

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12833-2025

BETWEEN:

SOLICITORS REGULATION AUTHORITY

Applicant

and

CLIVE GRAHAM WOOD

Respondent

Before:

Ms A Kellett (in the chair)

Mrs L Nabou

Mr G Gracey

Date of Hearing: 7-8 May 2026

Appearances

James Smith, Counsel, Outer Temple Chambers, The Outer Temple, 222 Strand, London, WC2R 1BA for the Applicant.

Mr Wood attended the hearing and represented himself.

JUDGMENT

Allegations

1. The allegations against the Respondent, Clive Graham Wood, made by the SRA are that, while in practice as a solicitor and sole practitioner through the entity at CGW Law (“the Firm”):
 - 1.1 During July 2022, he attempted to take unfair advantage of Person M’s position as a litigant in person by repeatedly asking her for her contact details when he knew or ought to have known that:
 - 1.1.1 Person M did not want to provide him with that information;
 - 1.1.2 Person M had no legal duty to provide him with that information; and
 - 1.1.3 he did not need that information to progress his client’s matter;

and in doing so breached any or all of Principles 2 and 5 of the SRA Principles 2019 (“the Principles”) and Paragraph 1.2 of the SRA Code of Conduct for Solicitors, RELs and RFLs (“the Code for Solicitors”).
 - 1.2 During July 2022, he obtained contact details for Person M by means of a private investigator and then disclosed those contact details to his client when he knew or ought to have known that:
 - 1.2.1 obtaining Person M’s likely contact details was not necessary;
 - 1.2.2 Person M would not have consented to her contact details being obtained by such means;
 - 1.2.3 the relevant Family Procedure Rules directed that Person M was entitled to withhold her contact details until directed to disclose them by a court order; and
 - 1.2.4 doing so would prevent the court from being able to properly determine during an upcoming hearing whether such disclosure should in fact be made,

and in so doing breached any or all of Principles 1, 2, and 5 of the Principles, and Paragraph 1.2 of the Code for Solicitors.
2. In the alternative, allegation 1.2 (including allegations 1.2.1 to 1.2.3) above is advanced on the basis that the Respondent’s conduct was reckless. Recklessness is alleged as an aggravating feature of the Respondent’s misconduct, but it is not an essential ingredient in proving the allegation.

Executive Summary

3. The Respondent is a solicitor having been admitted to the Roll on 1 September 1982. The Respondent is a sole practitioner who predominantly specialises in family law.
4. Person M made a report to the SRA on 21 November 2022 concerning several aspects of the Respondent’s conduct whilst he was acting for Person M’s former partner, Person

B, in family court proceedings during July 2022.

5. An SRA investigation subsequently commenced, and allegations were brought against the Respondent arising from his conduct during those proceedings. In particular, it was alleged that the Respondent had attempted to take unfair advantage of Person M's position as a litigant in person by repeatedly requesting her contact details during July 2022. It was further alleged that the Respondent had obtained Person M's contact details by instructing a private investigator and had thereafter disclosed those details to his client outside the family court process.
6. The Tribunal found all of the allegations proved save for Allegation 1.2.4.

Sanction

7. The Tribunal Ordered that the Respondent pay a fine of £17,500.00. The Tribunal's sanction and its reasoning on sanction can be found [\[here\]](#).

Documents

8. The Tribunal reviewed all the documents submitted by the parties, which included (but was not limited to):
 - Applicant's Rule 12 Statement and Exhibit AHJW1 dated 3 September 2025.
 - Applicant's Skeleton Argument dated 5 May 2026.
 - Respondent's Answer dated 12 September 2025.
 - Respondent's Further Statement dated 26 March 2026.
 - Applicant's Statement of Costs dated 30 April 2026.

Preliminary Application

9. Anonymity
 - 9.1 The Applicant applied for the identities of the individuals referred to in the proceedings and the pleadings as "Person B" and "Person M" to be anonymised. The Applicant further applied for anonymisation of the relevant town, the court that dealt with the underlying family proceedings and the name of the court form from which details of those proceedings might be identified.
 - 9.2 The application was not opposed by the Respondent and was granted pursuant to Rule 35 of the Solicitors (Disciplinary Proceedings) Rules 2019 ('SDPR'), the Tribunal being satisfied that such measures were in the interests of justice, particularly given the sensitive nature of the underlying family proceedings involving a child.
 - 9.3 Accordingly, the Tribunal directed that no person should publish or disclose any matter likely to lead to the identification of Person B, Person M, the partners of Person B and Person M, or any child of Person M.
 - 9.4 The terms "Town", "City Court" and "Relevant Form" are adopted within the Tribunal's Judgment to prevent jigsaw identification.

10. Non-Party Disclosure

- 10.1 During the proceedings Mr Tim Bullimore submitted an application for Non-Party Disclosure ('the NPD application') requesting that the Tribunal disclose "*...the written decision of the single solicitor member dated 8 September 2025 who refused to certify the application...A copy of the written decision of the single solicitor has been requested but the Respondent has been informed that this is not a disclosable document*".
- 10.2 The Tribunal noted that the application concerned a document generated as part of the Tribunal's internal process under Rule 13 of the SDPR relating to certification of the case against the Respondent.
- 10.3 The Tribunal refused the application, noting that the document sought formed part of a discrete internal process governed by Rule 13 SDPR which sets out the procedure for certification of cases. The Tribunal noted that the Rule 13 SDPR procedure had been properly followed and that the document did not relate to the evidential material upon which the allegations were to be determined. The Tribunal therefore concluded that the document was neither relevant to the issues before it nor disclosable within the proceedings.

Background

11. The Respondent is a solicitor having been admitted to the Roll on 1 September 1982.
12. The Respondent is a sole practitioner practising through the Firm, located in Oswestry, Cheshire, where he practises in family law, children law, and private client (wills and probate). As a sole practitioner, the Respondent holds the roles of Compliance Officer for Legal Practice (COLP) and Compliance Officer for Finance and Administration (COFA) of the Firm.
13. The conduct in this matter came to the attention of the Applicant on 21 November 2022, when Person M made a report about the Respondent citing several aspects of his conduct while he was representing Person M's former partner, Person B, in relation to family court proceedings in July 2022.
14. Person M stated that the Respondent had repeatedly sought to pressure her into providing contact information which was not required for the purposes of progressing Person B's application before the court. She maintained that she was under no legal obligation to provide such details and that she had made clear, in a series of communications with the Respondent, that she did not wish to do so for reasons previously explained.
15. Person M further stated that she subsequently became aware that the Respondent had obtained her current address and telephone number through a private investigator, without her knowledge or consent. She complained that the Respondent had then disclosed those contact details to Person B notwithstanding that she had expressly informed the Respondent of her concerns regarding Person B having access to such information and had made clear that she objected to disclosure of those details.
16. The Applicant relied upon those matters as giving rise to two principal aspects of the

alleged misconduct. First, that the Respondent had improperly pressured Person M to provide contact details in circumstances where she had made her refusal clear, thereby taking unfair advantage of her position as a litigant in person. Secondly, that when Person M declined to provide those details, the Respondent instructed a private investigator to obtain them and thereafter disclosed the information directly to his client.

Taking unfair advantage of Person M

17. On 8 July 2022, the Respondent received initial instructions from Person B in relation to an application that Person B had submitted to the City Court to bring proceedings against Person M.
18. As part of these initial instructions, the Respondent was informed that Person B's application had already been successfully served on Person M via her parent's address and that Person B did not possess Person M's current address.
19. On 10 July 2022, Person M submitted the Relevant Form to the City Court which she asserted that Person B was, during their relationship, "*physically violent and emotionally/psychologically abusive*", and, while Person B had contact with the child, that he committed "*Child Neglect, Child Endangerment, Physical, Emotional and Psychological abuse*". Additionally, Person M filed her confidential contact details with the City Court.
20. The Respondent wrote directly to Person M on 13 July 2022 via email to inform her that he had been instructed by Person B. As part of this same email, the Respondent also requested Person M's telephone number and home address. He stated that this was for the purposes of Person B being able to contact his child. The Respondent's email also stated that should Person M not be willing to provide this information, then he would seek to obtain a court order requiring that this information be provided by Person M or her parents.
21. Person M responded to the Respondent's email on 13 July 2022, without providing her contact details stating that she had already provided her telephone number and home address to the court. She also confirmed that she would be attend the relevant hearing, which was to take place remotely, later in July 2022 and that she hoped that an agreement could be reached with Person B via the courts.
22. On 15 July 2022, between 10:17am and 10:38am, Person B informed the Respondent via telephone that he did not possess Person M's current phone number, resulting in the Respondent agreeing to request his information
23. Following this phone call with Person B, at 10:54am, the Respondent sent a second email to Person M, again requesting that she provide her phone number and address.
24. The Respondent stated that these contact details would be required for the purpose of enabling Person B to make child contact arrangements and also to enable the Respondent to provide them to the court despite, on the Applicant's case, his knowledge that this would not be necessary.

25. On 15 July 2022, Person M responded to the Respondent's second request, again declining to provide these details and stating that she preferred to be contacted by Person B only via email. Person M further elaborated that her preference for email contact only was due to the nature of calls she had previously received from Person B and his current partner. Person M's response again highlighted that she had already provided her contact details to "*the courts directly so they will have no issues contacting me*".
26. In the same email to the Respondent on 15 July 2022, Person M also specifically highlighted that, due to concerns she had raised in the paperwork she had submitted to the court; she felt that it was best for the courts to decide the matter of safe contact arrangements between Person B and their child. Person M also informed the Respondent that she did not wish to discuss the matter further via email.
27. Despite this, the Respondent again contacted Person M via email on 18 July 2022 regarding her contact details, asking her to confirm whether a telephone number that had been provided to him from another source did indeed belong to her. The Respondent's stated purpose for this request was that the information was needed so he could provide it to the court. Person M responded to this email on 20 July 2022 to state that she had again confirmed with the court that they held her contact details and that the court had also confirmed that she was not obliged to share her contact details with the Respondent or Person B prior to the hearing.
28. The Respondent emailed Person M again on 21 July 2022 to indicate that he believed Person M was living in the Town area and that, if his information was correct, this would likely impact on the direct contact arrangements between Person B and his child.
29. Person M replied on 25 July 2022 to repeat that the court had advised her that she was not obliged to discuss the case prior to the hearing and, with regards to her address, she would appreciate if the Respondent would consider her safety and that of her children. The initial court hearing for this matter subsequently took place on 29 July 2022, having been postponed from the originally scheduled date of 20 July 2022.
30. The Applicant asserted that, given the Respondent's knowledge of the circumstances of the proceedings from 13 July 2022 onwards, his repeated requests between 15 and 21 July 2022 for Person M's contact details amounted to an attempt to take unfair advantage of Person M as a litigant in person who could reasonably be expected to be less familiar with her disclosure obligations and the applicable procedure. The Applicant submitted that, in circumstances where Person M had made clear that she did not wish to disclose the information sought, the Respondent's continued requests represented a conscious attempt to take unfair advantage of her position.
31. The Respondent described the application issued by Person B as related to arrangements for Person B to spend time with the Child and the school which the Child was attending. He stated that his initial instructions from Person B gave no rise to any concern that Person B was a threat to Person M. There was no evidence that an injunction had been obtained by Person M against Person B or that the police were involved in the investigation of any allegation against Person B.
32. On 13 July 2022 the Respondent attended Person B's home address for an in-person

consultation regarding the case. The Respondent described Person B as a nice chap with a nice home and family. The Respondent submitted that there were no identifiable red flags and that this assessment of his client informed his approach to the case and his dealings with Person M.

33. The Respondent submitted that the instructions received from Person B described a course of conduct by Person M which, he contended, suggested an attempt to exclude Person B from involvement in the Child's life to such an extent that issues of parental alienation might become relevant within the ongoing family proceedings.
34. The Respondent further stated that Person B was concerned that he did not know the Child's home address or the school which the Child was attending. In relation to the Child's schooling, the Respondent stated that Person B had not been consulted regarding the educational arrangements and believed that the Child had been placed in a boarding school notwithstanding that Person M was aware that such arrangements were contrary to Person B's expressed wishes.
35. The Respondent submitted that Person M had unilaterally relocated both herself and the Child without notice to Person B and had similarly made decisions concerning the Child's schooling without consultation. It was submitted that such conduct was inconsistent with the principles underlying the exercise of shared parental responsibility by both parents in relation to the Child.
36. Person B gave instructions that indicated that Person M was, on occasion, dishonest and may make allegations against Person B that were false. It was the assessment of the Respondent that Person B was honest and reliable and did not pose any threat to the safety of Person M or the Child.
37. The Respondent submitted that there are occasions when a party to family proceedings will seek to create a false narrative by presenting them as vulnerable or at risk in order to justify or explain their actions and that making non-specific allegations of harm can be common in these circumstances.
38. The Respondent acknowledged that Person M was under no legal obligation to provide him with her address. However, he submitted that, when corresponding with Person M, he had regard to both his instructions and his client's Article 8 rights¹.
39. The Respondent submitted that, whilst he was aware that Person M did not wish to disclose her address, she had not provided any explanation or justification for adopting that position. He further submitted that there was no evidence or reason to suspect that Person B having knowledge of the address of either Person M or the Child would place either of them at risk of harm.
40. The Respondent submitted that his assessment of the underlying circumstances and risk factors was vindicated by the fact that Person M did not ultimately pursue findings in respect of the allegations of harm set out in the Relevant Form.
41. The Respondent contended that, in light of the instructions received from Person B, it

¹ of the European Convention on Human Rights ('ECHR') regarding Person B's right to respect for his family life.

was reasonable for him to press Person M to provide details of her address and, consequently, the whereabouts of the Child.

42. The Respondent submitted that there was no evidence that the language used in his correspondence with Person M was oppressive, threatening or aggressive. He contended that this issue lay at the heart of the allegation that he had taken unfair advantage of Person M and maintained that, to the contrary, the communications relied upon were moderate, polite and non-threatening in tone. The Respondent further noted that his correspondence included suggestions that Person M seek independent legal advice. The Respondent understood that Person M had obtained legal advice. Person M accepted that she had received assistance from a McKenzie Friend and, separately, from a solicitor by way of a free 30-minute telephone consultation concerning the possibility of taking the child abroad on holiday.
43. Accordingly, the Respondent denied that, during July 2022, he had attempted to take unfair advantage of Person M's position as a litigant in person by repeatedly requesting her contact details.

Obtaining contact details for Person M and disclosing them to his client, Person B.

44. On 15 July 2022, the Respondent emailed the private investigation firm Proactive Investigations Ltd ("Proactive") to request that they conduct a trace on Person M's known details with a view to obtaining her current address, having previously obtained a quote for these services on 13 July 2022. As a result of these enquiries, he was provided with a likely address and phone number for Person M by Proactive on 15 July 2022. Despite the concerns and issues highlighted by Person M in her email of 15 July 2022, the Respondent disclosed the contact details for Person M provided by Proactive to Person B on 18 July 2022.
45. In support of its case, the Applicant relied upon the Family Procedure Rules², in particular, Rule 29.1 which provides that a party is not required to disclose their home address or other contact details, nor the address or contact details of any child. The Applicant also referred to Rule 29.2, which provides that where a party does not wish to reveal such information, notice may be given to the court, and the details will not be disclosed save where the court orders otherwise.
46. The purpose of those provisions was the prevention of harm. It was submitted that family proceedings frequently involve allegations of domestic abuse, coercive behaviour and safeguarding concerns relating to children, such that solicitors practising in that field must exercise particular caution. The Applicant submitted that circumventing the protections contained within the Family Procedure Rules carried the potential to place individuals, including children, at risk. Accordingly, the disclosure of contact details was said to be a matter properly subject to judicial oversight and determination by the court.
47. The Respondent was said to be an experienced family law practitioner and therefore knew, or ought reasonably to have known, of both the existence and significance of

² See Family Procedure Rules, Part 29 here: <https://www.justice.gov.uk/courts/procedure-rules/family/parts/part-29>.

those provisions. The Applicant submitted that this was apparent not only from the Respondent's experience in family law but also from an email dated 13 July 2022 in which the Respondent stated that, if Person M was unwilling voluntarily to disclose her contact details, he would seek a court order. The Applicant submitted that this demonstrated the Respondent's appreciation that disclosure was ultimately a matter for judicial determination.

48. On 11 July 2022, Person M filed two documents with the court which, it was said, made clear both that allegations of domestic abuse were raised within the proceedings and that she wished her contact details to remain confidential. The Applicant accepted that it could not establish that the Respondent had received either document during July 2022 and acknowledged the Respondent's position that he did not receive them until a later stage.
49. Nevertheless, the Applicant submitted that a reasonably careful family practitioner would have appreciated that allegations of domestic abuse are frequently raised in child proceedings and that, pending disclosure from the Children and Family Court Advisory and Support Service ("CAFCASS") or the court, a solicitor could not safely assume that no such allegations existed. It was submitted that caution ought therefore to have been exercised throughout.
50. In response to the Respondent's contention that there had been nothing in July 2022 to indicate that allegations of domestic abuse or child mistreatment had been made, the Applicant submitted that there had equally been nothing to indicate that such allegations had not been made. It was submitted that, until CAFCASS reports became available, the Respondent ought reasonably to have appreciated that there remained at least a substantial risk that safeguarding concerns may have arisen.
51. The Applicant further submitted that Person M had, in fact, placed the Respondent on notice that her contact details had been provided to the court and were not to be disclosed directly. The Applicant referred to an exchange of emails in which the Respondent requested Person M's current address and telephone number. In response, Person M stated that documentation concerning her address had already been submitted to the court.
52. The Applicant submitted that a reasonable family practitioner reading that correspondence would have understood that Person M did not wish directly to provide contact details.
53. In a subsequent email dated 15 July 2022 Person M stated that Person B already possessed an email address through which communication could occur and that this was a sufficient means of contact. Person M further stated that both her telephone number and address had been provided directly to the court and that, given the concerns raised in paperwork already filed, it was appropriate for the court to determine arrangements for safe and appropriate contact.
54. The Applicant submitted that, notwithstanding those clear indications, the Respondent proceeded to instruct a tracing agent and subsequently disclosed the resulting information to Person B. The Applicant submitted that, by that stage, Person M had twice made clear that direct contact details were not to be provided.

55. The Applicant's case was that the Respondent thereby circumvented the protections contained within the Family Procedure Rules. By providing Person B with contact details obtained without consent and outside the court process, the Respondent disclosed information which Person M plainly did not wish to share. It was further submitted that this occurred before any CAFCASS safeguarding information or reports had been obtained and in circumstances where serious safeguarding concerns may have existed.
56. The Respondent had advanced a number of explanations for his actions which the Applicant submitted were not persuasive. The Applicant referred to the Respondent's written response to the allegations in which he stated that the information relating to Person M was required in order to establish the whereabouts of the Child so as to further Person B's application for direct contact and to identify the local court to which proceedings might be transferred.
57. The Applicant submitted that neither explanation withstood scrutiny. As to the first, it was submitted that decisions concerning contact between Person B and the Child were matters for determination by the Family Court and not for unilateral action by the Respondent. As to the second, it was submitted that the court itself was fully capable of determining venue and transferring proceedings without the Respondent independently obtaining confidential contact details through the use of a tracing agent.
58. The Applicant also referred to correspondence sent by the Respondent to the Applicant in February 2023 in which the Respondent stated that solicitors were obliged to assist the court in facilitating remote hearings by providing contact details. This explanation was said to be similarly unsustainable because Person M had already confirmed attendance at the hearing and because the Respondent already possessed an operative email address through which communication was taking place. It was submitted that no legitimate need existed to obtain a residential address.
59. Person M responded promptly and appropriately to the Respondent's communications throughout July 2022. Emails sent on 13 July, and 15 July had each received responses on the same day. The Applicant therefore submitted that there could have been no genuine concern that Person M was failing to engage with the proceedings.
60. The Applicant's case was that the true reason for seeking the information was because Person B wished to obtain the contact details and that the Respondent had acted upon those wishes.
61. The Applicant submitted that a solicitor could not properly proceed on the basis that no safeguarding concerns existed merely because none had yet been confirmed. In family proceedings, where such allegations are frequently made, the proper course was said to be to proceed cautiously and to allow the court to determine whether confidential information should be disclosed.
62. Finally, the Applicant submitted that, under the Family Procedure Rules, if the Respondent or Person B wished to obtain Person M's address, the appropriate course would have been to apply to the court for a disclosure order. This was both the procedure prescribed by the Family Procedure Rules and the course which an experienced family law practitioner would ordinarily have taken. Instead, the

Respondent instructed a private investigator which created serious risks both to Person M and to the Child and deprived the court of the opportunity to determine whether disclosure of the information should occur. The Applicant's position was that the question of disclosure was one for the court and not for unilateral determination by the Respondent.

63. The Respondent submitted that the fundamental principle underpinning family proceedings was the right to family life protected by Article 8 of the Human Rights Act 1998. Disputes concerning children or divorce were founded upon that principle and that the right to family life included a parent's right to know where their child lived. There were a number of reasons why such information was important to a parent, including the ability to communicate important information in the event of emergencies, to maintain knowledge of the child's welfare and living arrangements, and to provide reassurance and peace of mind. The Respondent stated that, as a parent himself, he understood the significance which a parent would attach to knowing where their child was living if the child was no longer residing with them.
64. The Respondent accepted that such a right could properly be restricted where there existed a genuine risk of harm to the child. He submitted, however, that whether such circumstances existed was fact specific.
65. The Respondent stated that he first took instructions from Person B by telephone on 8 July 2022 and subsequently at a face-to-face meeting on 13 July 2022, Person B informed him that he wished to ascertain where his child was living because Person M had relocated from her previous address without informing him. Person B had allegedly only discovered that Person M had moved when he attended the former address and found the property vacant.
66. Person B was said to have attempted to contact both Person M and the child unsuccessfully and, as a consequence, did not know where the child was residing. The Respondent submitted that, given Person M's partners particular occupation, there existed a genuine concern that she may have relocated abroad with the Child.
67. Person B was concerned that, contrary to his wishes, the Child may have been placed in a boarding school. He did not support such arrangements and was further concerned that this may have occurred without his knowledge or consent. The Respondent noted that Person B shared parental responsibility for the Child and submitted that this conferred upon him a right to participate in significant decisions concerning the Child's welfare, education and living arrangements.
68. It was submitted that Person B believed that important decisions concerning the Child had been taken unilaterally by Person M, including relocation and possible educational arrangements, without explanation or consultation. This was said to have caused Person B considerable distress and anxiety.
69. Person B had already issued an application for a Child Arrangements Order, including applications relating to time spent with the Child and matters concerning the Child's schooling. The Respondent submitted that concerns had also arisen within the proceedings as to whether the Child may have been removed from the jurisdiction.

70. Against that background, the Respondent submitted that, in order properly to fulfil his client's instructions and act in his client's best interests, he had to progress the application before the Family Court, it was necessary to ascertain where the Child was living.
71. The Respondent referred to the chronology of events and contended that he had already instructed Proactive to prepare a report concerning the likely address of Person M and that the information obtained had been provided to Person B before he had sight of the relevant court documentation filed by Person M seeking confidentiality of her contact details.
72. The Respondent submitted that he had acted diligently and promptly upon the instructions received from Person B to make enquiries as to the whereabouts of the Child. He stated that it had been necessary to obtain contact details for Person M both in order to establish the whereabouts of the Child so as to further Person B's application for direct contact and, within the context of the ongoing proceedings, to identify the local court to which the proceedings might be transferred.
73. The Respondent emphasised that, had he been aware of or had sight of the relevant court documentation filed by Person M seeking confidentiality of contact details, he would not have pursued obtaining that information. He submitted, however, that by the time he became aware of those documents, the information had already been obtained and disclosed to Person B.
74. The Respondent also denied the Applicant's alternative case of recklessness. He invited the Tribunal to consider his knowledge and understanding of any potential risks at the material time. The Respondent submitted that Person M had not informed him of any vulnerabilities, safeguarding concerns or allegations of domestic abuse and that he was unaware that the Relevant Form had been filed with the court when he obtained Person M's contact details and disclosed them to Person B.
75. The Respondent submitted that the standard which the Applicant contended he ought to have met was both unrealistic and unsupported by the Family Procedure Rules. He further submitted that recklessness required a conscious appreciation of a risk coupled with a decision to proceed regardless of that risk. The Respondent contended that such circumstances were not established on the Applicant's case.

Witnesses

76. The evidence is quoted or summarised in the Findings of Fact and Law below. The evidence referred to will be that which was relevant to the findings of the Tribunal, and to facts or issues in dispute between the parties. For the avoidance of doubt, the Tribunal read all of the documents in the case. The absence of any reference to particular evidence should not be taken as an indication that the Tribunal did not read, hear or consider that evidence.
77. The following witnesses provided witness statements and gave oral evidence during the hearing: -
 - The Respondent

- Person M

The Applicant's Case

78. The Rule 12 Statement setting out the Applicant's case – [[Click Here](#)]

The Respondent's Case

79. The Respondent's Answer to the Applicant's Rule 12 Statement – [[Click Here](#)]

Findings of Fact and Law

80. The Applicant was required to prove the allegation 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 his private and family life under Articles 6 and 8 of the ECHR.
81. The Tribunal reviewed all the material before it and considered with great care the submissions made by the Respondent and Mr Smith. All findings were made on the balance of probabilities. The burden of proof lay entirely with the Applicant.
82. **Allegation 1.1. During July 2022, he attempted to take unfair advantage of Person M's position as a litigant in person by repeatedly asking her for her contact details**
- 82.1 The Respondent is an experienced solicitor of almost 44 years' standing with extensive practice in family proceedings. The Tribunal noted that from outset this was, in essence, a straightforward case in which the Respondent fundamentally misjudged the situation confronting him.
- 82.2 The Respondent was instructed by Person B on 8 July 2022 in relation to an application in the family court against Person B's former partner. The Respondent was informed by Person B on 8 July 2022 that he did not possess Person M's current address.
- 82.3 The Respondent conducted an assessment of his client, Person B, during a telephone call on 8 July 2022 and at an in-person consultation on 13 July 2022 held at Person B's home address. On the basis of that assessment, he concluded that Person B presented no risk to Person M or her family. That conclusion led the Respondent to take the view that there was no good reason to displace the right to family life protected by Article 8 of the ECHR, in circumstances where there was shared parental responsibility and his client sought the address of his child and had instructed him to obtain it. The Tribunal did not accept that this reasoning, even if genuinely held, provided any proper justification for the course the Respondent subsequently took.
- 82.4 On 13 July 2022 the Respondent contacted Person by email requesting that she provide her telephone number and home address so that Person B could contact the Child, stating: *"If, for any reason, you are unwilling to disclose your address then I will seek an order from the court that the address where you are living with [the child] must be provided by you"*

- 82.5 The Tribunal found that the Respondent therefore knew from the outset what the proper course of action was in those circumstances. In his opening email to Person M, he stated that, if she was unwilling voluntarily to provide her contact details, he would seek a court order. The Tribunal considered that this was precisely the course which ought to have been followed had the Respondent wished to pursue disclosure of those details on behalf of Person B.
- 82.6 In her response on 13 July 2022 Person M stated that she had already provided her telephone number and home address to the courts; that she intended to attend the hearing in July 2022; and that she hoped the court could “... *facilitate regular and safe contact*” between Person B and the Child.
- 82.7 The Respondent repeated the request to Person M on 15 July 2022. Person M responded on 15 July 2022, again declining to provide her details, and stating “... *given the concerns I have raised in the court paperwork I have submitted, it is best to let the courts decide on a safe and appropriate contact schedule between [the Child and Person B]*”
- 82.8 On 20 July 2022 Person M responded further, stating: “... *the court has confirmed that I have provided them with my contact details and that I am not required to disclose said information with yourselves*”.
- 82.9 The Tribunal found that the Respondent had a clear understanding of Person M’s position by this stage. Person M had already filed the Relevant Form with the Court to protect her address, and although it had not been served on Person B or the Respondent, Person M had alluded to the importance of the court documentation in her emails to the Respondent. The Tribunal found that there was adequate and sufficient information in her email replies to the Respondent to make clear that she did not want to provide her address.
- 82.10 The Tribunal found the evidence of Person M to be credible, measured and consistent throughout. The Tribunal was grateful to her for giving evidence on a sensitive matter in difficult personal circumstances and found her evidence to be straightforward and helpful.
- 82.11 The Tribunal accepted Person M’s explanation as to why she did not wish to share her address and accepted her evidence that she had made it clear to the Respondent that she did not wish to provide her address directly to him or for it to be shared with Person B, having already provided those details directly to the court in accordance with the relevant procedure. The Tribunal considered that evidence to be both reasonable and credible.
- 82.12 The Tribunal found that the Respondent knew that Person M did not want to provide him with her contact details. The Respondent acknowledged in his evidence that there was no legal obligation requiring Person M to provide her address to him during the period that he was requesting it.
- 82.13 The Tribunal rejected the Respondent’s submission that he required the information in order to progress Person B’s case. The appropriate procedure was clear and had been identified by the Respondent himself in his email to Person M dated 13 July 2022, in

which he stated that he would seek a court order if the information was not provided voluntarily. The Tribunal considered that the Respondent's subsequent decision not to follow that procedure was a fundamental misjudgement that went to the heart of the allegation.

- 82.14 The Tribunal found on the balance of probabilities that during July 2022 the Respondent persistently requested that Person M, a litigant in person, disclose information to which neither he nor his client was entitled and that, in doing so, he attempted to take unfair advantage of Person M. The Tribunal further found that the Respondent knew, or ought to have known, that Person M did not wish to provide that information, that she was under no legal obligation to do so and that the information was not required in order to progress his client's case.
- 82.15 Having found the factual matrix of Allegation 1.1³ proved, the Tribunal went on to consider the alleged breaches of the Principles and the Code for Solicitors.
- 82.16 The Tribunal found that the Respondent breached Principle 2 of the Principles which required that the Respondent act in a way that upholds public trust and confidence in the solicitors' profession and in legal services provided by authorised persons.
- 82.17 Principle 5 of the Principles requires that the Respondent acts with integrity. The Tribunal was assisted by the comments of Jackson LJ in *Wingate v SRA* [2018] EWCA Civ 366 ('*Wingate*'), where he stated:

“[97] ... the term “integrity” is a useful shorthand to express the higher standards which society expects from professional persons and which the professions expect from their own members ... The underlying rationale is that the professions have a privileged and trusted role in society. In return they are required to live up to their own professional standards ... [100] Integrity connotes adherence to the ethical standards of one's own profession. That involves more than mere honesty”.

- 82.18 The Tribunal found that the Respondent failed to demonstrate the higher standards which society expects from professional persons and which the profession expects from its own members. The Tribunal further found that the Respondent failed to adhere to ethical standards of the profession and had therefore breached Principle 5 of the 2019 Principles and also breached Rule 1.2 of the Code for Solicitors which required that the Respondent not abuse his position by taking unfair advantage of clients or others.
83. **Allegation 1.2 During July 2022, he obtained contact details for Person M by means of a private investigator and then disclosed those contact details to his client.**

- 83.1 The underlying factual matrix and chronology in respect of Allegation 1.2 was not in dispute and the Tribunal's determination therefore related to the Respondent's conduct in obtaining and disclosing the information as set out within the sub-particulars of the allegation. These included the Respondent disclosing Person M's contact details to his client when he knew or ought to have known that:

³ Including all sub-particulars i.e. Allegations 1.1.1, 1.1.2, 1.1.3

- obtaining Person M's likely contact details was not necessary;
- Person M would not have consented to her contact details being obtained by such means;
- the relevant Family Procedure Rules directed that Person M was entitled to withhold her contact details until directed to disclose them by a court order; and
- doing so would prevent the court from being able to properly determine during an upcoming hearing whether such disclosure should in fact be made.

83.2 The Tribunal found that the Respondent misjudged Person M in that he did not consider her to be vulnerable, drawing that conclusion from the fact that she had stood her ground firmly and consistently in refusing to provide her address and had been confident and direct in her communications with him. The Tribunal rejected that analysis. A person may be resolute in the assertion of their rights whilst simultaneously being in a vulnerable position. Indeed, the Family Procedure Rules exist precisely to afford protection to parties in such circumstances, regardless of how they conduct themselves in correspondence. Solicitors should not take it upon themselves to disregard the Family Procedure Rules in order to fulfil their client's instructions.

83.3 The Tribunal's earlier findings, namely that the Respondent knew the appropriate procedural mechanism available to him to seek disclosure of Person M's contact details, acknowledged that mechanism, but consciously chose not to pursue it, equally applied to this allegation. Instead of following the prescribed procedure, the Respondent instructed a private investigator to obtain Person M's address and telephone number and thereafter, outside the Family Court process, disclosed those details directly to Person B before the court had any opportunity to determine whether disclosure of that information was appropriate.

83.4 The Respondent knew that obtaining Person M's likely contact details was not necessary and that Person M would not have consented to her contact details being obtained by such means. The Respondent was an experienced solicitor and knew that the relevant Family Procedure Rules provided that Person M was entitled to withhold her contact details unless directed to disclose them by court order. The Tribunal therefore found sub-particulars 1.2.1, 1.2.2 and 1.2.3 proved on the balance of probabilities.

83.5 The Tribunal next considered whether the Respondent's actions prevented the court from being able to properly determine whether disclosure of Person M's contact details should be made.

83.6 The initial hearing in the family proceedings took place on 29 July 2022, having been postponed from the originally scheduled date of 20 July 2022. The Respondent was aware of Person M's contact details by this stage, as Proactive had provided him with Person M's likely address and telephone number on 15 July 2022. The Respondent did not disclose to the court the fact that he had been provided with this information and the Tribunal therefore found that the court was not deprived of the opportunity properly to determine whether disclosure of Person M's contact details should be made at the

hearing on 29 July 2022. The Tribunal therefore found Allegation 1.2.4 not proved.

- 83.7 Having found the factual matrix of Allegation 1.2 proved⁴, the Tribunal went on to consider the alleged breaches of the Principles and the Code for Solicitors.
- 83.8 Principle 1 of the Principles required the Respondent to act in a way that upheld the constitutional principle of the rule of law and the proper administration of justice. Notwithstanding the Tribunal's finding in respect of Allegation 1.2.4, the Respondent knew the appropriate procedural mechanism available to him to seek disclosure of Person M's contact details, acknowledged that mechanism, but consciously chose not to pursue it and therefore breached Principle 1 of the principles.
- 83.9 The Tribunal found that the Respondent's conduct at 1.2.1, 1.2.2 and 1.2.3 also breached Principle 2 of the Principles which required the Respondent to act in a way that upheld public trust and confidence in the solicitors' profession and in legal services provided by authorised persons and Principle 5 of the Principles which required the Respondent to act with integrity⁵.

Recklessness

- 83.10 Recklessness was alleged as an aggravating feature of the Respondent's misconduct at Allegation 1.2.
- 83.11 However, recklessness was pleaded in the alternative to the alleged breaches of Principles 1, 2 and 5 of the Principles and Paragraph 1.2 of the Code for Solicitors relied upon within Allegation 1.2. The Tribunal considered that this approach was unusual and unfortunate, particularly given the considerable proportion of the hearing devoted to the issue of recklessness.
- 83.12 Having found proved the Applicant's primary case, namely breaches of Principles 1, 2 and 5 of the Principles and Paragraph 1.2 of the Code for Solicitors, the Tribunal was neither required, nor able, to make separate findings in relation to recklessness. Accordingly, no finding was made on that alternative basis.

Previous Disciplinary Matters

84. None.

Mitigation

85. The Respondent acknowledged the difficulty of advancing mitigation in circumstances where he had contested the allegations, and they had ultimately been found proved by the Tribunal.
86. The Respondent submitted that the misconduct arose from what he described as two misjudgements: firstly, his assessment of Person B and, secondly, his assessment of Person M. He stated that, with hindsight, he recognised that those assessments had been

⁴ In respect of sub-particulars 1.2.1, 1.2.2 and 1.2.3 only, 1.2.4 having been found not proved.

⁵ The Tribunal was assisted by and applied the test set out in Wingate in relation to the Respondent's breach of Principle 5.

flawed and accepted that the Tribunal had found his professional judgment to have been wanting. The Respondent stated that he was not sure if he was able to and/or should continue in his role given the high standard set by the Tribunal.

87. The Respondent submitted that he had reflected significantly during the approximately three years in which the matter had been under investigation and maintained that, notwithstanding the Tribunal's observations during the substantive hearing, he had gained insight from the experience and had learned from it. He expressed remorse for his conduct and stated that he was "incredibly sorry" for the decisions he had made. The Respondent submitted that, if he had the opportunity again, he would approach the circumstances differently with the benefit of hindsight.
88. The Respondent further submitted that the investigation and proceedings had caused him very considerable personal stress and anxiety, particularly in the period leading up to the hearing. He explained that he had represented himself due to his financial position and the significant costs involved in obtaining specialist representation.
89. The Respondent also invited the Tribunal to take into account his previously unblemished professional record over a lengthy career in practice. He stated that he was a sole practitioner operating from a home-based office and described himself as being towards the latter stages of his professional career with a modest income. The Respondent acknowledged that the proceedings would in any event carry significant financial consequences for him, including liability for costs.

Sanction

90. 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. The Tribunal's overriding objective when considering sanction, was the need to maintain public confidence in the integrity of the profession.
91. In determining sanction, the Tribunal's role involved an assessment of the seriousness of the proven misconduct in order to impose a sanction that was fair and proportionate in all the circumstances. In determining the seriousness of the misconduct, the Tribunal considered the identifiable culpability and harm together with the aggravating and mitigating factors that existed.
92. The Tribunal found that the Respondent demonstrated an unnecessarily partisan approach which had at times compromised his professional objectivity. The Tribunal considered that this was particularly reflected in the manner in which the Respondent repeatedly pursued Person M for her address notwithstanding her clear position, together with his subsequent decisions to instruct Proactive and thereafter disclose Proactive's findings directly to Person B. The Respondent's cross-examination of Person M further reflected this approach.
93. The Tribunal accepted that the Respondent was motivated by what he perceived to be the interests of his client, Person B, and by a mistaken belief that he was entitled to take the steps he did in order to advance his client's objectives within the family proceedings. However, the Tribunal did not consider that this materially reduced the seriousness of the misconduct. Rather, the Respondent's conduct demonstrated a failure to maintain

the reasoned judgement and objectivity required of a solicitor, particularly in the context of sensitive family proceedings involving safeguarding considerations and confidential information.

94. The Respondent had direct control of and responsibility for the circumstances giving rise to the misconduct, which was not inadvertent or spontaneous. The Respondent was an experienced family law practitioner who understood the relevant procedural framework and expressly identified the correct procedural route available to him.
95. The Tribunal had regard to the extent of the harm that was intended or which might reasonably have been foreseen to arise from the Respondent's misconduct. The potential for harm arising from the misconduct was clear. The Family Procedure Rules protect parties and children in family proceedings where issues of safeguarding, risk of domestic and domestic abuse frequently arise. The Respondent circumvented those procedural safeguards and disclosed confidential contact information outside the court process.
96. Person M detailed the significant impact of the Respondent's misconduct upon her and her family. In addition to the harm caused to Person M and her family, the Respondent's actions also undermined public confidence in the legal profession.
97. There were several aggravating factors engaged by the Respondent's conduct. The Tribunal found that the allegations represented misconduct where the Respondent knew or ought reasonably to have known that the conduct complained of was in material breach of obligations to protect the public and the reputation of the legal profession. Furthermore, the Respondent demonstrated limited remorse or insight in the course of his evidence and did not properly appreciate the position in which his conduct had placed Person M.
98. The Tribunal also considered the applicable mitigation. The Respondent had practised as a solicitor for approximately 44 years without previous disciplinary findings. The Tribunal accepted that he had experienced considerable stress throughout the investigation and hearing process and also noted that the Respondent expressed remorse in his oral mitigation, stating that he wished he could revisit the decisions he had made in July 2022.
99. The Tribunal considered that the Respondent's misconduct was not motivated by financial gain, personal animosity or any deliberate intention to cause harm to Person M. The Tribunal also noted that the Respondent had cooperated throughout the Applicant's investigation and the subsequent proceedings.
100. The Tribunal determined that, given the seriousness of the matters found proved and the Respondent's culpability, sanctions such as No Order or a Reprimand were not appropriate. However, neither the protection of the public nor the maintenance of public confidence in the profession required a Suspension or Strike Off. The Tribunal therefore determined that a financial penalty was appropriate and assessed the misconduct as falling within Level 3 of the Indicative Fine Bands (£10,001–£20,000).
101. The Tribunal determined that a fine in the sum of £17,500 was commensurate with and proportionate to the seriousness of the misconduct.

Costs

102. The Applicant applied for costs in the sum of £20,312.00, as particularised within the Applicant's Statement of Costs dated 28 April 2026. The Applicant submitted that the proceedings had been properly brought and that the majority of the allegations had been found proved. Accordingly, the Applicant contended that it was entitled to recover its costs.
103. The Respondent submitted that the costs claimed by the Applicant were excessive. He stated that he had cooperated fully throughout the investigation and had provided all documentation requested of him in a timely manner in order to assist the investigation and narrow the issues in dispute. The Respondent further submitted that certain documentation obtained by the Applicant appeared unnecessary and had not ultimately formed part of the case advanced against him.
104. The Respondent noted that the costs claimed appeared to have been calculated on the basis of an hourly rate for counsel in excess of £300 and he invited the Tribunal to scrutinise this carefully. The Respondent further informed the Tribunal that he was not in a financial position to satisfy any costs order immediately and accordingly sought time to pay.
105. The Respondent had not filed a statement of means supported by evidence in advance of the hearing pursuant to Rule 43(5) of the SDPR. As a consequence, the Tribunal was unable to take the Respondent's means into account when determining the amount of costs payable.
106. The Tribunal reviewed the Applicant's Statement of Costs in detail pursuant to Rule 43 of the SDPR and had regard for the conduct of the parties including the extent to which the Tribunal's directions and time limits imposed had been complied with, whether the amount of time spent on the matter was proportionate and reasonable and whether any or all of the allegations were pursued reasonably.
107. The Tribunal noted that a proportion of the hearing time had been expended on issues relating to recklessness and, separately, on abstract submissions concerning dishonesty. In relation to recklessness, the Tribunal had ultimately been precluded from making findings because of the manner in which the Applicant's case had been constructed. The Tribunal further noted that dishonesty did not form part of the Applicant's case against the Respondent.
108. The Tribunal also scrutinised the Applicant's Statement of Costs and considered that there was an element of duplication between the costs claimed for Counsel and those incurred by the SRA's internal legal team in the preparing the matter for issue. The Tribunal therefore concluded that the costs sought by the Applicant should be reduced in order to ensure that they were fair, reasonable and proportionate.
109. The Tribunal ordered that the Respondent do pay the costs of and incidental to this application and enquiry fixed in the sum of £15,000.00.

Statement of Full Order

110. The Tribunal ORDERED that the Respondent, CLIVE GRAHAM WOOD, solicitor, do pay a FINE of £17,500.00, such penalty to be forfeit to His Majesty the King, and it further Ordered that he do pay the costs of and incidental to this application and enquiry fixed in the sum of £15,000.00.

DATED AND FILED WITH THE LAW SOCIETY

This 5th day of June 2026

On behalf of the Tribunal

A. Kellett

Ms A Kellett
Chair