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SOLICITOR DEVASTATED BY 100K INTERVENTION



Williams: 'An emotional stain that will never be removed'

By John Hyde » A solicitor has spoken of his anguish and disillusionment after the professional regulator withdrew a threat to close down his practice at the last minute.

Andrew Williams was at a CPD lecture last October when a call came from his office to say the Solicitors Regulation Authority had arrived to intervene and shut down Dagenham firm Lillywhite Williams LLP.

The family solicitor, who has been in practice for more than 30 years, was suspected of impropriety due to an association with another solicitor who was under SRA investigation.

The SRA visited his firm three times between April and June but ignored his insistence that the firm had cut all ties with the third party.

In the event, the regulator arrived without warning and Williams' bank accounts were frozen and staff placed on immediate notice. With the suspension of his practising certificate, he was not even able to contact clients - some of who were vulnerable and had learning difficulties - to explain what had happened.

'I had staff in tears and clients who must have felt I had left them high and dry,' Williams said. 'I have experienced serious financial difficulties and am lucky to still have my house. My family have been very badly affected and it's an emotional stain

that will never be removed.'

After the SRA had seized everything from his office, Williams had just eight days to decide whether to appeal.

Barrister Richard Alomo offered initial advice and helped him draft a lengthy witness statement, before solicitor Nigel West, of national firm RadcliffesLeBrasseur, and Greg Treverton-Jones QC agreed to take on Williams' case on a conditional fee agreement.

The intervention was withdrawn by the High Court in December with the consent of the SRA. The SRA offered £50,000 towards Williams' costs on top of its own costs of £65,000. He will receive no compensation.

Mr Justice Blackburne told the court it was a 'million pities' that a solicitor with an unblemished record for so many years should find himself in such difficulties.

Williams added: 'In my case, the value of expert legal advice and representation given cannot be overemphasised. I was given no notice of the intervention or the opportunity to see the report that was sent by the investigators to the adjudication panel. I had no opportunity to challenge any aspect of the report.'

The solicitor now intends to restart his firm with a skeleton staff - once the SRA returns computers which were

Continued on page 2

14



Family law roundtable: 'The current system can't cope. There isn't enough money'

18

How to sack a client without damaging your firm's reputation



Under David Green the SFO has recovered its mojo p21

10 Comment
12 Feedback
20 In Practice
24 Jobs
32 Obiter

Ex-CCBE chief raps client money proposal

By Gazette newsdesk » The former head of an organisation representing one million European lawyers has criticised moves by regulators to stop UK solicitors handling client money. Writing in today's *Gazette*, Jonathan Goldsmith accuses the Legal Services Board of being 'imprisoned' by the Legal

Services Act 2007 in seeking to strip powers from professions deemed to have been 'naughty'.

Goldsmith, until recently secretary-general of the Council of Bars and Law Societies of Europe, said moves to emulate the French system appear to disregard completely the different culture which applies across

the channel. 'The French system treats its bars as responsible adults able to regulate their own affairs, not as naughty children to be chastised,' he says.

He adds: 'I would encourage the LSB to go to France and find out about their system. Sit at a pavement cafe, have a glass of wine and

watch the passing parade. Forget the English trope that what France needs is another dose of "Thatcher-Blair".'

Goldsmith suggests a future review of the LSA might also acknowledge that the profession has 'outgrown rattles and dummies' and can at last be trusted.

→ *State of the Union*,

A future government should take powers to change human rights law away from the courts, which are on an 'expansionist binge', concludes a report by thinktank Civitas, *The Problem with Human Rights Law*.

A former partner at magic circle firm Clifford Chance has been appointed general counsel for the Bank of England. Sonya Branch will join from the Competition and Markets Authority.

The Law Society has appointed three new committee chairs. Elizabeth Wall, counsel and head of London corporate know-how at magic circle firm Allen & Overy is the Company Law Committee chair; Mark Anderson, who has over 30 years' experience as a commercial lawyer, is Intellectual Property Law Committee chair; and solicitor and barrister John Baldry is taking the chair of the Tax Law Committee.

'International firms will certainly downsize their offices in Russia'
Maxim Kulkov, Kulkov, Kolotilov & Partners
See page 4

'You almost choose the court you want to get the outcome you want. That is a very uncomfortable way of advising your client'
Felicity Shedden, Shedden Family Law
See page 14

'The case... started with the defenestration of hamsters and ended with the unmasking and imprisonment of my client'
Miles Geffin, Mishcon de Reya
See page 23

Aid agency sets itself digital deadline

By Monidipa Fouzder » The Legal Aid Agency is looking to become 'wholly digital' in the next 18 months, a senior executive said last week.

Speaking at the Law Society's annual legal aid conference, the agency's finance and performance director Catherine Little (pictured) said nearly two-thirds of transactions at the agency are already completed and processed digitally.

Little said: 'We're looking to be wholly digital over the course of the next 18 months. But a lot of work is done in some vulnerable sections of society, so there may be some areas where it is not right to be digital.'

The agency is designing an offline

version of its client and cost management system, which will enable practitioners to work on tablets and mobile devices when not connected with the host system.

Little also said that the agency will pilot a digital app that allows practitioners to submit their bills online.

Mark Barrington, national defence lead at the CJS efficiency programme, revealed that solicitors able to access their Criminal Justice Secure eMail (CJSM) accounts will be able to use Apple and Android devices, which they are currently unable to do.

The CJSM service allows people in the criminal justice system to send emails containing sensitive data.



Property dispute service saves clients court fees

By John Hyde » A north-west firm has responded swiftly to civil court fee increases with the creation of a new out-of-court service.

Brabners, based in Liverpool, has launched Legal Property Solutions to offer a resolution to property disputes without the need for litigation.

The government earlier this month imposed a 5% levy on all cases valued at more than £10,000 - a charge opposed by the legal profession.

Brabners says it can offer a range of alternatives to court, including mediations, indications on paper, hearings on paper and settlement hearings.

The demand for cheaper options in boundary disputes is topical, with the Ministry of Justice ruling out compulsory mediation in February but backing the greater use of independent expert determination to solve disputes.



Brabners partner Rachel Watkin (pictured) conceived the idea for the out-of-court service on the evening that the court fee increase was announced.

'My first reaction was that it could

be disastrous, not just for lawyers but for many small businesses and private individuals who may now have difficulties in bringing claims,' she said. 'We believe that there is always a solution and the inception of Legal Property Solutions was the obvious way of safeguarding access to justice.'

Watkin claimed the firm has created the first 'one-stop shop' for mediation or arbitration in all types of property dispute.

Without the need for formal pleadings, interim hearings or detailed directions, the firm says it can significantly reduce costs and resolve cases in days or weeks rather than months or years.

Businesses and private individuals involved in a dispute can contact Legal Property Solutions directly or through their own solicitors.

100k intervention

Continued from page 1

seized as part of the intervention.

West, who has overturned four interventions against solicitors, said clients can feel daunted by a process that seems to give them little chance of reopening their firm. The lack of reported examples of interventions being overturned - with each of his successes the SRA gave consent to drop the order without fighting in the High Court - means many solicitors

are unwilling to take on the cases.

He said the SRA should have disclosed details of its investigation so Williams at least had a chance to plead his case.

'I would also suggest the intervention decision-maker should have judicial experience,' West added. 'Some of the adjudication panel have legal experience but others do not. To make such a draconian ruling as shutting a firm down - with the devastating potential effect on someone's life - it needs someone with sufficient experience.'

Gordon Ramsay, SRA director for legal and enforcement, said: 'We usually engage with solicitors about interventions so that they can put their case across in light of the evidence we have. We do not give solicitors notice where we believe this would present a further risk to client interests. We believed that risk was present in this case.'

'All evidence collected during the intervention, such as computer equipment, is used as part of our investigation. Once we have finished with it, we can release it to its rightful owners.'