

CONFIDENTIAL

Prime Minister. (4)  
You will wish to see the record  
of the H discussion, and  
this covering note from Hartley  
Booth.

PRIME MINISTER

2 May 1985

MBA 2/5

SOLICITORS DISCIPLINE

The Lord Chancellor rightly suggests more Government  
action is necessary to tell the public:

- (a) that a Disciplinary Tribunal for solicitors exists  
(termed as Independent);
- (b) solicitors can be sued for professional negligence.

I can speak directly of the second as I quite frequently  
sued negligent solicitors. Invariably, they paid my clients  
compensation before the matter came to court. Their  
practices are obviously vulnerable to adverse publicity!

While the fears should, and can, be allayed, further  
Government action was not recommended by the Lord Chancellor  
nor is it needed on (b). The "free market" has a better  
solution.

The weak side in the Law Society's Tribunal is that it is  
a body of three - two of which are solicitors (appointed by  
the Master of the Rolls) which meets at the Law Society. The  
term 'Independent' is highly misleading. Either this term  
ought to be dropped or there should be more lay members.  
However, the Lord Chancellor has to come back to Cabinet.

*Hartley Booth*

HARTLEY BOOTH

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