

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No: 12777-2025

BETWEEN:

SOLICITORS REGULATION AUTHORITY LTD

Applicant

and

CHARLES OGBONNA AZOTAM

Respondent

Before:

Mrs L Boyce (Chair)

Mr J Johnston

Mrs C Valentine

Date of Hearing: 11 September 2025

Appearances

Michael Colledge Solicitor in the employ of Blake Morgan LLP, New Kings Court, Tollgate, Chandlers Ford, Eastleigh, SO 53 3LG, instructed by the Applicant

The Respondent appeared and was not represented.

JUDGMENT ON AN AGREED OUTCOME

Allegations

1. The allegations against the Respondent, made by the Solicitors Regulation Authority were that while in practice as a sole principal at Charles Hill & Co Solicitors (“the Firm”):
 - 1.1 Between 1 January 2020 and 31 January 2024, the Respondent misappropriated client monies for the benefit of himself and his Firm creating a minimum client account shortage of £163,112.83 that has not been replaced. And in doing so breached any or all of:

Principles 2, 4, 5 and 7 of the SRA Principles (“the Principles”); Paragraph 4.2 of the Code of Conduct for Solicitors (“the Code”); and Rules 5.1 and 6.1 of the SRA Accounts Rules 2019 (“the Accounts Rules”).
 - 1.2 On 6 March 2023 and 14 November 2023, the Respondent issued cheques, each in the amount of £122,009.82 to Client DN when he knew that the Firm did not have sufficient funds to honour either of them, thereby misleading Client DN and in so doing, breached any or all of:

Principles 2, 4 and 5 of the Principles and Paragraph 1.4 of the Code.
 - 1.3 Between 1 April 2020 and 8 March 2024 the Respondent failed to ensure that the Firm’s books of account were maintained in compliance with the Accounts Rules. and in so doing, breached any or all of:

Rules 8.1, 8.3 and 12.1 of the Accounts Rules; Paragraph 4.2 of the Code; and Principles 2 and 5 of the Principles.

Documents

2. The Tribunal considered all the documents in the case which were contained in the case electronic bundle which included the following:
 - (a) The Rule 12 Statement dated 3 June 2025;
 - (b) The Bundle of Exhibits X1-X298;
 - (c) The Statement of Agreed Facts and Outcome dated 4 September 2025.

Background

3. The Respondent was admitted to the Roll of Solicitors on 17 June 2013. The Respondent established the Firm, which commenced trading on 15 August 2017, and specialised in immigration law.
4. The Respondent was the sole manager of the Firm, and also held the roles of Compliance Officer for Legal Practice (‘COLP’), Compliance Officer for Finance and Administration (COFA).

5. On 8 March 2024, an Authorised Decision Maker (ADM) at the Solicitors Regulation Authority decided to intervene in the Firm on the basis that it was suspected of dishonesty on the part of the Respondent in connection with his practice as a solicitor.
6. The Firm was formally intervened on 12 March 2024, which led to the suspension of the Respondent's practising certificate.

Application for the matter to be resolved by way of Agreed Outcome

7. The parties invited the Tribunal to deal with the Allegations against the Respondent in accordance with the Statement of Agreed Facts and Outcome annexed to this Judgment. The parties submitted that the outcome proposed was consistent with the Tribunal's Guidance Note on Sanctions.

Findings of Fact and Law

8. 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 rights to a fair trial and to respect for their private and family life under Articles 6 and 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.
9. The Tribunal reviewed all the material before it and was satisfied on the balance of probabilities that the Respondent's admissions were properly made.

Sanction

10. The Tribunal considered the Guidance Note on Sanction (11th Edition February 2025) and the proper approach to sanctions as set out in *Fuglers and others v SRA* [2014] EWHC 179. The Tribunal's overriding objective when considering sanction, was the need to maintain public confidence in the integrity of the profession.
11. In determining sanction, the Tribunal's role was to assess the seriousness of the proven misconduct and to impose a sanction that was fair and proportionate in all the circumstances. In determining the seriousness of the misconduct, the Tribunal had consideration of the Respondent's culpability and harm identified together with the aggravating and mitigating factors that existed.
12. In its assessment of culpability, the Tribunal took account of the fact that the Respondent bore direct responsibility for the circumstances giving rise to the misconduct. His motivation for misappropriating client funds and issuing cheques, knowing they would not be honoured, was financial. The Respondent had acted in clear breach of a position of trust.
13. The Respondent's unauthorised transfer of client funds constituted a serious breach of the Accounts Rules and his fiduciary obligations. The harm extended beyond financial loss to clients, encompassing reputational damage to the profession, procedural disruption, and regulatory risk.

14. The aggravating features of the Respondent's misconduct were the prolonged duration over which dishonest misappropriations of client monies had occurred and the significant amounts involved. The SRA's guidance on client money reinforces the principle that client funds are sacrosanct, echoing the judicial emphasis found in Bolton v Law Society [1993] EWCA Civ 32 and Levy v Solicitors Regulation Authority [2011] EWHC 740 (Admin). The Respondent's conduct breached not only the Accounts Rules, but also the core fiduciary standards expected of solicitors entrusted with client assets. As an experienced solicitor, the Respondent ought reasonably to have known that his conduct was in material breach of his professional obligations, undermining both public protection and the reputation of the legal profession.
15. The Respondent's conduct involved admitted dishonesty. The Tribunal observed that a finding of dishonesty would, absent exceptional circumstances, require an order striking the solicitor from the Roll.
16. Having considered the authorities, in particular Solicitors Regulation Authority v Sharma [2010] EWHC 2022 (Admin) and SRA v James [2018] EWHC 2058 (Admin), the Tribunal noted that, while certain mitigating factors were advanced, they did not amount to exceptional circumstances capable of displacing the presumption of strike-off following a finding of dishonesty. Accordingly, the Tribunal could not find any justification for a lesser sanction and determined that the appropriate outcome was to strike the Respondent off the Roll of Solicitors.
17. The Tribunal determined, given the finding of dishonesty against the Respondent, that the only appropriate and proportionate sanction was to strike the Respondent off the Roll of solicitors.

Costs

18. Mr Colledge, on behalf of the Applicant, sought costs in the sum of £42,135.00 as detailed in the Cost Schedule dated 4 September 2024. This figure had not been agreed as part of the Agreed Outcome process.
19. He submitted that the entirety of the costs should be borne wholly by the Respondent despite the fact that there had not been a substantive hearing.
20. Mr Colledge further submitted that the Applicant's fixed costs, as set out in Part B of the Schedule and totalling £24,400, were properly and reasonably incurred, and reflected the substantive work undertaken in the case, which had been categorised as a Category One matter. He maintained that the early admissions made by the Respondent did not materially justify any significant reduction in the overall amount claimed.
21. His recommendation to the Tribunal was that, if any discount were to be applied, it should be reflected through a modest reduction in the overall hourly rate set out in the Schedule, rather than by reducing the number of hours claimed by the Applicant.
22. The Respondent informed the Tribunal that he was taken aback by the figure claimed by the Applicant. He confirmed that he had admitted all of the allegations from the outset and had cooperated fully with the Applicant, thereby ensuring that the matter did not escalate to a contested hearing.

23. The Respondent explained to the Tribunal that he was a discharged bankrupt with no savings, and that his means were limited to the receipt of Universal Credit, which would shortly transition to Pension Credit. He stated that he was the sole carer of a young dependant and informed the Tribunal of debilitating health conditions which had involved him having four medical procedures. The most recent of the procedures had taken place within the current month.
24. The Tribunal had regards to its powers pursuant to Rule 43(1) SDPR which permitted it to make such order for costs as considers appropriate. It also took into account all of the factors listed in Rule 43(4) SDPR in deciding whether the order should be made, against which party, and in what amount. The Tribunal determined that the costs application had been properly brought by the Applicant and was appropriate in the circumstances.
25. In reaching a decision as to the quantum of costs, the Tribunal considered the Respondent's financial means. Having due regards to the principle established in Barnes v Solicitors Regulation Authority Ltd [2022] EWHC 677 (Admin), the Tribunal determined that it would not be appropriate to make a costs order which there was no realistic prospect of repayment given the Respondent's current and future circumstances.
26. The Tribunal ordered that the Respondent pay costs in the sum of £1,000.00, a figure it considered to be proportionate and reasonable in the light of the Respondents current circumstances, including his financial position, health conditions and caring responsibilities.

Statement of Full Order

27. The Tribunal ORDERED that the Respondent, CHARLES OGBONNA AZOTAM, 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 £1,000.00.

Dated this 6th day of October 2025
On behalf of the Tribunal

L. Boyce

L. Boyce
Chair

BEFORE THE SOLICITORS DISCIPLINARY TRIBUNAL

Case No. 12777-2025

IN THE MATTER OF THE SOLICITORS ACT 1974 (as amended)**AND IN THE MATTER OF:****SOLICITORS REGULATION AUTHORITY LIMITED**Applicant

and

CHARLES OGBONNA AZOTAMRespondent

STATEMENT OF AGREED FACTS AND PROPOSED OUTCOME

- 1 By its application dated 3 June 2025, and the statement made pursuant to Rule 12(2) of the Solicitors (Disciplinary Proceedings) Rules 2019 which accompanied that application, the Solicitors Regulation Authority Ltd ("the SRA") brought proceedings before the Solicitors Disciplinary Tribunal making three allegations of misconduct against Charles Ogbonna Azotam ("the Respondent").

The allegations

- 2 The allegations against the Respondent, made by the SRA within the Rule 12 Statement were that while in practice as a sole principal at Charles Hill & Co Solicitors (SRA ID: 641074) ("the Firm"):

Allegation 1.1

Between 1 January 2020 and 31 January 2024, the Respondent misappropriated client monies for the benefit of himself and his Firm creating a minimum client account shortage of £163,112.83 that has not been replaced. And in doing so breached any or all of:

Principles 2, 4, 5 and 7 of the SRA Principles ("the Principles");

Paragraph 4.2 of the Code of Conduct for Solicitors (“the Code for Solicitors”); and

Rules 5.1 and 6.1 of the SRA Accounts Rules 2019 (“the Accounts Rules”).

Allegation 1.2

On 6 March 2023 and 14 November 2023, the Respondent issued cheques, each in the amount of £122,009.82 to Client DN when he knew that the Firm did not have sufficient funds to honour either of them, thereby misleading Client DN. And in so doing, breached any or all of Principles 2, 4 and 5 of the Principles and Paragraph 1.4 of the Code for Solicitors.

Allegation 1.3

Between 1 April 2020 and 8 March 2024 the Respondent failed to ensure that the Firm’s books of account were maintained in compliance with the Accounts Rules. And in so doing, breached any or all of:

Rules 8.1, 8.3 and 12.1 of the Accounts Rules;

Paragraph 4.2 of the Code for Solicitors; and

Principles 2 and 5 of the Principles.

- 3 The Respondent admits each of these allegations.

Agreed facts

- 4 The following facts and matters, which are relied upon by the SRA in support of the allegations set out within paragraph 2 of this statement, are agreed between the SRA and the Respondent.
- 5 References to certain individuals have been anonymised as per the schedule to the Rule 12 Statement.

- 6 The Respondent, who was born on , is a solicitor having been admitted to the Roll on 17 June 2013 (SRA ID: 418957). He was the Sole Principal at the Firm. The Respondent was appointed as the Firm's Compliance Office for Legal Practice and Compliance Officer for Finance and Administration.
- 7 The Firm specialised in immigration and housing.
- 8 The conduct in this matter came to the attention of the SRA when Client SM, a client of the Firm, made a report to the SRA regarding the Firm's administration of her late father's estate on 31 January 2024. Client SM's substantive complaint was that the Firm had failed to pay out funds owed to the beneficiaries of the estate.
- 9 On 22 February 2024, following Client SM's complaint, the Firm's complaint manager Mr. Stephen Agera, a senior associate solicitor, contacted the SRA's Professional Ethics team by telephone to express concerns that the Firm's client account may not hold sufficient funds to meet its liabilities in relation to Client SM and Client DN.
- 10 The Firm was intervened on 12 March 2024 and the Respondent's practicing certificate was suspended on this date. The Respondent remains prohibited from practicing as a solicitor.

Allegation 1.1

- 11 On 20 March 2023, the Respondent transferred client funds totalling £20,000 to the Firm's business account. On the same day, the Respondent transferred £20,000 from the Firm's business account to Gisby Harrison LLP to settle a debt owed by the Respondent in his personal capacity. On 27 March 2023, the Respondent transferred further client funds in the sum of £5,000 to the Firm's business account. On the same day, the Respondent transferred a further £5,485.16 from the Firm's business account to Gisby Harrison LLP in respect of the personal debt to BNP Paribas. Without the transfers from the client account on 20 and 27 March 2023, there would have been insufficient funds in the business account to make the payment to Gisby Harrison.
- 12 On 26 April 2023, the Respondent transferred £9,265 from the Firm's client account to the Firm's business account. On the same day, a payment was made in the sum of £10,000 to "Anatomy Property" to settle a payment for rent for the Firm's office

premises. Without the transfer from the client account, there would have been insufficient funds in the business account to make the payment to Anatomy Property.

- 13 On 28 June 2023, a transfer in the sum of £2,000 was made from the Firm's client account to the Firm's business account. On the same day a payment was made to EMG Croydon in the sum of £1,950.96. Without the transfer from the client account, there would have been insufficient funds in the business account to make the payment to EMG Croydon.
- 14 The Respondent was unable to confirm the number of improper transactions carried out, nor the total amount transferred from the Firm's client account.
- 15 In respect of this Allegation, as of the extraction date of 31 January 2024, a shortage of £163,122.83 existed upon the client account of the Firm, which to date has not been replaced.

Allegation 1.2

- 16 The Firm acted for Client DN, in connection with the administration of her father's estate.
- 17 Between 2020 and 2021, the Firm collected £182,985.45 into the Firm's client account. After deduction of the Firm's fees, the balance due to the beneficiaries of the estate was £170,696.12.
- 18 The Respondent was the only individual in the Firm with responsibility for the client account and the only individual able to issue cheques.
- 19 On 6 March 2023, the Respondent issued a cheque to DN in the sum of £122,009.82, despite the client account balance being only £106,832.62.
- 20 On 14 November 2023, as Client DN did not cash the first cheque until it had expired, the Respondent issued a second cheque to Client DN in the sum of £122,009.82, despite the client account balance being only £6.28.
- 21 On both occasions the Respondent knew that the Firm's client account did not hold sufficient funds to honour the cheques issued.

Allegation 1.3

- 22 The Respondent failed to maintain the Firm's books of account in compliance with the Accounts Rules, including a failure to complete client account reconciliations, maintain ledgers, lists of client liabilities or a cash book since at least 2020.
- 23 As client monies were received and held by the Firm, an accountant's report should have been obtained and as COFA, it was the Respondent's responsibility to ensure compliance with Rule 12.1 of the Accounts Rules. The Respondent failed to obtain accountant's reports from 2020.

Non-Agreed Mitigation

- 24 The following mitigation, which is not agreed by the SRA, is put forward by the Respondent:
- 25 The Respondent has admitted Allegations 1 - 3 inclusive.
- 25.1 The Respondent has advised the SRA that he is subject to a bankruptcy order. The Respondent has provided a copy of the order confirm the bankruptcy, which records the Respondent being adjudged bankrupt on 9 September 2024.
- 25.2 The Respondent contends that he has been unemployed since 2024 owing to ill health, has been in receipt of universal credit during this time and is due to receive a statutory pension in the next three months.
- 25.3 The Respondent states that the transfers were made from the Firm's client account to its business account to support the business due to issues with cash flow.
- 25.4 The Respondent has expressed remorse for his actions and conduct.
- 25.5 However, the Respondent does not contend that the mitigation set out above amounts to exceptional circumstances which would justify the Tribunal in making any order other than that he be struck off the Roll.

Penalty proposed

- 26 It is therefore proposed that the Respondent should be struck off the Roll of Solicitors.
- 27 The parties have not reached agreement on costs and accordingly respectfully request the Tribunal to make a determination on the issue of costs. A Statement of Means prepared by the Respondent is attached.

Explanation as to why such an order would be in accordance with the Tribunal's sanctions guidance

- 28 The Respondent has admitted dishonesty. The Solicitors Disciplinary Tribunal's "Guidance Note on Sanction" (10th edition), at paragraph 47, states that: *"The most serious misconduct involves dishonesty, whether or not leading to criminal proceedings and criminal penalties. A finding that an allegation of dishonesty has been proved will almost invariably lead to striking off, save in exceptional circumstances (see Solicitors Regulation Authority v Sharma [2010] EWHC 2022 (Admin))."*
- 29 In Sharma [2010] EWHC 2022 (Admin) at [13] Coulson J summarised the consequences of a finding of dishonesty by the Tribunal against a solicitor as follows:
- "(a) Save in exceptional circumstances, a finding of dishonesty will lead to the solicitor being struck off the Roll ... That is the normal and necessary penalty in cases of dishonesty...*
- (b) There will be a small residual category where striking off will be a disproportionate sentence in all the circumstances ...*
- (c) In deciding whether or not a particular case falls into that category, relevant factors will include the nature, scope and extent of the dishonesty itself, whether it was momentary ... or over a lengthy period of time ... whether it was a benefit to the solicitor ... and whether it had an adverse effect on others..."*
- 30 The Respondent acted dishonestly by misappropriating client funds over a period of four years (namely between 1 January 2020 to 31 January 2024) for the benefit of

himself or the Firm, which resulted in a client account shortage. In addition and as a result of the misappropriation of client funds, the Respondent was unable to pay out funds owed to Client SM and Client DN. In Client DN's matter, the Respondent issued cheques despite knowing the client account did not hold sufficient funds to make the payments.

- 31 These were serious acts of dishonesty committed over an extended period which benefitted the Respondent to the detriment of Client DN and Client SM. We have been advised by Client SM that the beneficiaries of her father's will has been placed under severe financial pressure which has caused additional stress to the family at an already challenging time. The case plainly does not fall within the small residual category where striking off would be a disproportionate sentence. Accordingly, the fair and proportionate penalty in this case is for the Respondent to be struck off the Roll of Solicitors.

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For and on behalf of the SRA,
Applicant in these proceedings

Dated: August 2025

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Charles Ogbonna Azotam,
Respondent in these proceedings

Dated: August 2025