

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12854-2025

BETWEEN:

SOLICITORS REGULATION AUTHORITY LTD

Applicant

and

ANTHONY NOWOGRODZKI

Respondent

Before:

Mr R Nicholas (in the chair)

Mrs F Kyriacou

Ms E Keen

Date of Hearing: 27 May 2026

Appearances

Joshua Hitchens, counsel of Outer Temple Chambers, 222 Strand, Temple, London WC2R 1BA for the Applicant.

The Respondent did not appear and was not represented.

JUDGMENT

Allegations

1. The allegation made against Mr Nowogrodzki by the Solicitors Regulation Authority Limited (“SRA”) were that:

1.1 Between 24 January 2024 and 28 January 2024, ill-treated a child under the age of 16, resulting in his conviction on 11 July 2024 before the Crown Court at Bristol for an offence contrary to section 1 of the Children and Young Persons Act 1933. The Applicant relies on the Respondent's conviction for the offence of ill-treatment of a child, with the Certificate of Conviction dated 20 December 2024, as evidence that the Respondent was guilty of that offence, and relies upon the findings of fact upon which that conviction was based as proof of those facts.

In doing so, he breached any or all of Principles 2 and/or 5 of the SRA Principles 2019 ('the Principles').

1.2 On 27 January 2024, assaulted a child under the age of 16 by beating, resulting in his conviction on 11 July 2024 before the Crown Court at Bristol for an offence contrary to section 39 of the Criminal Justice Act 1988. The Applicant relies on the Respondent's conviction for the offence of assault by beating, with the Certificate of Conviction dated 20 December 2024, as evidence that the Respondent was guilty of that offence, and relies upon the findings of fact upon which that conviction was based as proof of those facts.

In doing so, he breached any or all of Principles 2 and/or 5 of the Principles.

Executive Summary

2. The Tribunal found the allegations proved on the unchallenged evidence. The Tribunal was satisfied that Mr Nowogrodzki, having pleaded guilty to the matters detailed, was guilty of those matters. The Tribunal’s findings can be accessed here:

- Allegations 1.1 and 1.2

3. The Tribunal determined that given the serious nature of the criminal matters, the only appropriate and proportionate sanction was to strike Mr Nowogrodzki off the Roll. The Tribunal’s reasoning can be accessed here:

- [Sanction](#)

Documents

4. The Tribunal reviewed all the documents submitted by the parties, which included (but was not limited to):

- Rule 12 Statement and Exhibit MH1 dated 9 October 2025
- Applicant’s schedule of costs dated 15 May 2026

Preliminary Matter

5. Applicant's application to proceed in absence.

- 5.1 Mr Hitchens submitted that Mr Nowogrodzki was plainly aware of the proceedings. He had communicated with the Applicant with regard to the referral of the matter to the Tribunal. Thereafter, on 15 May 2026, Mr Nowogrodzki had emailed the Applicant in relation to the costs claimed. Mr Hitchens submitted that Mr Nowogrodzki had chosen not to attend the hearing and it was just to proceed in his absence.

Rule 36 of the Solicitors (Disciplinary Proceedings) Rules 2019 ("the SDPR") provided:

"If a party fails to attend and is not represented at the hearing and the Tribunal is satisfied that notice of the hearing was served on the party in accordance with these Rules, the Tribunal may hear and determine any application and make findings, hand down sanctions, order the payment of costs and make orders as it considers appropriate notwithstanding that the party failed to attend and is not represented at the hearing."

- 5.2 The Tribunal firstly considered whether service had been effected in accordance with Rule 44 of the SDPR. The Tribunal was satisfied that the proceedings, and notice of the hearing date, had been properly served on Mr Nowogrodzki. It was clear that he was aware of the hearing given his correspondence with the Applicant in relation to the costs claimed.
- 5.3 The Tribunal paid significant regard to the comment of Leveson P in *GMC v Adeogba [2016] EWCA Civ 162*, namely that in respect of regulatory proceedings there was a need for fairness to the regulator as well as a Respondent. At [19] he stated.

"... It would run entirely counter to the protection, promotion and maintenance of the health and safety of the public if a practitioner could effectively frustrate the process and challenge a refusal to adjourn when the practitioner had deliberately failed to engage with the process. The consequential cost and delay to other cases is real. Where there is good reason not to proceed, the case should be adjourned; where there is not, however, it is only right that it should proceed."

- 5.4 Leveson P went on to state at [23] that discretion must be exercised *"having regard to all the circumstances of which the Panel is aware with fairness to the practitioner being a prime consideration but fairness to the GMC and the interest of the public also taken into account"*.
- 5.5 The Tribunal was satisfied that in this instance Mr Nowogrodzki had chosen voluntarily to absent himself from the hearing. It was in the public interest and in the interests of justice that this case should be heard and determined as promptly as possible. No application had been made to adjourn the proceedings on health or any other grounds. The Tribunal determined that there was nothing to indicate that Mr Nowogrodzki would attend or engage with the proceedings if the case were adjourned. In the light of these

circumstances, it was just to proceed with the case, notwithstanding Mr Nowogrodzki's absence.

5.6 Accordingly, the application to proceed in the absence of Mr Nowogrodzki was granted.

Factual Background

6. Mr Nowogrodzki was a solicitor, having been admitted to the Roll in July 1991. At the material time, he was employed by the Crown Prosecution Service ("CPS") where he worked as a prosecutor.
7. On 31 January 2024, the victim disclosed matters to the police. Mr Nowogrodzki was arrested and interviewed. He denied the matters. Mr Nowogrodzki was charged and subsequently pleaded not guilty at court. Those not guilty pleas were maintained by him until the victim attended court for cross-examination, at which point Mr Nowogrodzki changed his pleas to guilty.
8. On 30 September 2024, Mr Nowogrodzki was sentenced as follows:
 - 14 months' imprisonment for child cruelty
 - 3 months' imprisonment for assault by beating, such sentence to run concurrently.

Witnesses

9. None

Findings of Fact and Law

10. 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 Mr Nowogrodzki's rights to a fair trial and to respect for his private and family life under Articles 6 and 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Integrity

The test for integrity was that set out in Wingate and Evans v SRA and SRA v Malins [2018] EWCA Civ 366, as per Jackson LJ:

"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 ... [Professionals] are required to live up to their own professional standards ... Integrity connotes adherence to the ethical standards of one's own profession."

11. **Allegation 1.1 - Between 24 January 2024 and 28 January 2024, ill-treated a child under the age of 16, resulting in his conviction on 11 July 2024 before the Crown Court at Bristol for an offence contrary to section 1 of the Children and Young Persons Act 1933. In doing so, he breached any or all of Principles 2 and/or 5 of the Principles.**

Allegation 1.2 - On 27 January 2024, assaulted a child under the age of 16 by beating, resulting in his conviction on 11 July 2024 before the Crown Court at Bristol for an offence contrary to section 39 of the Criminal Justice Act 1988. In doing so, he breached any or all of Principles 2 and/or 5 of the Principles.

The Applicant's Case

11.1 Mr Hitchens referred the Tribunal to Rule 32(1) of the SDPR which stated:

“A conviction for a criminal offence in the United Kingdom may be proved by the production of a certified copy of the certificate of conviction relating to the offence and proof of a conviction will constitute evidence that the person in question was guilty of the offence. The findings of fact upon which that conviction was based will be admissible as conclusive proof of those facts save in exceptional circumstances.”

11.2 Accordingly, the Applicant relied upon the convictions as conclusive proof of the facts.

11.3 Mr Hitchens submitted that it was self-evident that Mr Nowogrodzki's conduct breached Principle 2. He had committed serious criminal misconduct, resulting in an immediate custodial sentence of 14 months imprisonment. At the time of the criminal conduct, Mr Nowogrodzki was a CPS prosecutor, considering and prosecuting others for criminal offences.

11.4 The public would not expect a solicitor to behave in such a way that caused suffering to a child so serious that it amounted to criminal offending worthy of an immediate custodial sentence, nor would the public expect that a solicitor working for the Crown Prosecution Service, or indeed working in any capacity, to engage in such conduct. Accordingly, Mr Nowogrodzki had failed to act in a way that upheld public trust and confidence in the solicitors' profession and in legal services provided by authorised persons in breach of Principle 2.

11.5 The SRA's Topic guide, 'Criminal offences outside of practice', last updated on 25 November 2019 stated: *“Serious criminal conduct outside of practice raises questions of integrity and is likely to damage public confidence”*.

11.6 Mr Hitchens submitted that Mr Nowogrodzki's conviction showed a clear failure to act with integrity. As a CPS prosecutor, Mr Nowogrodzki judged whether prosecutions should be brought in public interest. The higher standard expected of him by the public and the profession included that he should not commit criminal offences that were so serious they required the imposition of an immediate, and not insignificant, custodial sentence. Accordingly, in acting as he had, Mr Nowogrodzki had failed to act with integrity in breach of Principle 5.

The Tribunal's Findings

11.7 The Tribunal found the facts proved on the certificate of conviction and unchallenged evidence. The Tribunal then considered whether the proven facts amounted to professional misconduct as alleged.

11.8 The Tribunal was satisfied that in acting as he had, Mr Nowogrodzki had failed to uphold public trust in breach of Principle 2. Members of the public would not expect a criminal prosecutor to commit serious criminal offences, resulting in an immediate custodial sentence. The Tribunal was further satisfied that such conduct fell well below the ethical standards of the profession in breach of Principle 5.

11.9 Accordingly, the Tribunal found allegations 1.1 and 1.2 proved.

Previous Disciplinary Matters

12. None

Mitigation

13. None

Sanction

14. The Tribunal had regard to the Guidance Note on Sanctions (11th Edition – February 2025). The Tribunal’s overriding objective, when considering sanction, was the need to maintain public confidence in the integrity of the profession. In determining sanction, it was the Tribunal’s role to assess the seriousness of the proven misconduct and to impose a sanction that was fair and proportionate in all the circumstances.

15. The conduct had caused significant harm to the reputation of the profession. As detailed, Mr Nowogrodzki had committed serious criminal misconduct at a time when he was responsible for prosecuting such misconduct. The criminal conviction included violence towards a vulnerable person on more than one occasion. Mr Nowogrodzki had initially denied his conduct, only making admissions when the victim attended court to give evidence. Mr Nowogrodzki knew that his conduct was in material breach of his obligation to protect the public and the reputation of the profession. In mitigation, Mr Nowogrodzki had self-reported matters to the Applicant and had co-operated with the investigation.

16. Given the serious nature of the underlying conduct, in that it involved violence towards a vulnerable person, the Tribunal considered and rejected the lesser sanctions within its sentencing powers such as no order, a reprimand or restrictions. The Tribunal had regard to the case of *Bolton v Law Society [1994] 2 All ER 486* in which Sir Thomas Bingham stated:

“.... Lapses from the required standard (of complete integrity, probity, and trustworthiness) may....be of varying degrees. The most serious involves proven dishonesty.... In such cases the tribunal has almost invariably, no matter how strong the mitigation advanced by the solicitor, ordered that he be struck off the roll of solicitors.”

17. The Tribunal was satisfied that the nature of the underlying conduct, whilst not involving dishonesty, was at the highest level. Mr Nowogrodzki had committed serious criminal acts necessitating an immediate custodial sentence. Those acts had included violence towards a vulnerable person. At the material time, he was a CPS prosecutor,

making decisions in relation to the prosecution of others whilst committing criminal offences himself. His conduct had, the Tribunal determined, caused significant harm not only to the victim, but also to the reputation of the profession. The Tribunal found that the seriousness of the misconduct was such that the protection of the public and the reputation of the profession required that Mr Nowogrodzki be struck off the Roll.

Costs

18. Mr Hitchens applied for costs in the sum of £8,631.50. Such costs, it was submitted, had been reasonably incurred. In his correspondence, Mr Nowogrodzki had submitted that the costs claimed were excessive. As to that, Mr Hitchens submitted that the investigation and preparation of the case was not simply a matter of relying on the certificate of conviction. The Applicant was required to understand how the matter had been conducted, the impact on others and what had been said and done by Mr Nowogrodzki in the underlying proceedings. In the context of the case, the sums sought by the Applicant were reasonable.
19. As to affordability, it was noted that Mr Nowogrodzki claimed to be in receipt of state benefits. Mr Nowogrodzki had not provided any evidence of his means. If Mr Nowogrodzki wished to assert impecuniosity with no realistic prospect of being able to pay costs, (and to rely on the decision of Cotter J in *Barnes v SRA [2022] EWHC 677 (Admin)*), then it was incumbent upon him to place evidence before the Tribunal. He had failed to do so. Mr Hitchens submitted that on the limited information available, the Tribunal was unable to assess whether Mr Nowogrodzki had the means to pay costs.
20. The Tribunal, it was submitted, should make an order of costs in favour of the Applicant. The Applicant would then consider enforcement of any costs order, taking into account Mr Nowogrodzki's means.
21. The Tribunal found the Applicant's claimed costs reasonable and proportionate. Although Mr Nowogrodzki provided no evidence of means, the Tribunal was satisfied that he was impecunious. He said he was receiving state benefits, which the Applicant did not dispute. There was also no evidence that he owned property, and he had previously told the Applicant that he was homeless. In those circumstances, the Tribunal inferred that he did not own property or could not access any equity in it.
22. The Tribunal considered the findings in *Barnes*. The Tribunal was required to consider the current and likely future means of Mr Nowogrodzki. The Tribunal accepted that he was in receipt of state benefits. He had lost his employment as a CPS prosecutor and had been struck off the Roll and thus could not return to practise as a solicitor. His future employment prospects were unclear. The Tribunal was not satisfied that there was any reasonable prospect that Mr Nowogrodzki's financial circumstances would improve such that he would be able to meet any costs order. Accordingly, notwithstanding the reasonableness of the costs claimed, the Tribunal determined that there should be no order as to costs, taking into account Mr Nowogrodzki's financial circumstances.

Statement of Full Order

23. The Tribunal ORDERED that the Respondent, ANTHONY NOWOGRODZKI solicitor, be STRUCK OFF the Roll of Solicitors and it further Ordered that there be No Order as to costs.

Dated this 4th day of June 2026
On behalf of the Tribunal

R Nicholas

R Nicholas
Chair