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THE – ALLEGED – LONELINESS OF THE REGULATORY PROSECUTOR: A RIPOSTE

Your summer Newsletter carried an article under the title “The Loneliness of the Regulatory Prosecutor” by Richard Clayton QC and Sappho Dias. The article made a series of allegations against those who defend in disciplinary tribunals, accusing them of trial-wrecking (the phrase appeared 5 times in the article) and of ambushing prosecutors (the word “ambush” or one of its derivatives appeared 3 times in the article). The impression given was of well-resourced defence lawyers using all their wiles to derail the proceedings and secure unjustified acquittals for their clients. No single concrete example was given in support of this. The unfortunate prosecutor at the mercy of these tactics was portrayed as a solitary figure, overwhelmed by the superior firepower available to his or her unscrupulous opponents.

Moving as this portrayal was, it omitted one or two rather important facts. For instance, most regulators are extremely well resourced, and have regular access to some of the finest lawyers in practice. Most

regulators have a wide range of investigatory powers – to require disclosure of information and/or documentation, answers to questions, and co-operation with the regulator. Moreover, the alleged “loneliness” of regulatory prosecutors does not seem to affect their results: the “conviction” rate in most disciplinary tribunals tends to be very high, and rarely less than 90 per cent. Needless to say, all disciplinary tribunals have perfectly adequate case management powers to ensure the fair disposal of the cases brought before them and to prevent hi-jacking of proceedings by defence advocates.

For more than 20 years, I have prosecuted and defended countless solicitors before the Solicitors Disciplinary Tribunal (in recent years appearing only for Respondents), as well as defending in other disciplinary tribunals. Save on one occasion more than 10 years ago when a solicitor whom I was prosecuting managed to obtain a High Court injunction to stop an ongoing disciplinary hearing in its tracks, I cannot recall ever witnessing anything resembling trial-wrecking or improper ambushing. Because of my lack of comparable experience in other tribunals, I have asked the many busy regulatory lawyers in my Chambers at 39 Essex Street whether they have ever come across such practices: I have not received a single affirmative response.

Let us then examine the detail of the authors’ criticisms of defence tactics. In this riposte, I shall restrict myself to commenting upon practices before the Solicitors Disciplinary Tribunal (SDT).

Disclosure

The authors of the article take issue with the practice of defence advocates of allegedly making late and unjustified applications for disclosure of documents in order to derail the trial process. During the two and a half decades that I have appeared in the SDT, I can recall only 2 applications for disclosure of documents in my cases. Both were made well in advance of the trial, and neither could remotely be described as a trial-wrecking tactic. The first disclosure application, in *Law Society v. Adcock and Mocroft* [2007] 1 WLR 1096, was resolved in favour of the Respondent solicitors, and the Law Society did not appeal. The second, *SRA v Grindrod and others* 11030-2012, was heard in

December 2012, with the trial listed for July 2013. The application for disclosure was unsuccessful, but nobody suggested that it had not been properly brought.

In due course at the trial of Grindrod, the SRA was represented by leading and junior counsel, with an experienced panel solicitor and at least one and often two SRA personnel present throughout the 5-day trial, and so there was not much chance of the prosecutor suffering an attack of loneliness. Indeed, since 2011, whenever the SRA learns that the Respondent is to be represented by Counsel, it almost invariably instructs Counsel itself, irrespective of whether the case is felt to require Counsel's specialist skills.

Strike out and abuse of process

In the article, such applications are listed as defence tactics in respect of which the prosecutor should be on his or her guard.

There can be no sensible objection to a disciplinary procedure which provides for the striking out of unmeritorious prosecutions, or prosecutions which, on analysis, cannot succeed. It is in everybody's interest that such prosecutions end as soon as reasonably possible. For a professional man or woman to be charged with a disciplinary offence by his/her regulator is a massively stressful and unpleasant event, often accompanied by depression and marital difficulties. A prosecution will impact adversely upon a solicitor's PII premiums on renewal, and upon the firm's ability to remain on lenders' panel or to tender for various classes of work. Pre-trial publication of allegations by the SRA on its website may well lead to a fall-off in instructions for the affected solicitor. Decisions about the future direction of the business inevitably have to be put on hold pending the outcome of the disciplinary proceedings, and, most importantly of all, there is a stain upon the solicitor's reputation unless and until the proceedings are resolved: for each and every practising lawyer, our reputation is our single most priceless asset. So the sooner that the disciplinary proceedings can be resolved, one way or the other, the better for all concerned.

As for staying proceedings for abuse of process, for some years the Solicitors Regulation Authority and its predecessor, the Office for the Supervision of Solicitors had been scandalously slow in commencing proceedings once it had informed the solicitor that he/she was to be prosecuted in the SDT¹. In nine

¹ In the worst example, *Fallon* (infra) that period of delay was a staggering 3½ years.

separate cases², the SDT held that the Respondents' Article 6 rights had been violated by such delays, and in three of those cases³ it stayed the disciplinary proceedings. On two occasions⁴, the SDT made clear its opinion that proceedings should ordinarily be commenced within 3 months of the decision being made to refer the solicitor to the Tribunal.

The result of all this was that the SRA took heed of the SDT's views, and the problem of delay has now all but disappeared from solicitors' disciplinary cases, to the great benefit of all involved. I cannot see any basis for criticising defence advocates for taking such points: indeed the making of these abuse of process applications brought to light the unhappy state of affairs, and then helped to correct it in the public interest.

Alleged ambushes

Because the authors give no concrete example of any particular ambush, it is not clear precisely what they are driving at. In my experience, solicitors facing disciplinary proceedings can be unacceptably late in serving their written evidence or Defence Case Statement not because they are ambushers or trial-wreckers, but for one or both of two much more prosaic reasons. Firstly, many solicitor Respondents find great difficulty in facing up to the reality of having to defend the disciplinary proceedings and sometimes prefer to bury their heads in the sand. Secondly, they can be very slow in placing their professional advisers in funds to do the necessary work on their behalf, often because of financial difficulties. Late service of evidence is rarely a serious problem for the prosecutor, however, as the SRA will have obtained the solicitor's explanation for his/her actions at the investigatory stage, and the pleadings and witness statements will rarely if ever contain any real surprises.

I do not doubt that as in any area of legal practice, there is a small minority of practitioners who systematically take unmeritorious points, and make life as difficult as they can for the other side. Such tactics tend to be counter-productive in the medium and long term, because the practitioner in question swiftly gains a reputation amongst the judges or tribunals before whom he or she appears, and tends to find that applications and submissions are received increasingly unfavourably by those bodies. But in my area of

² *Loomba and Loomba* – 9022-2004; *Davis* – 9017-2004; *Judge and Stanger* – 9028-2004; *Rutherford* – 9074-2004; *Fallon* – 9154-2004; *Shelton and Van Emden* – 9465-2006; *Bashir, Sharif and Wilson* – 9717-2007; *Sancheti, Bannerji and Kumakar* 9795-2007; *Nulty and Trotter* – 9871-2008

³ *Loomba and Loomba, Fallon, Sancheti, Bannerji and Kumakar.*

⁴ *Shelton and Van Emden, Nulty and Trotter.*

practice, I have encountered no systemic problem of the type referred to in the article.

Two problems for lonely defence advocates

Speaking personally, I have always felt a great deal lonelier defending than prosecuting in disciplinary tribunals. From the defence perspective, there are two particular problems that may strike a chord with your readers. The first is that the Court of Appeal decision in *Baxendale-Walker v Law Society* [2007] EWCA Civ 233, has been (mis)-interpreted by Tribunals to confer upon prosecutors an almost blanket immunity against adverse costs orders when prosecutions do not succeed. The unfortunate result is that solicitors often choose not to contest cases because they realise that even if they are wholly or partially acquitted, they will have to pay heavily for the privilege, and it may make commercial sense to seek to cut a deal at an early stage to avoid that. Moreover in the context of solicitors' cases, the prosecution's near-immunity from adverse costs orders helps to promote an unhealthy approach to framing the case against the Respondent, so that allegations of dishonesty or lack of integrity are sometimes made on the flimsiest of bases.

The second problem is the unnecessarily vigorous prosecution of disciplinary cases against solicitors. When I used to prosecute such cases several years ago, I tried to behave as I would if I were prosecuting a criminal case – i.e. with a degree of independence from the narrow interests of my client, in order to be as even-handed as possible, bearing in mind that the prosecution usually holds all the best cards. Others did likewise. But that approach seems to be falling into disuse. Nowadays, disciplinary proceedings in the SDT can often resemble no-holds-barred commercial litigation in which concessions are rarely made by the prosecutor, and every possible point is taken in order to bring home the case against the hapless Respondent. I, for one, would advocate a return to a more emollient "minister of justice" approach by some prosecutors. But I am not holding my breath.

Gregory Treverton-Jones QC
 (of 39 Essex Street and joint author of *The Solicitor's Handbook 2013*)

THE SCRAP METAL DEALERS ACT 2013 – FROM UNDER-REGULATION TO OVER-REGULATION AS A RESULT OF PUBLIC PRESSURE?

The theft of scrap metal is no longer just an activity for down and outs and those who live by their wits. The

extraordinary rise in the value of scrap metal from \$77 per ton in 2001 to \$500 per ton in 2012 has encouraged ever more ruthless and determined gangs to operate. Telephone cables have been ripped out of the ground, manhole covers and road signs have vanished overnight and priceless bronze statues have been melted down into unidentifiable ingots. Nothing containing metal was safe from their depredations. Church roofs long ago ceased to be sacred. Railways have been brought to a standstill. Even an unattended old banger, could be whisked away to the nearest 'no questions asked' scrap metal dealer, who would cheerfully crush it in the time it took to count out £100 in cash.

The Association of Chief Police Officers has estimated that the illegal trade in stolen metal was costing the United Kingdom's economy £770 million a year. The Local Government Association reported that scrap metal theft cost councils over £5.25 million in 2010-2011.

Scrap metal theft has been hard to detect and it was felt that this was due to the fact that it could be easily disposed of through scrap dealers. As a consequence, the Police launched nationwide Operation Tornado in conjunction with the British Transport Police and major telecommunications companies. The operation sought to educate scrap dealers to adopt voluntarily certain measures, namely to refuse to accept scrap with certain identifying features on it, to request identification from those producing scrap for sale and to refuse to pay in cash. They used undercover techniques to attempt to catch scrap dealers who refused to comply and appeared knowingly to accept stolen property.

As a response to the problem of metal theft, a range of bodies which included the Police and the Local Government Association, pressed the government to legislate. The Scrap Metal Dealers Act 2013 was taken through Parliament as a Private Members Bill and overhauls the regulatory framework governing the trade in scrap metal. The provisions of the Act commenced on 1 October 2013 with the enforcement provisions commencing on 1 December 2013.

The Act makes it illegal to 'carry on business as a scrap metal dealer unless authorised by a licence under this Act' (s.1(1)) and breaching this is a summary offence punishable with a fine. Local Authorities have been given the power to issue scrap metal licences which must be either a site licence or a collector's licence (s.2(a) & (b)). A Local Authority must not issue or renew a scrap metal licence unless it is satisfied that the applicant is a suitable person to carry on business as a scrap dealer (s.3(1)). A Local Authority will also have

the power to revoke a licence in certain circumstances (s.4).

Section 11(1) prohibits scrap metal dealers from receiving scrap metal from a person without verifying the person's full name and address from documents, data or other information obtained from a reliable source. Under section 11(4) it is a summary offence for a scrap metal dealer to receive scrap metal in breach of subsection (1), punishable with a fine. There is a statutory defence if arrangements were in place to ensure that the metal was not received in breach of subsection (1) and they took all reasonable steps to ensure that those arrangements were complied with. Section 11(7) makes it an offence to give a false name to a scrap dealer when delivering scrap metal. Section 12 creates a summary offence of buying scrap metal for cash with a similar statutory defence as per section 11.

Sections 13 and 14 require records to be kept of the receipt and disposal of scrap metal, with a failure to properly record being a summary offence under section 15. In addition, section 16 gives a power to a police constable or an officer of a local authority to enter and inspect a licensed site at any reasonable time on notice to the site manager but no notice is required if they wish to ascertain whether the provisions of the Act are being complied with or they are investigating offences under it and the giving of notice would defeat that purpose. A constable or an officer of a local authority may obtain a warrant from a justice of the peace authorising entry if there are reasonable grounds for believing that entry to the premises is reasonably required for the purpose of securing the compliance of the Act or ascertain whether the provisions are being complied with.

So what does all this mean in practice? Gone are the days when we can clear out our garage, load up a van and go to the scrap merchant and hope to be paid cash that will probably only pay for a few pints at the pub. Now we have to go with our identification documents and expect to be paid by bank transfer.

For local authorities, as regulators, the only way that effective regulation can take place is if they carry out a thorough audit of a scrap metal dealers' books, comparing scrap metal obtained and its description with payments made and scrap metal disposed of with bank transactions. Whether they will have the time and inclination to check the names and addresses of those supplying scrap metal to see whether they are genuine or to audit the quantities of scrap metal sold and the income received is a little unlikely.

Will this stop criminals selling stolen scrap? Probably not, but it will make it harder. They will probably have to use an intermediary, who will have a bank account and will pretend to have acquired the items in good faith. If it appears genuine at the point of purchase and is recorded as such on paper, then no amount of regulation or re-reading of the records by a local authority audit will uncover that it might be stolen.

So a good piece of legislation? Well it will force scrap dealers to be accountable to those inspecting them whilst making them feel like criminals if they don't comply. It may make criminals think twice before going to a scrap metal dealer and employ a further level of deception to disguise the origins of stolen scrap metal. It will force Local Authorities to consider how proactive they should be and whether they should coordinate investigations with the Police. It means that normal behaviour for the law abiding majority who want to sell second-hand items has been tightly regulated because of the criminal few. Where will it end? Antiques shops and car boot sales watch out!

MARK RUFFELL
Head of Regulatory and Disciplinary Team
Pump Court Chambers October 2013

LEGAL UPDATE

R (Adesina) v. Nursing and Midwifery Council; R (Baines) v. Nursing and Midwifery Council [2013] EWCA Civ 818

Two appeals lodged after the end of the period of 28 days provided for under article 29(9) of the Nursing and Midwifery Order 2001. There is no express provision permitting the court to extend time on a discretionary or any other basis. After judgment in the Administrative Court dismissing the appellants' appeals: [2012] EWHC 2615 (Admin), the Supreme Court decided *Pomiechowski v. Poland* [2012] 1 WLR 1604 in which it held that apparently absolute time limits may, in some circumstances, have to yield to the requirements of Article 6 of the European Convention on Human Rights and Fundamental Freedoms. Held, by the Court of Appeal, that this requires adoption of a discretion "in exceptional circumstances" and where the appellant "personally has done all he can to bring [the appeal] timeously". The discretion would arise only in a very small number of cases. Although the absolute approach can no longer be said to be invariable, the scope for departure from the 28 day time limit is extremely narrow. Held, on the facts of the present appeals, there were no exceptional circumstances to extend time.

Nowak v. Nursing and Midwifery Council and Guy's and St Thomas' NHS Foundation Trust [2013] EWHC 1932 (QB)

N made a number of applications which had been dismissed as totally without merit. He continued to make such applications despite his claim being struck out; and it appeared likely that, unless restrained, N would make further applications which he had no right to make or which were otherwise totally without merit. As explained by the Court of Appeal in the leading case of *Bhamjee v. Forsdick* [2004] 1 WLR 88, the rationale for the regime of civil restraint orders is that a litigant who makes claims or applications which have absolutely no merit harms the administration of justice by wasting the limited time and resources of the courts. Such claims and applications consume public funds and divert the courts from dealing with cases which have real merit. Litigants who repeatedly make hopeless claims or applications impose costs on others for no good purpose and usually at little or no cost to themselves. In these circumstances, there is a strong public interest in protecting the court system from abuse by imposing an additional restraint on their use of the court's resources. In the instant case, in the space of five months N made no fewer than eight applications which were found to be totally without merit. Held, that the appropriate order was one that should require N to obtain permission before issuing any claim or making any application in the High Court or any county court against either defendant to the present proceedings or against any other party in relation to any matter involving or relating to or touching upon or leading to the proceedings in which the present order is made.

Lamey v. Belfast Health and Social Care Trust [2013] NIQB 91

Application for injunction to restrain the defendant from holding a meeting to determine the termination of the plaintiff's employment in advance of disciplinary proceedings before the Professional Committee of the General Dental Council refused. Held, the principles in *American Cyanamid Co v. Ethicon Limited* [1975] AC 396 applied. The defendant was a public body discharging important public duties. A special factor and relevant to the balance of convenience was that the plaintiff had been excluded from work now for two years and 8 months, and there was no clear date for completion of the proceedings before the General Dental Council. Also the plaintiff was both a doctor and a dentist and disciplinary proceedings before the

General Medical Council had been concluded on undertakings given by the plaintiff.

Ebhogiaye v. Solicitors Regulation Authority [2013] EWHC 2445 (Admin)

Allegations against the appellant of breaches of the Solicitors Accounts Rules 1998 and the Solicitors Code of Conduct 2007 proved. Six-month suspension imposed by the SDT (not challenged on appeal) together with "Camacho" conditions, namely, that at the expiration of the suspension the appellant could only work as a solicitor in employment approved by the SRA and could not work as a sole practitioner or partner. Held, that the SDT had power under section 47(2) of the Solicitors Act 1974 to impose conditions on a practice certificate to run after a period of suspension (see *Camacho v. Law Society (No 1)* [2004] EWHC 1042 (Admin) and *Camacho v. Law Society (No 2)* [2004] 1 WLR 3037). The powers of the SDT under section 47(2) are very wide; the tribunal has a range of sanctions available to it including imposing conditions on future practice; it is not generally appropriate that the SDT should delegate its disciplinary functions, or part of it, to the Law Society; if appropriate the SDT should itself impose conditions as part of the sanction that it is imposing in the particular case; the SDT can impose conditions indefinitely; and appellants should be given liberty to apply to vary such conditions in the future. The powers which the SDT is exercising are disciplinary powers as distinct from the Law Society's powers under sections 9 to 18 of the Solicitors Act 1974, which are intended to be essentially non-punitive in nature. The imposition of conditions by the SDT is about both risk to the public and protection of the solicitors' profession. There was no procedural unfairness by the SDT in the instant case and the penalty imposed was not inappropriate. Note: As from 1st October 2012, appellants' notices of appeal under section 49(1)(b) of the Solicitors Act 1974, against a decision of the SDT, must be filed within 21 days after the date of the tribunal's decision unless the SDT otherwise directs, and not within 28 days after the statement of reasons (the written judgment) of the SDT is received by the appellant.

R (El-Baroudy) v. General Medical Council [2013] EWHC 2894 (Admin)

The appellant, a forensic medical examiner, was called to Chelsea police station to carry out an examination on AR who had been arrested and was in a cell. The custody records noted that AR suffered from epilepsy and schizophrenia. The appellant was told that AR was the worse for drink and that in a struggle to control him

he had banged his head on the floor. The custody sergeant asked the appellant whether or not AR should go to hospital. The appellant entered the cell and was in attendance for about a minute. It was crucial to perform an adequate medical assessment. It was not challenged that the appellant failed even to make basic assessments of AR's condition, with the result that the appellant did not realise that AR was unconscious rather than asleep and that he needed an immediate transfer to hospital. Within about three hours, or a little more, of the appellant having informed the police that AR was fit to be detained and did not need to be transferred to hospital, AR was found dead in his cell. The appellant faced a charge which alleged he had failed to provide good clinical care to AR. There was no allegation that the appellant's conduct either caused the death of AR or even caused AR to lose a substantial or significant or real chance of survival. Held, following *Roomi v. GMC* [2009] EWHC 2188 (Admin), *Strouthos v. London Underground Limited* [2004] EWCA Civ 402, and *Chauhan v. GMC* [2010] EWHC 2093 (Admin), if the GMC wished to pursue that the misconduct either caused death or caused the loss of any realistic chance of survival, which would have been highly material, then they should have been clearly stated in the charges and, in the absence of being stated, evidence directed to those issues should not have been led and the panel should not in any way have based its judgment as to whether the appellant's fitness to practise was impaired or its sanction on any question of causation. Given that the panel in finding impairment had referred to "the tragic outcome for AR", and on sanction had said that "through your neglect of duty and care an opportunity for AR to survive was lost" it was reasonably clear that the panel had taken account of the fact that the appellant's lack of care did have a causative effect in relation to AR's death. Accordingly the matter should be remitted to a fresh panel to look at afresh on the basis that it is not alleged that the appellant's misconduct either caused AR's death or caused the loss of any real chance of survival. Evidence that is available directed to those issues should be disregarded.

Cristou v. Haringey London Borough Council [2013] 3WLR 796 CA

The first claimant was the team leader and the second claimant was the social worker responsible for "Baby P", a baby who tragically died at the age of 17 months as a result of a chronic lack of care and abuse. Prior to the mother pleading guilty to causing or allowing Baby P's death and the commissioning of a report into safeguarding arrangements for children at Haringey Borough Council, the claimants had been disciplined under the council's simplified disciplinary procedure

and given a written warning. Fresh disciplinary proceedings were instituted against both claimants which resulted in their dismissal for gross misconduct. The Court of Appeal (Laws, Elias, McCombe LJ) dismissed the claimants' appeals on the grounds that the disciplinary process resulting in their dismissals had been barred by the doctrine of *res judicata*, or constituted an abuse of process, on account of the previous disciplinary proceedings relating to the same matters. Held, it was wrong to describe the exercise of a disciplinary power by an employer as a form of adjudication. While in a loose sense a disciplinary body set up by an employer can be described as a domestic tribunal, it is far removed from the professional or sporting bodies of the kind found in *Meyers v. Casey* (1913) 17 CLR 90 or *R (Coke-Wallis) v. Institute of Chartered Accountants in England and Wales* [2011] 2 AC 146 where the disciplinary body regulates the conduct of members of the profession or sport concerned who stand on an equal footing with each other. It was true that the factual substratum was the same but the particular focus of complaint in the second proceedings was very different. The first proceedings focused on procedural errors and the second concentrated much more firmly on substantive errors of judgment and breaches of the care plan for Baby P.

Rehman v. Bar Standards Board PC2008/0235/A and PC2010/0012/A, 19th July 2013

The tribunal found that R, a practising barrister, had lied during his evidence before the Disciplinary Tribunal of the Inns of Court. The visitors rejected the BSB's submission that the tribunal was entitled to take account of R's lies in deciding whether his conduct was discreditable. What R said to the tribunal during evidence was not part of the circumstances relating to the charge. If a defendant lies to a disciplinary tribunal, that may be a serious matter which can be met with a subsequent charge of dishonest conduct, but it cannot be part of the original offence. However, the tribunal did not fall into error in its findings.

Wisson v. Health Professions Council [2013] EWHC 1036 (Admin)

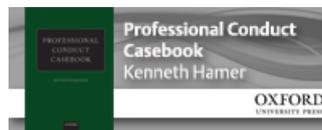
Good character is obviously a matter which can go to mitigation, but good character can be material, and is material, in many cases when considering the credibility of the individual in question. Where there is a dispute between the registrant's evidence in relation to a particular allegation and that of a complainant, or indeed any other witness, the credibility of the registrant is obviously a matter of some importance.

Good character is a factor which can be taken into account, obviously the weight to be attached to it is a matter for the tribunal, and in assessing the defendant's evidence whether he is to be believed. It may be that in many instances it does not take the matter that much further. The obvious case is one where dishonesty is being alleged, but good character is not limited to dishonesty.

R (Miller) v. General Medical Council [2013] EWHC 1934 (Admin)

M, a consultant psychiatrist facing allegations of financial impropriety concerning Patient A, challenged the decision of the fitness to practise panel to hold the whole of the hearing in private on the grounds that Patient A suffered from a mental health disorder. Quashing the decision of the panel, the court observed that no attempt had been made by the GMC to confine itself to an application for a direction for anonymisation of Patient A's name and that Patient A's evidence be given by video link or from behind screens. No attempt was made to limit the scope of the privacy direction to the part of the hearing where Patient A was to give evidence. The GMC has sought and obtained an order that the whole of the hearing should be conducted in private because that it was Patient A apparently insisted upon. Decision quashed.

**Kenneth Hamer
Henderson Chambers**



YOUNG BAR CONFERENCE 2013

ARDL was proud to be one of the sponsors of the Young Bar Conference 2013, which was held on Saturday 5 October 2013. The day involved lectures from distinguished speakers as well as a variety of workshops covering all areas of practice and professional interest. ARDL took this opportunity to introduce younger members of the profession to regulatory and disciplinary work. The ARDL stand was staffed by two committee members, Mark Whiting and Jonathan Lewis who were able to speak to a number of conference attendees during the day and encourage applications for the Marion Simmons QC essay prize and attendance at future Junior ARDL events.

MARION SIMMONS QC ESSAY PRIZE – NOW OPEN TO PUPIL BARRISTERS, TRAINEE SOLICITORS AND THOSE TRAINING WITH CILEX

This year, ARDL's Marion Simmons QC Essay prize will be open for the first time to trainee solicitors, pupil barristers and those training as part of a CILEX programme, as well as those in full-time education.

The essay title is:

In June 2013, the Ministry of Justice announced a review of Legal Services Regulation with a view to its simplification: what reform, if any, is needed in this area?

First prize is £1,000 plus £250 for books for the winner's Faculty or College. Second Prize is £500 plus £150 for books for the entrant's Faculty or College and third Prize is £250 plus £100 for books for the entrant's Faculty or College.

The panel of Judges will include leading academics in the field of regulation, Professor Julia Black and Professor Mary Seneviratne, together with members the ARDL Committee. Entries should be sent by 5pm on 31 January 2014 to Nicole Curtis - by post or email to: Nicole Curtis, Penningtons Solicitors LLP, Abacus House 33 Gutter Lane, London, EC2V 8AR; nicole.curtis@penningtons.co.uk.

Full terms and Conditions can be found on the ARDL website.

FORTHCOMING EVENTS

ARDL is pleased to announce that it will be holding its third Junior ARDL Event on 3 December 2013. Please check the ARDL website for further details.

REQUEST FOR COMMENTS AND CONTRIBUTORS

We would welcome any comments on the Quarterly Bulletin and would also appreciate any contributions for inclusion in future editions. Please contact any of the members of the editorial committee with your suggestions. The editorial committee is:

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