

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12798-2025

BETWEEN:

MATTHEW PODGER

Applicant

and

SOLICITORS REGULATION AUTHORITY LTD

Respondent

Before:

Mrs F Kyriacou (in the Chair)

Ms H Hasan

Dr A Richards

Date of Hearing: 16 October 2025

Appearances

The Applicant represented himself.

Susannah Stevens, barrister, of QEB Hollis Whiteman Chambers, for the Respondent

JUDGMENT ON AN APPLICATION TO REMOVE CONDITIONS

Background

1. The Applicant was admitted as a solicitor on 15 March 2013. He initially trained at Slaughter and May, qualifying into the Financing team in March 2013.
2. On 27 April 2014, he received a first police caution for possession of cocaine. He reported this immediately to his employer and the SRA. The SRA issued a Letter of Advice on 27 November 2014, finding breaches of Principles 1 and 6 but taking no further action.
3. He joined Cleary Gottlieb Steen & Hamilton LLP (CGSH) in March 2016 and disclosed his 2014 caution before starting.
4. On 9 March 2018, he accepted a second police caution for cocaine possession but did not disclose it to CGSH or the SRA, citing extreme personal and professional pressure, including marital difficulties.
5. An anonymous letter received by CGSH on 11 January 2019 revealed the second caution. The Applicant confirmed the information, was suspended, and resigned on 14 January 2019, simultaneously self-reporting to the SRA.
6. Disciplinary proceedings followed. The SRA alleged breaches of Principles 2 and 6, later adding an allegation of dishonesty for non-disclosure. The Respondent initially agreed to an Agreed Outcome admitting dishonesty to avoid strike-off.
7. In May 2020, the SDT rejected the Agreed Outcome, questioning whether dishonesty would have been proven if contested. A revised Agreed Outcome was submitted, withdrawing the dishonesty allegation but acknowledging breaches of Principles 2, 6, and 7. The Tribunal imposed a one-year suspension and indefinite conditions:
 - Prohibition on acting as COLP, COFA, or MLRO; and
 - Requirement to disclose the conditions to employers.

Application

The Applicant's Case

8. It was the Applicant's contention that he has since rehabilitated. He pursued non-legal business ventures, demonstrating leadership and responsibility, and returned to legal practice at HCR Legal LLP as a Senior Associate in May 2023. He fully complied with all conditions, including disclosure and regular drug testing, and has received positive occupational health assessments and strong employer support.
9. Following the expiration of his suspension, the Applicant pursued a period of self-employment, managing a hospitality business with significant responsibility and leadership. In May 2023, he returned to legal practice as a Senior Associate at HCR Legal LLP, adopting a policy of full transparency with his employer and all prospective future employers. He has consistently passed quarterly drug screenings and undergone occupational health assessments in May 2023 and May 2025, both confirming his fitness to practise, openness, and integrity. He has also provided strong letters of support

from his current employer, including his line manager, the managing partner, and his head of department, as well as personal references.

10. On 29 June 2025, the Applicant applied to the Tribunal to remove the conditions imposed on his practice by the SDT in 2020. He submitted that these conditions were no longer necessary to protect the public or maintain confidence in the legal profession.
11. He stressed the significant passage of time since the misconduct, his sustained rehabilitation, responsible conduct in both personal and professional contexts, and full compliance with existing conditions. He also clarified that he had no desire or intention to undertake senior compliance roles, remaining committed to fee-earning, transactional legal work. While he recognised the role of disclosure in maintaining transparency, he asserted that the retention of these conditions no longer served a protective purpose.

The Respondent's Case

12. The SRA adopted a neutral position, neither supporting nor opposing the application. The SRA acknowledged that the Applicant had demonstrated rehabilitation, insight, and compliance with his obligations. However, it asked the Tribunal to consider the proposition that the conditions had, by design, prevented him from holding COLP, COFA, or MLRO roles, leaving his ability to undertake such responsibilities untested.
13. The SRA noted that, although the passage of time and evidence of rehabilitation are positive factors, these alone may not fully demonstrate the absence of risk, and suggests that the Tribunal might consider a partial variation of the conditions if full removal is not deemed appropriate.

The Tribunal's Decision

14. The Tribunal noted that restricted practice will be ordered only if it is necessary to ensure the protection of the public and the reputation of the legal profession from future harm by a solicitor. Accordingly, when considering any application to remove or vary a restriction, the Tribunal will assess whether the restriction remains necessary for those purposes.
15. In considering this application, the Tribunal noted the important distinction between the powers of the SRA and those of the SDT. The SRA has the statutory authority to impose conditions on a solicitor's practising certificate. In contrast, the SDT imposes or can remove conditions on a solicitor's practice as part of a disciplinary sanction. This application concerned conditions imposed by the SDT and it was therefore properly before the Tribunal.
16. The Tribunal heard submissions from the applicant and indicated that it was minded to grant the order sought. It noted that a significant period had elapsed since the original conditions had been imposed, during which the Applicant had had ample opportunity for reflection which he had done appropriately. The Tribunal took into account the series of negative drug tests, as well as the positive and persuasive character references provided, which attested to the applicant's rehabilitation. It was also noted that he was

now employed by a firm of solicitors who were fully aware of his background and who expressed their complete support for him in the light of that knowledge.

17. The Tribunal was impressed by the applicant's genuine remorse and found him to be a credible witness. He had fully acknowledged his past conduct and had taken the time to reflect upon it. His personal circumstances had changed significantly since the earlier matters, particularly in relation to his family life and the responsibilities now resting upon him.
18. Having considered all of the evidence, the Tribunal was satisfied that the conditions, although properly and necessarily imposed at the time, no longer served the purpose of protecting the public or maintaining the reputation of the profession. The Tribunal was therefore persuaded that it was appropriate for the conditions to be removed. It emphasised, however, that the original matters which led to their imposition had been very serious and had rightly justified the Tribunal's earlier decision.
19. Accordingly, the Tribunal ordered that the conditions restricting the Applicant from acting as a COLP, COFA, or MLRO, and the requirement to disclose these conditions to employers, were to be removed.

Costs

20. The Respondent's costs were agreed between the parties in the sum of £2,332.80.

Statement of Full Order

21. The Tribunal ORDERED that the application of MATTHEW PODGER for the removal of the conditions imposed by the Tribunal on 24 June 2020 be **GRANTED** and it further Ordered that the Applicant do pay the costs of the response of the Solicitors Regulation Authority Ltd to this application fixed in the sum of £2,332.80.

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

F Kyriacou

F Kyriacou
Chair