRA took a different view as to the law from that ultimately adopted by the Tribunal."*

25. The SRA, it was submitted, had conceded the appeal without seeking to argue that the decision of the Adjudicator was justified. That, of necessity, involved a concession by the SRA that either the decision was wrong, or that there was a serious procedural irregularity. On either basis, there was good reason to award costs to Ms Standing.

The Respondent's Submissions on costs in principle

26. Mr Weston submitted that the appropriate order was no order as to costs. Fundamentally, eliding the role and function of the Adjudicator with that of the SRA was obviously and seriously wrong.

27. The Law Society was the approved regulator for the profession. The SRA was appointed by the Law Society to carry out the Society's functions *"relating to monitoring, securing or enforcing compliance by regulated persons with requirements imposed by primary or secondary legislation, including for the avoidance of doubt, rules regulations and guidance made by the SRA or its predecessor …"*

28. Pursuant to its Regulatory and Disciplinary Procedure Rules, the SRA had authorised an Adjudication Panel or an Adjudicator to make decisions in relation to certain matters and cases. Adjudicators were drawn from the Adjudication Panel which was defined as *"a panel of lay and legally qualified persons engaged by the SRA for the purpose of making regulatory decisions, and whose adjudication work is functionally separate to the work of the SRA's operational functions, including its investigation, supervision and authorisation functions."*

29. Mr Weston submitted that the decisions of an Adjudicator were independent of the SRA. The Adjudicators played no part in any investigation, and the SRA had no influence upon their decision.

30. In cases considered by Adjudicators, the Adjudicators had the power to award up to a maximum sum of fixed costs against a person subject to disciplinary sanction, but had no power to award costs against the SRA. On a review of an Adjudicator's decision, the SRA was again protected from any costs award.

31. The Tribunal's powers in relation to costs were set out in Section 47(i) of the Solicitors Act 1974 which empowered the Tribunal to make an inter party costs order, and Rule 43 of the Solicitors (disciplinary Proceedings) Rules 2019.

32. The exercise of the Tribunal's discretion as to costs was considered in Baxendale-Walker which was authority for the following propositions:

- The principle that costs follow the event does not apply in disciplinary proceedings.

- To make such an order there must be: (i) Dishonesty or lack of good faith; (ii) Good reason - going beyond the fact of losing.

33. Examples of good reasons were a case improperly brought or a shambles throughout.

34. The Supreme Court expressly approved the decision in Baxendale-Walker emphasising its importance to the continued proper functioning of the SRA, in CMA v Flynn Pharma Limited [2022] UKSC 14.

35. Mr Weston noted that Ms Standing's application complained of the decision made by the Adjudicator. Given that the Adjudicator was independent of the SRA, the complaints made were not complaints about the conduct of the SRA.

36. The application had been conceded by the SRA without reservation. It was the SRA's position that the Adjudicator ought to have referred the case to the Tribunal or otherwise conducted a hearing and the decision of the Adjudicator was procedurally wrong.

37. Mr Weston submitted that it was a false point to contend that the SRA was, on some basis, responsible for the Adjudicator's Decision – It was not. The SRA had no control at all over the decisions of its Adjudicators, nor the basis of their determinations.

38. Were it otherwise, in every case an Appellant would argue that the Adjudicator was not independent of the SRA and so affected by bias. That assertion was not, and could not be advanced on Ms Standing's behalf, as such an assertion was false.

39. The purpose of the Adjudicator system was to provide a relatively efficient and simple process for deciding cases which were not of the most serious brought to the SRA's attention, and to make decisions which were independent of the SRA, with procedures to safeguard the independence of Adjudicators by keeping separation between investigation and the decisions of Adjudicators. The fact that Adjudicators were employed or remunerated by the SRA did not impugn their independence from the SRA.

40. Mr Weston submitted that the SRA participated in prosecuting complaints of misfeasance before the Adjudicators, performing there its regulatory function. When doing so it was protected from costs both directly and indirectly before the Adjudicators. Where a case was dismissed and no further action taken, the Adjudicators could not order costs against the SRA, there being no power to do so. Further, where an Adjudicator decided that a case ought to go to the Tribunal, the principle in Baxendale-Walker applied to any costs order made by the Tribunal.

41. Mr Weston submitted that it was perverse that the SRA should lose that protection where it acted without fault on an Appeal and/or was no more than a passive participant in the Appeal. The SRA had no other option than to be a Respondent to an appeal and could do no more than to concede an appeal.

42. The principles of Baxendale-Walker should be applied directly, in circumstances where the SRA was properly discharging its regulatory function on an application for review, as in doing so, the SRA was acting as it would do before the Tribunal where it had protection under Baxendale-Walker. Were it not to have that protection on Appeal, it would create the perverse outcome that the SRA had more effective cost protection in those cases which were decided by the Tribunal as the first instance tribunal, than when there was an Adjudicator's decision. Mr Weston submitted that there was no logical basis for that position. It would lead to the position where it would be to the advantage of the SRA for all cases to be taken to the Tribunal rather than through adjudication and lead to the SRA pursuing cases where it has costs protection – with the effect of greater cost and time for Respondents, and from which appeal lies to the High Court, an environment where costs were even higher

43. Mr Weston submitted that there were strong policy reasons for not awarding costs against the SRA.

    (i) the SRA should be able to, and should be allowed to, treat the Adjudicator as an independent tribunal, that required that the SRA should be free without costs risk to efficiently dispose of appeals and also to resist appeals. If the SRA was placed at costs jeopardy on all appeals, it would have lost the effect that Baxendale-Walker protects it from.

    (ii) the SRA should not be incentivised to contest appeals to avoid costs exposure. The SRA should be able to approach its regulatory function without threat of costs.

    (iii) the SRA should not be put to the risk of costs in an uncontested appeal by action and decision of the Appellant. An appellant can challenge an Adjudicator's Decision by review and there the SRA was at no risk of costs. In this case, ex hypothesis, a review would have been successful. The SRA should not be penalised because of the form of the appeal.

44. Further, in judicial review proceedings, (which were analogous to the extent that the Respondent may be named as a party to the review whilst not contesting the review), a passive Respondent to judicial review proceedings was not made liable for costs see R (Davies) v Birmingham Deputy Coroner [2004] EWCA Civ 207, [2004] 1 WLR 2739 per Brooke LJ [3-47] and particularly at [41-42] and [47]. That approach was endorsed in R (Gourlay) v Parole Board (SC(E)) [2020] UKSC 50, [202] 1WLR 5344 per Lord Reed PSC at [3], and [41-42] and [45].

45. It was not accepted that the SRA had made any general concession in respect of costs of appeals. The case of Andrew was a contested appeal in which on the facts of the case there was no concession at all, let alone a general one. Counsel for the SRA did not on the facts of that case object to the principle of costs following the event. The concession in that case was not to be taken as an expression of principle by the SRA. It was the position in that specific case.

46. Mr Weston invited the Tribunal to consider the SRA's conduct in relation to the review which, it was submitted, was faultless. It has received the application and had conceded the application at the earliest opportunity. It had properly discharged its regulatory function and appeared as the Respondent as it was required to do so. The decision made was not that of the SRA but of the independent Adjudicator over whose decision the SRA had no control. In the circumstances not only should the SRA be afforded the protection of Baxendale-Walker, but it should also not be held liable for costs when an Adjudicator had made the wrong decision.

47. Further, Ms Standing had elected to bring proceedings before the Tribunal; the SRA had no option but to be the Respondent. Had Ms Standing exercised her right to an internal review of the decision, the SRA would not be at risk of any costs order. In the circumstances, it would be perverse to order the SRA to pay costs.

48. For the reasons detailed, Mr Weston submitted that Baxendale-Walker applied and the correct order was no order as to costs.

The Tribunal's Decision on costs in principle

49. The Tribunal firstly considered the proposition that the decision of the Adjudicator was not the decision of the SRA.

50. The wording of S.43 of the Act was clear:

> *"Where a person who is or was involved in a legal practice but is not a solicitor—*
>
> *...*
>
> *(b) has, in the opinion of the Society, occasioned or been a party to, with or without the connivance of a solicitor, an act or default in relation to a legal practice which involved conduct on his part of such a nature that in the opinion of the Society it would be undesirable for him to be involved in a legal practice in one or more of the ways mentioned in subsection (1A),*
>
> *the Society may either make, or make an application to the Tribunal for it to make, an order under subsection (2) with respect to that person." (Tribunal's emphasis added)*

51. The SRA Glossary defined an Adjudicator as:

> *"... a legally qualified person engaged by the SRA for the purpose of making regulatory decisions, and whose adjudication work is functionally separate to the work of the SRA's operational functions, including its investigation, supervision and authorisation functions."*

52. That definition, the Tribunal determined, did not support the contention that Adjudication decisions were not decisions of the SRA. On the contrary, the definition made it plain that Adjudicators were engaged for the purpose or making regulatory decisions on behalf of the SRA. The Tribunal determined that, at the very least, Adjudicators were making decisions on behalf of the SRA as an agent of the SRA. That an Adjudicator decision was that of the SRA was further supported by the fact that such decisions were recorded on SRA headed paper.

53. Further, and in any event, it was plain that a S.43 Order could only be imposed by the SRA or the Tribunal. Accordingly, and notwithstanding the independence of the Adjudicator, the decision to impose a S.43 Order was, and could only statutorily be, the decision of the SRA.

54. Accordingly, the Tribunal found that the decision of the Adjudicator was the decision of the SRA. Given that finding, Mr Weston's submissions with regards to the SRA not being at fault fell away.

55. The Tribunal then considered whether the protections in Baxendale-Walker applied to any application for costs.

56. The Tribunal considered that the decision in Baxendale-Walker was not precluded from applying to this matter on the basis that it predated the SRA's internal powers and did not expressly contemplate the Tribunal's jurisdiction under Section 43 of the Act.

57. The Tribunal noted the decision in of Bean J in Bass & Ward, namely that Baxendale-Walker did not govern costs on appeal such that there was no reason in principle why the appellants should not recover their costs on appeal.

58. Such reasoning, the Tribunal determined, also applied to appeals/reviews to the Tribunal of in-house SRA decisions. Accordingly, in such a case costs should follow the event.

59. For the avoidance of doubt, the Tribunal determined that even if Baxendale-Walker did apply, the SRA would be liable to pay costs in circumstances where there had been a serious procedural irregularity, notwithstanding that the SRA had not contested the matter. The principle set out in Baxendale-Walker was a starting point. As the authorities made clear, the Tribunal was not restricted to making a costs order against the SRA only where it was found that the proceedings had been a shambles from start to finish or improperly brought. The Tribunal could make such an order if it considered that there was good reason to do so.

60. In Tsang, Bean J observed:

> *"A mistake going to the root of the basis of proceedings such that they were fundamentally flawed is capable in an appropriate case of being a good reason for an award of costs. In such a case it is largely a matter of semantics as to whether the case is described as having been properly brought or not. Boiled down to its essentials Mr Weston's argument amounted to saying that a fundamental legal flaw in the Allegation and in the proceedings could not be a good reason for an award of costs provided that the SRA was acting in good faith and provided that it was genuinely mistaken as to the law. I disagree. The Baxendale-Walker protection is given to the SRA so that it shall not be discouraged by the risk of an adverse costs order from "advancing the public interest" by pursuing misconduct proceedings which ought to be taken to the Tribunal. That has considerable force when the proceedings are based on disputed issues of fact or where there is scope for different conclusions being reached depending on the way documents or actions are interpreted. The consideration does not apply in the same way where the proceedings are misconceived in law and such proceedings are not properly described as "advancing the public interest"."* (The Tribunal's emphasis)

61. The Tribunal determined that the serious procedural irregularity amounted to a good reason to depart from Baxendale-Walker. Further, the protection from an adverse costs order when advancing the public interest did not apply where the proceedings could not be described as so doing. The Tribunal found that given the serious procedural irregularity, the matter could not be described as advancing the public interest.

62. As to the submissions made on venue, Ms Standing was within her rights to bring the matter to the Tribunal for determination. That she was entitled so to do was made clear by the SRA when it provided her with its decision. The fact that Ms Stanton had opted to bring matters to the Tribunal rather than pursue an internal review of the decision was not a decision that was open to criticism.

The Applicant's submissions on quantum

63. Mr Treverton-Jones KC invited the Tribunal to conduct a summary assessment of costs. The application was extremely important for Ms Standing: if the Adjudicator's decision were to have stood, she would have been excluded from employment in the regulated sector for many years, possibly for the whole of her career. The stakes could not have been higher for her and manifestly justified the instruction of specialist solicitors and leading counsel.

The Respondent's submissions on quantum

64. Mr Weston submitted that the costs claimed were excessive. The hours claimed by the solicitors were extremely high and disproportionate given the SRA's concession. The only matter for determination was the issue of costs. The work undertaken following the SRA's confirmation that the application was opposed was unnecessary; a significant amount of time had been claimed when the only remaining issue related to costs.

65. The matter did not require the instruction of leading counsel. Further, the fees claimed by counsel were excessive.

66. Mr Weston noted that at the time that application was conceded, costs were approximately £15,000. Whilst those costs would have increased in preparation for the hearing, an increase of approximately £40,000 was excessive. Accordingly, Ms Standing should not be awarded costs in the sum claimed of £54,255.00. Mr Weston submitted that given the level of costs, the matter should be sent for a detailed assessment of costs.

The Respondent's Reply

67. Mr Treverton-Jones KC submitted that he had been instructed early in the proceedings. It was not reasonable to expect Ms Stanton to instruct alternative counsel on the basis that the application was conceded. Once it was apparent that the SRA would not contest the proceedings, a reduction was applied to his fees.

68. The hourly rate charged by instructing solicitors had not been criticised by the SRA and thus there should be no reduction in that hourly rate. The sum claimed, it was submitted, was reasonably incurred. Those costs should be summarily assessed and awarded in full or in such amount as the Tribunal considered reasonable. In the event that the Tribunal acceded to the SRA's application for detailed assessment, there should be an order for an interim payment on account.

The Tribunal's Decision on quantum

69. The Tribunal did not consider that this was a case where detailed assessment was necessary. Accordingly, the Tribunal summarily assessed the costs claimed. The Tribunal examined the costs schedule and solicitors' time spent with care. The Tribunal agreed that the time claimed by the solicitors in preparation of the case was excessive.

70. By way of example, by 3 June 2025, Ms Standing was aware that the application would not be contested. In the circumstances, the Tribunal determined that Mr Foreman's

attendance at the hearing to support Ms Standing and counsel was not necessary. The Tribunal also determined that 41 hours preparation was excessive and unreasonable given the issues to be determined. Further, the time claimed following receipt of the SRA's Reply was unreasonable and excessive.

71. The Tribunal determined the issues in this case, notwithstanding the importance to Ms Standing, were not such that leading counsel was required. Whilst Ms Standing was entitled to instruct counsel of her own choosing, that did not mean that the SRA should be liable for paying the fees charged by leading counsel.

72. Taking all of those matters into account, the Tribunal determined that costs in the sum of £27,000 were reasonable and proportionate taking into account the nature and complexity of the issues to be determined.

Statement of Full Order

73. The Tribunal ORDERED that the application of ISOBEL STANDING for Revocation of a S.43 Order be **GRANTED** with effect from 18 August 2025 and it further Ordered that the Solicitors Regulation Authority Ltd do pay the costs of and incidental to the response to this application fixed in the sum of £27,000.00.

Dated this 1st day of September 2025
On behalf of the Tribunal

A. Banks

A. Banks
Chair