

ADVOCATES DISCIPLINARY TRIBUNAL
PUBLIC RECORD OF COMPLAINTS UPHELD & DECISIONS

Case No.	Name of Advocate	Decision	Date of Decision
247(3)	Mr Kenneth A Quilleash	Referred to His Excellency and subsequently Advocates commission cancelled 1. Failed to answer correspondence; 2. Failed to return telephone calls; 3. Failed to forward papers on request; 4. Ignored correspondence; 5. Failed to co-operate with client	June 1987
247(4)	Mr Kenneth A Quilleash	Referred to His Excellency and subsequently Advocates commission cancelled Failed to deliver to IOM Law Society his Accountants Report	June 1987
247(6)	Mrs Sharon Maddrell	Reprimanded 1. Breach of principles 9(3) and 11(1) of Professional Conduct of Solicitors 2. Not keeping client properly informed	November 1987
247(8)	Mr Paul D Morris	Reprimanded <i>(Alternative Tribunal)</i> Breach of Principle 7.18 of Professional Conduct of Solicitors – must not terminate retainer with client except for good reasons/ upon reasonable notice	December 1987
247(9)	Mr Geoffrey F Karran	Reprimanded <i>(Alternative Tribunal)</i> Breach of Principle 14.01(3)	February 1988
247(29)	Mr Philip E Garrett	Fined £100 and costs of £80 – 26.05.89 1. Failed to carry out terms of retainer with due care and skill, proper diligence and promptness 2. Failed to keep client properly informed Fined £300 and costs of £264 – 09.02.90 1. Failed to carry out terms of retainer with due care and skill, proper diligence and promptness 2. Failed to keep client properly informed 3. Failed to deal promptly with correspondence on behalf of client 4. Failed to deal promptly with correspondence from Tribunal	February 1989 February 1990

247(31)	Mrs Clare Faulds	Reprimanded Failed to carry out terms of retainer with due care and skill, proper diligence and promptness	June 1989
247(32)	Mr Philip E Garrett	Fined £1000 (Failed to submit accounts to Law Society)	May 1989
247(34)	Mr Philip E Garrett	Fined £500 and £125 + VAT costs 1. Failed to carry out terms of retainer with due care and diligence and promptness 2. Failed to keep his client properly informed 3. Failed to deal promptly with correspondence with Tribunal	September 1989
247(43)	Mr Philip E Garrett	Fined £750 Failed to deal with correspondence on behalf of a client	March 1990
247(49)	Mr Jeremy P B Carter	Fined £350 1. Failed to carry out clients instructions with due care and skill, proper diligence and promptness 2. Failed to keep client properly informed 3. Failed to deal promptly with correspondence on behalf of client	December 1990
247(50)	Mr Philip E Garrett	Fined £500 1. Failed on termination to deliver to his client all papers to which his client was entitled 2. Failed to carry out terms of retainer with due care and skill, proper diligence and promptness and to keep his client properly informed	November 1990
247(52)	Mr W Robert Hyde	Reprimanded (<i>Alternative Tribunal</i>) Inadequate supervision by Mr Hyde of Mr Powell in respect of a client's affairs	December 1991
247(60)	Mr Eamonn B M Dougherty	Referred to His Excellency (Section 18(3)(c) of the Act) Subsequently ordered not to practise as a sole practitioner	July 1991 1991
247(61)	Mr Eamonn B M Dougherty	Referred to His Excellency (Section 18(3)(c) of the Act) 1. Failed to honour cheque drawn by him re payment of Professional Indemnity Insurance 2. Failed to honour cheque drawn by him re payment of annual subscription to IOM Law Society 3. Failed to carry out terms of retainer with due skill and proper diligence and promptness and failed to adequately communicate with clients Subsequently - ordered not to practise as a sole practitioner	November 1991 1991
247(67)	Mr Philip E Garrett	Referred to His Excellency (Section 18(3)(c) of the Act) 1. Continued to act in circumstances where he could not do so with competence	October 1991

		<ul style="list-style-type: none"> and diligence 2. Failed to keep client properly informed and to comply with reasonable requests from client 3. Failed to carry out terms of retainer with due care and skill, proper diligence and promptness and to keep client properly informed 4. Failed to deal promptly with correspondence form Tribunal <p>Subsequently Fined £2000</p>	1991
247(68)	Mr Philip E Garrett	<p>Referred to His Excellency (Section 18(3)(c) of the Act)</p> <ul style="list-style-type: none"> 1. Continued to act in circumstances where he could not do so with competence and diligence 2. Failed to carry out client's instructions with diligence ant to exercise reasonable care and skill 3. Failed to keep client properly informed and to comply with reasonable requests from client for information 4. Failed to carry out terms of retainer with due care and skill, proper diligence and promptness and to keep client properly informed <p>Subsequently Fined £2000</p>	<p>February 1992</p> <p>1992</p>
247(73)	Mr W Robert Hyde	<p>Reprimanded and to pay costs of £150</p> <ul style="list-style-type: none"> 1. Failed to carry out instructions with due care and skill, proper diligence and promptness 2. Failed to keep client properly informed 	June 1992
247(78)	Mr Alan L Gough	<p>Fined £2000 Unprofessional conduct</p>	February 1995
247(88)	Mr John Wright	<p>Fined £500 Acting in an unprofessional manner.</p>	October 1994
247(90)	Mr Peter B Clucas	<p>Reprimanded and ordered to pay Law Society's costs by way of contribution in sum of £250 Conduct such as would tend to bring the profession into disrepute.</p>	February 1995
247(92)	Mr Philip E Garrett	<p>Referred to His Excellency..... (details unknown) Subsequently..... (details unknown)</p>	<p>November 1994</p> <p>1994</p>
247(100)	Mr Kenneth E Quilleash	<p>Referred to His Excellency (Section 18(3)(c) of the Act) (Mr Quilleash had been licensed to practice with the proviso that he should work under supervision for 3 years – which was completed on 17 January 1995)</p> <p>Subsequently</p> <p>(details unknown)</p>	<p>May 1996</p> <p>1996</p>

247(106)	Mr Philip E Garrett	Fined £250 for 1. Failure to comply with an undertaking within a reasonable time and 2. failure to deal with or acknowledge a number of letters in the matter	January 1996
247(112)	Mr John P Conti	Reprimanded and Fined £150 on each head of complaint proved (two) 1. Breach of confidentiality 2. Failure to have bill taxed or remuneration certificate obtained.	November 1996
247(115)	Mr Philip E Garrett	Reprimanded Professional misconduct (Failing to communicate with client ?)	August 1996
247(116)	Mr Philip E Garrett	Referred to His Excellency..... (details unknown) Subsequently..... (details unknown)	August 1996 1996
247(120)	Mr Philip E Garrett	Reprimanded Fail to register a charge and report back to Bank	February 1997
247(122)	Mr Jeremy P B Carter	Reprimanded and Fined £500 (on item 1 of complaint) Failed to communicate with client	February 1997
247(123)	Mr W John H Corlett	Proved on one of four heads, no action taken. Failure to expeditiously attend to and comply with instruction to liquidate	July 1997
247(124)	Mr Jeremy P B Carter	Reprimanded and Fined £200 Professional misconduct	May/June 1998
247(127)	Mr Ian C Corbridge	Fined £2000 Breach of Rule 1 of Advocates Practice Rules 1989	February 1998
247(129)	Mr Ian C Corbridge	Reprimanded and Fined £200 Failing to have his bill of costs taxed and Fined £200 Issued proceedings when request for taxation was still outstanding	June 1998
247(140)	Mrs J Marie Ashworth	Fined £3500 in totality for seven complaints and £881.25 towards costs of complainant Fail to comply with paras 11(1) and 11(2) of The Advocates' (Accounts) Rules 1993	September 1999
247(151)	Mr Paul O'Neill	Fined £1000 and £500 costs Failed to have proper regard for the interests of the complainant in that he disposed to another part of the proceeds of a house sale (such proceeds having been held by him jointly on behalf of the complainant and that other) without notice to the complainant and without having first obtained the agreement of the	July 2001

		complainant to such disposal.	
247(169)	Mr Paul O'Neill	Fined £1500 and Costs of £250 Failing to submit an Accounts Report as defined in Section 6(1) of the Advocates Act 1976 as amended after informing Society that he held client money from 03 May 2001.	November 2003
247(174)	Ms Gillian Chapman	Fined £2000 and Costs of £250 Breach of Advocates Accounts Rules 2001 in that : 1. Breached Rule 15(2) of the Rules 2. Failed to comply with Rule 32(3) of the Rules 3. Failed to maintain accounting entries for the Firm's client account for the period from 01/04/03 to 10/06/03 4. Failed to comply fully with the provisions of Rules 32(7) of the Rules 5. Failed to maintain a central register of client accounts pursuant to Rule 11.	April 2004
247(175)	Mrs Elizabeth Parkes	Fined £2000 and Costs of £250 Breach of Advocates Accounts Rules 2001 in that : 1. Breached Rule 15(2) of the Rules 2. Failed to comply with Rule 32(3) of the Rules 3. Failed to maintain accounting entries for the Firm's client account for the period from 01/04/03 to 10/06/03 4. Failed to comply fully with the provisions of Rules 32(7) of the Rules 5. Failed to maintain a central register of client accounts pursuant to Rule 11.	April 2004
247(182)	Mrs Pamela Pringle	Fined £1000 and Costs of £250 (Breaches of the accountants rules – very lower end)	July 2005
247(184)	Mr Charles Coleman	Reprimand (for sending a letter directly to a party whom he knew was legally represented) Fined £2500 (for sending an inappropriate letter regarding the conduct of proceedings)	June 2006
247(185)	Mr John Wright	Referred to His Excellency (Section 18(3)(c) of the Act) Serious professional misconduct – sent an email on instructions of his client to advocates on opposite side of a litigation matter containing an unwarranted and serious threat to make public certain matters in respect of their client if the case was not settled Subsequently (by His Excellency and Deemsters Doyle and Williamson) - Reprimanded and Fined £20,000 (to be paid within 3 months)	May 2006 September 2006
247(193)	Mr John Wright	Reprimanded and warned as to his future conduct Conduct inconsistent with the high standards expected of members of the bar – more foolish than malicious.	April 2007
247(196)	Directors of Simcocks Limited	Fined £2000 and Costs of £1822.50 + VAT (to be paid by 31 May 2008) Failed to comply with the Advocates Accounts Rules 2001 by 1. Failing to prepare reconciliation statements relating to client money held in a new clients' account opened	April 2008

		during the said period within the time limits set out in and as required by rule 32(7) of Part D of the Rules; and 2. Failing to ensure compliance with the Rules by the principals themselves and by everyone else working in the practice contrary to rule 6 of the Rules. Note: A technical offence and the finding is not to be regarded as in any way casting any slur or doubt on the Directors' integrity.	
247(205)	Mr Paul O'Neill	Reprimanded Did not respond to certain correspondence in 2006 either timely, adequately or at all	May 2009
247(206)	Mr Laurence Vaughan-Williams	Fined £2000 (to be paid within 28 days) He was unaware of a relevant protocol and spoke to a child witness in inappropriate circumstances. Also Tribunal far from satisfied with his course of conduct thereafter, namely the filing of an affidavit etc.	April 2009
247(211)	Miss Aalish Hannan	Reprimanded Service of documents in present of Police Officer and incorrect/misleading info on website	April 2010
247(214)	Mr Stephen Harding	Reprimanded 1. Failed to inform High Court that a company was legally represented and 2. Failed to notify High Court that the company was in negotiations to reach a settlement	September 2010
247(215)	Mr Nigel Cordwell	Reprimanded Inadvertently failed to comply with his client's instructions and a formal reprimand was issued	October 2010
2011/04	Miss Hirelle Pimbley	Fined £500 (to be paid within 56 days) and Costs of £495 (to be paid within 28 days) Did not reply to communications from her client and allowed a Consent Court Order to be made either when her client did not consent to it or no longer consented to it	April 2012
2012/01	Mr Roger Kane	Fined £2500.00 (to be paid within 3 months) Breached the advocate's duty of confidentiality by discussing a case in which he was involved with a third party	July 2012
2013/02	Mr Robert Long and Mr Mark Humphrey	Reprimanded (each Advocate) 1. Their ledgers showing negative balances on their office account (breach of Rule 19) 2. The balance per ledger card not agreeing with the balance per the matter list (breach of Rule 32(5)) Note: This is a technical offence and the finding is not to be regarded as in any way casting any slur or doubt on the advocates' integrity.	January 2014
2013/08	Robert David Macdonald Lindley	Fined £2000 (to be paid within 28 days) Costs £800 (to be paid within 28 days) Recorded a Deed Poll to change a child's name without the consent of all persons with parental responsibility. QUASHED FOLLOWING RE-HEARING BEFORE DEEMSTERS	September 2014 January 2015

2011/10	Jenny Dee Holt	<p>Reprimanded Breach of Rules 1 and 15 of the Advocates Practice Rules 2001.</p> <p>The Tribunal considered it most unfortunate that an Advocate with Miss Holt's lack of experience had been placed in the position she was in the complex case to which the Complaint referred.</p>	January 2015
2014/10	Jeremy Paul Bradley Carter	<p>Fined £4000 (to be paid forthwith) Costs £16,250 (to be paid within 12 months)</p> <p>Failing to comply with certain provisions of the Advocates Accounts Rules 2008 and the Advocates Practice Rules 2001, and in particular paid clients' money into an account which was not a regulated client account in his own name or in the name of his practice.</p> <p>Mr Carter gave an undertaking to the Tribunal "I undertake to the Advocates Disciplinary Tribunal and to the Isle of Man Law Society ("the Society") that I will not operate a client account until such time as the Society shall declare itself satisfied that sufficient and proportionate governance procedures are in place for the operation by me of a client account (such approval not to be unreasonably withheld)".</p>	December 2015
2015/04	Robert Haddow	<p>Reprimanded The Rules of the High Court of Justice 2009, Rule 11.38, provide that where in detailed assessment proceedings of an advocate's bill the costs Officer allows less than half of the total amount of the charges the advocate was claiming in the bill, the matter must be referred to the Tribunal. As a result of such a referral from the Costs Officer, the Tribunal imposed a reprimand on Mr Haddow.</p>	April 2017
2017/06	Aalish Hannan	<p>Fined £2,500 (to be paid with 28 days)</p> <p>Failure to comply with certain provisions of the Advocates Accounts Rules 2008 ("the Rules") in that:</p> <ul style="list-style-type: none"> • office money was held in the Client Account in contravention of Rule 19(3) of the Rules; • following the closure of the Client Account by Lloyd's Bank International Limited no replacement Client Account was established in breach of Rule 14(1) of the Rules; • the balance from the closed Client Account, in the form of a banker's cheque, was held in the practice pending the opening of a new Client Account in breach of Rule 15(1) of the Rules; and • there was a failure to carry out a reconciliation of client money for September 2016 within the prescribed time period in breach of Rule 32(7) of the Rules. <p>Whilst the Tribunal noted that there was no suggestion of any dishonesty on the part of Ms Hannan and that no client had suffered any loss, the Tribunal considered that it is vital that the Rules are adhered to by all advocates at all times</p> <p>In addition to the fine imposed Ms Hannan was required within 28 days to give a written undertaking to the Tribunal that she will not hold client money or operate a client account without prior permission from the Tribunal.</p>	March 2018

