



GREGORY TREVERTON-JONES QC

Year called 1977

Silk 2002

gregtj@39essex.com



“A go-to person for anything at all to do with professional discipline.”

“His professional discipline knowledge is excellent.”
Chambers and Partners 2019

“He has been involved in so many of the leading cases, his insights are a distinct advantage.”
Legal 500 2019

Greg Treverton-Jones QC specialises in regulatory and disciplinary issues concerning legal professionals. He has appeared in many of the leading cases on the topic, both for the regulators and respondents, although most of his work nowadays is on behalf of those facing regulatory investigations, or disciplinary proceedings. He has been described in Chambers & Partners as the leading defence advocate in solicitors' disciplinary cases. He is co-author of successive editions of *The Solicitor's Handbook* (2008-2019), co-author of *Disciplinary and Regulatory Proceedings* (9th edition, 2017) and is an editor of *Cordery on Legal Services*. He has an extensive advisory practice, concerning all aspects of legal regulation.

Greg was named 'Silk of the Year' for Professional Discipline at the 2015 Chambers Bar Awards.

Greg is recommended in Chambers & Partners 2019 for Professional Discipline (band 1) and the Legal 500 2019 for Professional Discipline and Regulatory Law (tier 1).

PRACTICE AREAS

BARRISTERS · ARBITRATORS · MEDIATORS

- Regulatory & Disciplinary
 - Costs & Litigation Funding
 - Corruption
-

SECTORS

- Infrastructure
-

PRACTICE AREAS

REGULATORY & DISCIPLINARY

"He knows the subject inside out. His preparation for and representation of cases is as good as it gets." "Stylish, polished and persuasive." Chambers & Partners 2018

"A brilliant advocate for Solicitors Disciplinary Tribunal cases." Legal 500 2018

Since 2007, the principal focus of his practice has been to advise and represent solicitors and other legal professionals in regulatory and disciplinary matters. He has been extensively instructed by numerous firms, individual solicitors and sole practitioners in connection with the most pressing regulatory issues of the day, including:

- Advising and acting on behalf of solicitors facing disciplinary proceedings in the Solicitors Disciplinary Tribunal and in statutory appeals against decisions of the SDT.
- Advising solicitors entering into regulatory settlement agreements and agreed outcomes with the Solicitors Regulation Authority.
- Advising and drafting representations on behalf of solicitors embroiled in regulatory issues with the SRA, such as potential disciplinary proceedings, the suitability test for entry into the profession, and the imposition of Practising Certificate conditions.
- Advising on and appearing in judicial review proceedings against legal regulators.
- Advising and appearing in court cases arising out of interventions into solicitors' practices by the SRA.
- Advising insurance companies on how to deal with frauds apparently committed by solicitors.
- Advising and representing solicitors in disputes with professional indemnity insurers.

Among the many subjects upon which he is asked to advise and represent solicitors are the following:

- Meaning and interpretation of the SRA Principles and Codes of Conduct
- Dishonesty and lack of integrity
- The provisions of the Legal Services Act 2007.

- Alternative Business Structures.
- Regulatory compliance in group litigation.
- Entity regulation and the regulatory/disciplinary liability of entities.
- The referral fee ban introduced by the Legal Aid, Sentencing and Punishment of Offenders Act 2012.
- The propriety of solicitors' assisting in the drafting of non-disclosure agreements
- Alleged sexual misconduct by solicitors
- Solicitors' professional duties when instructed by clients to become involved in tax avoidance schemes.
- The scope and impact of Rule 14.5 of the SRA Accounts Rules 2011.
- Use of social media by solicitors
- Solicitors caught up in the collapse of the Axiom funding scheme.
- Entry into the profession for those with criminal convictions or similar

Much of his work is advisory, carrying out "compliance proofing" and often seeking to ensure that solicitors act in compliance with the regulatory rules that bind them. He also engages in dialogue with the SRA to seek to ensure that regulatory issues can be resolved without the need for disciplinary proceedings.

His clients range from sole practitioners and small High Street firms to the largest firms in the City of London.

He has extensive experience of appearing in the Solicitors Disciplinary Tribunal (on behalf of the Law Society until 2006, and for respondent solicitors since then), and in the High Court and Court of Appeal on intervention challenges, statutory appeals, and applications for judicial review.

He has advised and appeared for other regulators in the legal and teaching professions.

In 2011 he was instructed on behalf of the first solicitor to be accused of professional misconduct by the Law Society of Brunei. The proceedings against the solicitor were halted after a Court of Appeal of Brunei judgment in May 2012.

With Andrew Hopper QC, he wrote successive editions of *The Solicitor's Handbook* 2008, 2009, 2011 2012, 2013, 2015 and 2017, and *Outcomes-focused Regulation – A Practical Guide*, published by the Law Society in August 2011.

He has written *The Solicitors' Handbook* 2019 with Nigel West, Susannah Heley and Robert Forman.

He also has extensive experience of other forms of Tribunal hearings and advocacy, principally:

- Barristers
- Surveyors
- Sports Tribunals
- Employment Tribunals

Notable cases in the High Court and the Court of Appeal include:

Solicitors Regulation Authority v James, MacGregor and Naylor [2018] EWHC 3058 (Admin)

Wingate and Evans v Solicitors Regulation Authority [2018] EWCA Civ 366

Yussouf v Solicitors Regulation Authority [2018] EWHC 211 (Admin)

Smith v Bar Standards Board [2016] EWHC 3015 (Admin);

Solicitors Regulation Authority v Solicitors' Disciplinary Tribunal and Arslan (Law Society intervening) [2016] EWHC 2862 (Admin);

Solicitors Regulation Authority v Manak and others [2016] EWHC 1914 (Admin);

Williams v Law Society [2015] EWHC 2302 (Ch)

Solicitors Regulation Authority v Imran [2015] EWHC 2572 (Admin)

Solicitors Regulation Authority v Andersons [2013] EWHC 4021 (Admin)

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

Andersons v Solicitors Regulation Authority [2012] EWHC 3659 (Admin)

Tinkler v Solicitors Regulation Authority [2012] EWHC 3645 (Admin)

R (Andersons) v Solicitors Regulation Authority [2012] EWHC 3659 (Admin)

Bryant v SRA [2012] EWHC 1475 (Admin)

Kaur v ILEX [2011] EWCA 1168 (Civ)

Law Society v Sharma [2010] EWHC 2022 (Admin)

Reed v Law Society [2009] EWHC 1183 (Admin)

Bryant and Bench v Law Society (DC) [2007] EWHC 3043 (Admin)

Law Society v Adcock and Mocroft (QBD) [2006] EWHC 3212 (Admin)

Sheikh v The Law Society (CA) 23 November 2006 [2006] EWCA Civ 1577

Bultitude v Law Society [2004] EWCA Civ 1853

COSTS & LITIGATION FUNDING

Gregory Treverton-Jones QC regularly assists solicitors in connection with regulatory and costs issues arising out of the Jackson reforms and the introduction of alternative business structures, including advising on and assisting in the drafting of new-style damages-based agreements and Conditional Fee Agreements. He has been instructed in several group litigation matters, advising solicitors and claimants as to their funding arrangements. He has considerable experience of wasted costs applications, including what was then the largest such claim to arise out of a criminal prosecution: **R v Morris** [2005] Crim 1246.

He is regularly instructed on behalf of the Crown Prosecution Service to oppose applications for costs against the CPS following Crown Court trials, and has appeared in the following recent Divisional Court cases:

R (DPP) v Aylesbury Crown Court [2017] EWHC 2987 (Admin)

Quayum v DPP [2015] EWHC 1060 (Admin)

R (DPP) v Sheffield Crown Court [2014] EWHC 2014 (Admin)

CORRUPTION

- Advised and represented a major foreign bank which was embroiled in the Guinness affair (part 2).
- Currently advising City firm on regulatory and anti money-laundering issues arising out of a property transaction involving a Politically Exposed Person (PEP).
- Advised and represented the Law Society on disclosure applications made in serious fraud trials.
- Disciplinary proceedings concerning solicitors: cases arising out of:
 - International financial transactions suspected of being fraudulent, involving a POCA report by solicitors to SOCA;
 - International sales of UK feudal titles by US-based businessman;
 - Documentary forgery by solicitors;
 - Breach of the ban on referral fees paid by solicitors and non-disclosure of commission payments paid to solicitors;
 - Overcharging and exploiting clients in many different circumstances, including the coal health scheme set up by the UK Government in the late 1990s.
- Advised and represented the Law Society and intervened with solicitors in connection with interventions into UK law firms where dishonesty suspected, or where there is evidence of serious accounting irregularities, or where a law firm has been infiltrated and controlled by unregulated third parties.
- Advised and represented Welsh politician charged with contempt of court.
- Advised and assisted solicitors involved in disciplinary proceedings in Hong Kong and Brunei.

SECTORS

INFRASTRUCTURE

Health & Safety, Rail, and Public Inquiries

"He is a low-key but incredibly effective advocate." Chambers & Partners

He has defended in a number of high profile Health & Safety prosecutions, representing British Railways Board, Laings, McAlpines and others.

Throughout his career, he has conducted litigation arising from the railway industry. He was regularly instructed by the British Railways Board prior to privatisation, and Railtrack/Network Rail, the Association of Train Operating Companies, and some Train Operating Companies after privatisation. He was instructed in proceedings arising

out of each of the five major rail crashes between 1997 and 2002 (Southall; Ladbroke Grove; Hatfield; Selby; and Potters Bar).

Notable cases include:

Southall Train Crash Inquiry (1999): Junior counsel for Great Western Trains Ltd.

Ladbroke Grove Train Crash Inquiry (2000): Leading counsel for First Great Western.

Joint Inquiry into Train Protection Systems (2000): Leading counsel for the Association of Train Operating Companies.

Thames Trains Ltd. v Network Rail Infrastructure Ltd. and the HSE: Civil proceedings arising out of the Ladbroke Grove train crash.

GNLR v Hart [2003] EWHC 2450: Civil proceedings arising out of the Selby train crash.

HSBC Rail (UK) Ltd v Network Rail Infrastructure Ltd (QBD) 16 March 2005; [2005] EWHC 403 (Comm); [2005] 2 Lloyd's Rep 343: Civil proceedings arising out of the Hatfield train crash.

Junior counsel to the **North Wales Child Abuse Tribunal of Inquiry** (the Waterhouse Tribunal) (1996-1998).

Junior counsel for Great Western Trains Ltd. in the **Southall Train Crash Inquiry** (1999).

Leading counsel for First Great Western at the **Ladbroke Grove Train Crash Inquiry** (part 1) (2000).

Leading counsel for the Association of Train Operating Companies at the **Ladbroke Grove Train Crash Inquiry (part 2)**, and the **Joint Inquiry into Train Protection Systems** by Lord Cullen and Professor Uff (2000).

CASES

Regulatory & Disciplinary

Wingate and Evans v Solicitors Regulation Authority [2018] EWCA Civ 366: Leading Court of Appeal authority concerning the meaning of integrity, and the distinction between negligence/incompetence and professional misconduct.

Yussouf v Solicitors Regulation Authority [2018] EWHC 211 (Admin): The High Court quashed a decision by the SRA to refuse an oral hearing to an applicant for admission to the Roll.

Smith v Bar Standards Board [2016] EWHC 3015 (Admin): Successful appeal by barrister against disciplinary findings.

Solicitors Regulation Authority v Solicitors' Disciplinary Tribunal and Arslan (Law Society intervening) [2016] EWHC 2862 (Admin): Represented the Law Society on the issue of the standard of proof in the Solicitors' Disciplinary Tribunal.

Solicitors Regulation Authority v Manak and others [2016] EWHC 1914 (Admin): Appeal by the SRA against the

dismissal of a prosecution as an abuse of process.

Williams v Law Society [2015] EWHC 2302 (Ch): Application of statutory trusts following a successful intervention challenge by a solicitor.

Solicitors Regulation Authority v Imran [2015] EWHC 2572 (Admin): Appeal by the SRA against the non-striking off of a solicitor who had a criminal conviction.

Solicitors Regulation Authority v Andersons [2013] EWHC 4021 (Admin): Appeal by the SRA against the level of fines imposed by the Solicitors' Disciplinary Tribunal.

Ebhogiaye v Solicitors Regulation Authority [2013] EWHC 2445 (Admin): Appeal by solicitor against the imposition of conditions upon practice following disciplinary findings.

Tinkler v Solicitors Regulation Authority [2012] EWHC 3645 (Admin): Reduction on High Court appeal of record fine imposed upon solicitor.

R (Andersons) v Solicitors Regulation Authority [2012] EWHC 3659 (Admin): Challenge to SRA policy of publishing allegations against respondents far in advance of the hearing.

Bryant v SRA [2012] EWHC 1475 (Admin): Appeal arising out of the imposition of Practising Certificate conditions and the effect of those conditions upon a solicitor's ability to practice.

Kaur v ILEX [2011] EWCA 1168 (Civ): Important Court of Appeal decision arising out of the composition of disciplinary tribunal, i.e. the presence of Council members on the panel and the rule against bias.

Keane v Law Society [2009] EWHC 783 (Admin): Judicial review claim arising out of a finding of inadequate professional service by a solicitor.

Barber and Others (Raleys) No. 9698-2007 (SDT Miners Compensation Case) 17 February 2009: The Solicitors Disciplinary Tribunal decision following its hearing of allegations of misconduct by partners of Raleys Solicitors, of Barnsley, South Yorkshire, in relation to the miners' health compensation scheme.

Reed v Law Society [2009] EWHC 1183 (Admin): Disciplinary appeal arising out of the creation of a corporate structure by a major insurer by which to introduce cases to solicitor.

Bryant and Bench v Law Society (DC) 21 December 2007; [2007] EWHC 3043 (Admin): The correct test to be applied, for dishonesty in disciplinary proceedings.

Gregory v Law Society (DC) Lawtel 28 June 2007: Appeal from an SDT decision under s.43 of the Solicitors' Act 1974.

Law Society v Adcock and Moorcroft [2006] EWHC 3212 (Admin); [2007] 1 WLR 1096: Leading case on the meaning of commission in the Solicitors' Practice Rules 1990.

Sheikh v The Law Society (CA) [2006] EWCA Civ 1577: Decision of the Court of Appeal in respect of a successful challenge to an intervention by the affected solicitor [2005] EWHC 1409 (Ch). This was the first successful challenge to an intervention in a contested case, although the decision was reversed by the Court of Appeal.

Law Society v Wheeler and Stephens (DC) 21 July 2005; [2005] EWHC 1602 (Admin): Disciplinary appeal arising

out of a solicitor's obligation of strict supervision of an employee.

Smitharan v The Law Society (CA) 27 April 2005; [2005] EWCA Civ 476; [2005] All ER 1105; The Times 11 May 2005; Independent 5 May 2005: Court of Appeal decision on the correct test for setting aside an intervention.

Bultitude v The Law Society (CA) 16 December 2004; [2004] EWCA Civ 1853: Leading case on the correct test in disciplinary proceedings for dishonesty by a solicitor.

Elliott v Solicitors Disciplinary Tribunal (QBD) 29 April 2004; [2004] EWHC 1176 (Admin): Effect on disciplinary proceedings of deliberate absence from the hearing by the solicitor Respondent.

Aaron v The Law Society (QBD) 13 October 2003; [2003] EWHC 2271 (Admin): Effect of delay upon solicitor's Article 6 rights to a fair hearing.

Costs

R v Geoffrey Counsell Crown Ct (Bristol) (Simon J) 13/03/2014.

RECOMMENDATIONS

He is recommended in the highest band/tier Chambers & Partners 2019 and Legal 500, 2019.

"He knows the subject inside out. His preparation for and representation of cases is as good as it gets." "Stylish, polished and persuasive." Chambers & Partners 2018

"He is extremely knowledgeable and highly respected by the SDT." Chambers and Partners 2017

"His key strength is knowing the fine line between what can and cannot be done" Legal 500 2017

Selected quotes from earlier editions:

"Recommended for regulatory advice and wasted costs applications" Legal 500 2016

"Highly respected and regarded by the courts and tribunals." Legal 500 2015

"Highly regarded for advising solicitors on the new CFA regime." Legal 500 2015

"He is a low-key but incredibly effective advocate." Chambers & Partners 2015

"He can bring out a respondent's personal attributes in a realistic and acceptable way." Chambers & Partners 2015

APPOINTMENTS

Recorder of the Crown Court, Welsh Circuit

Assistant Commissioner to the Boundary Commission for Wales

Editor – *Cordery on the Regulation*

Accredited Mediator

QUALIFICATIONS

The College of Law. Bar Finals: 1976-1977

New College, Oxford MA Jurisprudence: 1973-1976

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