



Scottish Solicitors'
Discipline Tribunal

Annual
Report
2025.

Introduction

The **Scottish Solicitors' Discipline Tribunal** deals with serious disciplinary issues in the solicitors' profession in Scotland.

The Tribunal is an important part of solicitors' regulation. It helps protect the public and maintain the reputation of the profession by upholding its standards. It is independent of the Law Society of Scotland.

SSDT Administration Limited

The Tribunal is assisted in its administration by a private company limited by guarantee, SSDT Administration Limited. The company employs the Clerk and administrative staff.



Values and Objectives

The Tribunal strives to ensure so far as possible that all cases brought before it are dealt with in accordance with the legislative framework and the principles of natural justice, bearing in mind the importance of protecting the public from harm and maintaining public confidence in the legal profession. The Tribunal endeavours to deal with cases efficiently and expeditiously. The Tribunal has a duty to be independent, impartial and transparent.

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SSDT
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Limited

Chair's Introduction



Lay Members' Representative's Statement



I am pleased to present the SSDT Annual Report for the year to 31 October 2025. The caseload of the SSDT continues to be varied and challenging. There were no appeals against SSDT decisions during the year.

The SSDT plays an integral part in the regulation of solicitors in Scotland. The Regulation of Legal Services (Scotland) Act 2025 received the Royal Assent on 27 June 2025. Prior to its enactment, the SSDT was actively involved in full consultation regarding the proposed changes affecting the SSDT and those who appear before it. The full impact of these changes will become clear in the fullness of time. Meanwhile, the SSDT will continue to work closely with all stakeholders to meet the overall objectives of the 2025 Act.

After many years of research, open consultation and debate, the SSDT voted in late 2025 to change the Standard of Proof in cases of professional misconduct from "beyond a reasonable doubt" to "the balance of probabilities". This was a momentous decision. The SSDT is unique in its function and although other similar bodies have previously imported a similar change, the decision was made with the SSDT's circumstances in mind.

Last year, I reported on the new SSDT procedural rules, effective from 1 September 2024. These have been well received and are practically effective. It will be necessary to further update these rules in view of the 2025 Act and the change in standard of proof.

During the year, Ben Kemp left the SSDT, having been an experienced Solicitor member and Vice Chair for many years. We thank Ben for his significant contribution during his period of office and wish him all the best.

Chris Mackay was re-appointed as Vice-Chair and Mark Hastings was newly appointed as Vice Chair. They bring valued experience to the role, and we thank them for assuming important additional responsibilities within the SSDT.

This will be my final report as Chair of the SSDT as my term of appointment ends in June 2026. I wish to thank all members for their diligent work over the years. I also express my sincere thanks to the Tribunal Office staff for their unfailing dedication to the provision of such excellent support.

It has been an honour to represent the SSDT as Chair since 2021 and I wish my successor well.

Colin Bell
Chair

As Lay Representative, I reflect on the value that our non-legal members play in supporting fair, balanced, and accessible decision-making process in the Tribunal. Lay Members bring perspectives and experiences from outside the legal profession, which helps ensure that proceedings remain grounded in the realities faced by those who appear before the Tribunal. This contribution is particularly important in maintaining public confidence in the Tribunal's work and ensuring that decisions are understood not only as legally sound, but also as fair and proportionate.

During 2025, the Tribunal has continued to operate in a changing environment, shaped by the passing of The Regulation of Legal Services (Scotland) Act 2025, increasing and changing caseloads, and evolving expectations around transparency and efficiency. Members have been kept informed and have adapted to these changes through member training, engagement, and participation in discussions. These opportunities help ensure that Lay Members remain well-equipped to contribute effectively alongside legally qualified colleagues.

The collaboration between Legal and Lay Members remains a significant strength of the Tribunal's structure. Lay Members provide practical insight, challenge assumptions where appropriate, and help ensure that decisions reflect a balanced understanding of both the regulatory framework and the wider public interest. This collective approach supports robust and well-reasoned outcomes.

I would also like to recognise the professionalism and dedication shown by all the Tribunal Members and, the Tribunal Office throughout the year. Their work ensures that hearings are conducted efficiently, respectfully, and with due regard for procedural fairness.

Looking ahead, the continued involvement of Lay Members will remain an important part of the Tribunal, working to respond to this new legislative change as we proceed to embed these within our regulatory processes.

Paula Charlesworth
Lay Members' Representative

What We Do



Complaints

of professional misconduct

All complaints about legal practitioners are made in the first instance to the Scottish Legal Complaints Commission (SLCC).

It refers conduct matters to the Law Society.

After investigation, the Law Society prosecutes cases it considers might constitute professional misconduct before the Tribunal.

A Complaint of professional misconduct is then lodged with the Tribunal.

The vast majority of the Tribunal's work involves hearing complaints of professional misconduct. These are becoming more complicated and require more Tribunal time.



Section 53(1)(b) Complaints

that a solicitor has been convicted of an act involving dishonesty or any other criminal offence which resulted in a fine equivalent to level 4 on the standard scale or imprisonment of more than 12 months



Section 42ZA Appeals

from the Law Society's determinations regarding unsatisfactory professional conduct



Applications

for restoration to the Roll of Solicitors in Scotland or for removal of a restriction on a practising certificate.

Tribunal Members

The Tribunal is made up of twelve solicitor and twelve non-lawyer members (sometimes referred to as lay members).

Solicitor members are paid by SSDT Administration Limited which is in turn funded by the Law Society of Scotland. Lay members are paid by the Scottish Government.

Solicitor members are nominated by the Law Society and appointed by the Lord President. As well as nominating the solicitor members, the Law Society prosecutes practitioners before the Tribunal and also has an obligation to fund the Tribunal.

Vacancies are advertised on the Tribunal's website, the Law Society Journal and LawScot.

Non-lawyer members are nominated by the Scottish Ministers and appointed by the Lord President.

At each hearing, the Tribunal comprises two solicitor and two non-lawyer members.

Our Current Members

(as at 31 October 2025)

Beverley Atkinson
Dozie Azubike
Eric Baijal
Colin Bell
Angela Brown
Craig Cathcart
Paula Charlesworth
Douglas Cochrane

David Dickson
John Duffy
Kay Hampton
Catherine Hart
Mark Hastings
Thomas Hempleman
Paul Hindley

Chris Mackay
Vincent McGovern
Christine Pacitti
Kenneth Paterson
Martin Saville
Ian Shearer
Sally Swinney
Pat Wellington

How the Tribunal deals with a case

The Tribunal is governed by the Scottish Solicitors' Discipline Tribunal Procedure Rules 2024 ("the 2024 Rules"). These have been effective since 1 September 2024. There are a small number of cases which are still covered by the 2008 Rules due to the time the Complaint was lodged but these are almost phased out. All new Complaints lodged with the Tribunal are governed by the 2024 Rules.

Complaints - In cases of alleged professional misconduct, the Complainers (usually the Law Society of Scotland) prepare a Complaint outlining their proposed case against a solicitor. The Complaint is a formal document which is drafted in a prescribed format. The Respondent solicitor is invited to submit Answers in response to the Complaint. Respondents are entitled to fair notice of the case against them.

Solicitors may appoint a representative to deal with the case on their behalf and appear at Tribunal hearings. However, they are also free to represent themselves at Tribunal hearings. Often Respondent solicitors will receive assistance from the Legal Defence Union ("LDU") to advise and represent them in cases of alleged professional misconduct. However, they can also instruct a solicitor unconnected to the LDU. Solicitors may also appoint a lay person to represent them at Tribunal proceedings.

Who are Respondents?

Solicitors, conveyancing and executry practitioners and registered European and foreign lawyers.

Appeals - The party who disagrees with the Law Society's decision on unsatisfactory professional conduct lodges their case in accordance with the 1980 Act and provisions under the 2024 Rules. If a member of the public is appealing, there are usually two Respondents; the Law Society of Scotland (First Respondent) and the solicitor whose conduct was considered (the Second Respondent). Both Respondents are notified of the appeal and have a chance to formally respond in writing. Where a member of the public is the Appellant, it is not uncommon for Second Respondents to choose not to participate in appeals because, essentially, it is the decision of the Law Society which is being challenged.

Applications - Likewise, with applications, the party seeking a particular outcome (e.g. restoration to the roll of solicitors) lodges their case in terms of the 2024 Rules. The Respondent (often the Law Society of Scotland) will be formally notified and have an opportunity to respond in writing.

Tribunal hearings are generally held in public. The [website diary](#) details all Tribunal hearings, both substantive and procedural. Tribunal [decisions](#) generally appear on the website about three months after the date of the Tribunal hearing.

Procedural Hearings are often fixed prior to the main hearing of a case. These aim to focus on the issues for consideration by the Tribunal and ensure that parties are ready to go ahead with a full hearing. The Tribunal aims to act fairly and efficiently at all times. At the substantive hearing, evidence can be led by both sides and then submissions are usually made. The Tribunal then makes a decision on whether or not professional misconduct has been established based on the information that has been presented to them.

Expenses

Under the 1980 Act the Tribunal has the power to award expenses against either party in a case. Expenses are often awarded to the successful party and include the expenses of the Tribunal. However, this is not always the case. It is important to note that the Tribunal looks at each case individually and has discretion in relation to the question of expenses. The Tribunal has produced guidance on expenses which gives further details. The guidance can be found on the [Tribunal website](#).

Publicity

Every decision made by the Tribunal is published in full subject to the terms of paragraph 14A of Schedule 4 of the 1980 Act. The circumstances in which the Tribunal can restrict publicity of a case are very limited. Sometimes publicity is deferred, for example, pending the conclusion of criminal proceedings. However, this does not happen often.

This Year's Tribunal Cases

Decisions (or "Findings") of the Tribunal are available on the Tribunal's website which includes a searchable database. Older decisions are available from the Tribunal Office on request. A wide range of different cases have come before the Tribunal during the year, including some unusual and complex matters.

The Tribunal received an Application for Restoration to the Roll of Solicitors by a solicitor who had previously been struck off by decision of the Tribunal in February 2015. These applications can be made in accordance with Part 4 of the SSDT Rules 2024 and are rare. The Applicant later sought to withdraw the application and the Law Society argued that it was not competent to do so in terms of the SSDT Rules 2024. The Tribunal carefully considered the particular issues arising in this case and allowed the Application to be withdrawn. The questions of expenses and publicity were thereafter in dispute. After detailed consideration, the Tribunal refused the Law Society's motion for expenses to be awarded against the Applicant and directed that publicity would be given to the case.

Dishonesty in Complaints remains as the most serious type of conduct dealt with by the Tribunal. Cases of dishonesty are uncommon but are of grave concern to the Tribunal. In one case, a solicitor was struck off by the Tribunal after embezzling money from an executry and using it for her own benefit to purchase a residential property. The solicitor was the Cashroom Manager of the practice during her conduct and she also misled her partner in the business. The Tribunal had no hesitation in concluding that the solicitor's conduct (which breached several of the Practice and Accounts Rules 2011) amounted to a serious and reprehensible departure from the standards of competent and reputable solicitors.

The Tribunal also encounters cases in which there is no alleged dishonesty but, nevertheless, the conduct is serious enough to merit that a solicitor be struck off. Such cases often involve prolonged and repeated patterns of conduct over a period of time, sometimes accompanied by lack of insight or remorse. One such case involved repeated failure to comply with the Accounts Rules and keep records.



At the other end of the spectrum, four solicitors were found not guilty of professional misconduct by the Tribunal this year. In one of those cases, the alleged professional misconduct related to breaches of Rules B1.2 and B1.9 of the Practice Rules 2011. The allegation was that the Respondent, when writing to a third party organisation, had misrepresented the findings of a Sheriff in a family law action in that he stated that the children involved were abused and suffered trauma at the hand of their mother when there was no such finding. The Law Society argued that this brought the Respondent's integrity into question and maintained that the Respondent had failed to communicate effectively. The Respondent accepted that he had written the letter but denied that he had misrepresented the Sheriff's judgement. The Tribunal concluded that the context in which words are used is important and made it clear that solicitors must have a basis for what they write. In the particular facts of this case, the Tribunal concluded that the Respondent did have a basis for his letter. The Tribunal exercised its discretion and awarded expenses against the Law Society on the basis that this particular prosecution was misconceived.

Finally, the Tribunal has encountered a growing number of Respondents who claim to have mental or physical health problems which sometimes affect their ability to participate in disciplinary proceedings. This can lead to significant delays in proceedings. However, the Tribunal takes account of all information presented to it and the particular circumstances of each case. The Tribunal aims to be fair to all parties and makes adjustments where possible. The Tribunal now has the benefit of its Health Guidance which was introduced on 1 September 2024 with the SSDT Rules 2024. This is available to the public and can be found on the Tribunal website. The guidance has been referred to in numerous cases during the reporting period. It is of great assistance to the Tribunal for parties to provide full medical evidence in support of their position as early as possible.



Sanctions

The Tribunal has the power to impose specific sanctions in cases where professional misconduct has been established or where a solicitor has committed a serious criminal offence. They are set out in Section 53 of the Solicitors (Scotland) Act 1980 and range from censure (at the lowest end of the scale) to strike off (which is the most serious sanction which can be applied).

In the reporting year 1 November 2024 to 31 October 2025:-



A censure is applied when the matter before the Tribunal is at the less serious end of the scale. It is usually an isolated incident and the solicitor demonstrates remorse and insight. A censure is appropriate in cases where there is no risk to the public and no requirement for the solicitor to be supervised.

Other sanctions can be applied along with a censure in cases which are more serious. For example, the Tribunal can impose a censure and fine. The Tribunal can also add a restriction on, or suspension of, a solicitor's practising certificate. Much depends on the particular circumstances of the case being considered. Fines are imposed when there is no risk to the public and are usually added to a censure to mark the seriousness of the solicitor's conduct. The Tribunal imposed a total of £6,000 in fines this year. The maximum fine which can be imposed by the Tribunal is currently £10,000 for most cases apart from those involving an economic crime. The Tribunal can impose an unlimited fine in economic crime cases although it has not dealt with one of those during this year.

A solicitor's practising certificate can be restricted in cases where the professional misconduct showed that are areas of their practice which, for example, require review, retraining or supervision but the public would not be at risk if restrictions are imposed.

The Tribunal imposed a censure, fine and restriction of practising certificate in two cases this year. One solicitor was fined £5,000 and prohibited from mentoring, managing or supervising any person in a professional capacity for a period of three years. The other solicitor fined £1,000 and was restricted to practising as a qualified assistant to another solicitor approved by the Law Society for a period of two years.

No solicitors were suspended this year.

Strike off is the most serious sanction to be applied by the Tribunal. A total of four solicitors were struck off this year. Three of those solicitors had acted dishonestly. In the other strike off case, there was no allegation of dishonestly but the Tribunal concluded that the solicitor had acted in a way which was misleading, reckless and which brought their integrity into question, in particular by their failure to complete an Accounts Certificate correctly.

Complaint Originators & Compensation

Complaint Originators (formerly known as Secondary Complainers) become parties to the proceedings only after a finding of professional misconduct is made by the Tribunal. Prior to this, they have no direct input into the Tribunal process. Once a finding of professional misconduct is made, Complainer Originators are invited to make a claim for compensation. If they decide to make a claim, they are invited to provide evidence of the loss, inconvenience or distress they have suffered as a consequence of the misconduct.

[Guidance notes](#) for Complaint Originators are available on the Tribunal website.

The Tribunal made decisions in **13** cases involving Complaint Originators this reporting year. This is up from 7 cases in 2024 but down from 20 cases the year before that.

Of those 13 cases, there are **3** outstanding compensation claims which are currently being with and are still to be resolved. These will be detailed in the next reporting year.

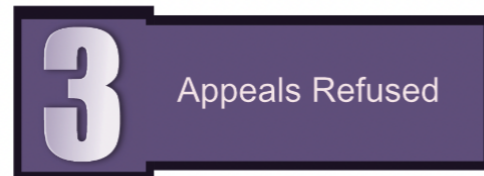
In **9** of the cases, either no compensation claim was lodged, the Complaint Originator was not seeking compensation or the Complaint was remitted back to the Law Society of Scotland for consideration.

In **1** case, the claim was settled without the need for a Tribunal hearing.

The maximum amount of compensation which the Tribunal can award for each individual claim is £5,000. This year, the Tribunal did not make any awards of compensation.

Appeals under Section 42ZA

Section 42ZA Appeals against unsatisfactory professional conduct decisions made by the Law Society of Scotland are received from solicitors and lay appellants. During this reporting year, the Tribunal dealt with 3 appeals, 4 less than last year.



In order for an appeal to be considered by the Tribunal, it has to identify either a potential error of fact or law made by the Law Society of Scotland when its Sub-Committee reached its decision, or describe the fundamental error in the Sub-Committee's approach. [Guidance for potential appellants](#) can be found on the Tribunal's website.

The powers of the Tribunal are limited in appeals. It can quash or confirm the determination of the Law Society of Scotland. It can quash the censure accompanying the determination. It can quash, confirm or vary the direction being appealed against. It can order retraining of the practitioner, impose a fine not exceeding £2,000 and award compensation up to £5,000.

Tribunal Website

www.ssd.org.uk

The Tribunal's website is frequently used by Tribunal members and the public. The Google analytics figures show page views for the reporting year.

The website was viewed 97,919 from 1 November 2024 to 31 October 2025. This is an increase of 10,029 views from the previous year.

The findings page was accessed 36,897 times.

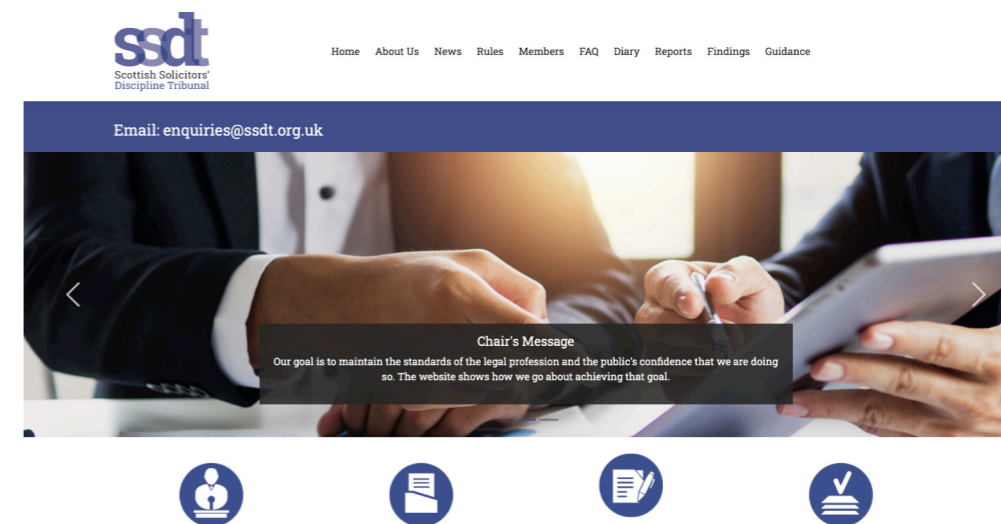
The home page 12,623 times.

The diary page 7,224 times.

The members page 1,105 times.

Judgement Publication Policy

The policy came into operation from 1 September 2024. Publishing decisions is part of the Tribunal's commitment to open justice. It helps to ensure that the Tribunal's processes are transparent. The content of decisions informs and educates users of legal services, the public and the profession. Publication demonstrates that the Tribunal's powers are being exercised proportionately and consistently, and that the Tribunal is accountable for its decisions. Further information on the policy can be found on the guidance page of the website - [Judgment Publication Policy](#).



SSDT Administration Limited

Company Number SC53615

Registered Office: Unit 3.5, The Granary Business Centre, Coal Road, Cupar, Fife
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The Tribunal is assisted in its administration by a private company limited by guarantee, SSDT Administration Limited. The company was incorporated on 9 June 2016.

The current directors of the company are Colin Bell, Kay Hampton, Sally Swinney,, Beverley Atkinson, Christine Pacitti and Paula Charlesworth. Ben Kemp resigned as director in June 2025. The Clerk acts as company secretary. The company employs the Clerk and administrative staff. Further information about the company can be found on the [Companies House](#) page.

	Year to 31.10.2025	Year to 31.10.2024
Total costs of the Tribunal (including lay members' costs)	£265,174.54	£245,209.35
Costs recoverable from Respondents (estimated)	£27,689.08	£14,849.74
Costs per solicitor with a practising certificate (excluding lay members' costs paid for by the Scottish Government)	£15.74	£15.23
Costs per solicitor with a practising certificate if all recoverable costs were received from Respondents	£13.77	£14.15

The Tribunal is funded by the Law Society in accordance with its obligations under paragraph 22 of Schedule 4 to the Solicitors (Scotland) Act 1980.

Total Tribunal funding for the reporting year was £265,174.54. This is made up of £221,808.00 funding from the Law Society and £43,366.54 paid by the Scottish Government in respect of lay members' costs.



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