
STATUTORY INSTRUMENTS

2019 No. 1185

The Solicitors (Disciplinary Proceedings) Rules 2019

PART 6

HEARINGS AND COSTS

Sanction

41.—(1) At the conclusion of the hearing, the Tribunal must make a finding as to whether any or all of the allegations in the application have been substantiated.

(2) If the Tribunal makes a finding that any or all of the allegations in the application have been substantiated, the Tribunal must ask—

- (a) the clerk whether any allegations were found to have been substantiated against the respondent in any previous disciplinary proceedings before the Tribunal; and
- (b) the Society (in those cases where the Society is the applicant) whether it has imposed any sanction against the respondent in respect of conduct which has not been the subject of any previous disciplinary proceedings before the Tribunal.

(3) The respondent will be entitled to make submissions by way of mitigation, including character references, in respect of the sanction, if any, to be imposed by the Tribunal.

(4) The Tribunal [^{F1}must] have regard to its guidance on sanctions in force at the time when determining the appropriate sanction.

Textual Amendments

- F1** Word in [rule 41\(4\)](#) substituted (25.5.2020) by [The Solicitors \(Disciplinary Proceedings\) \(Amendment\) Rules 2020 \(S.I. 2020/462\)](#), [rules 1\(2\)](#), [19](#)
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Commencement Information

- I1** [Rule 41](#) in force at 25.11.2019, see [rule 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Solicitors (Disciplinary Proceedings) Rules 2019, Section 41.