

James Thomson

Solicitor

208253

[Sanction Date: 16 April 2025](#)

Decision - Sanction

Outcome: Rebuke

Outcome date: 16 April 2025

Published date: 20 May 2025

Firm details

Firm or organisation at date of publication and at time of matters giving rise to outcome

Name: Structadene Limited

Address(es): Second Floor, 9 White Lion Street, London, N1 9PD

Firm ID: 388964

Outcome details

This outcome was reached by SRA decision.

Decision details

Short summary of decision

We have issued Mr Thomson with a rebuke for attempting to prevent a person from providing information to the SRA and another regulatory body.

Facts of the misconduct

Mr Thomson acted for a company owned by Structadene Limited in the sale of a property to a purchaser who acted in person.

After purchase but before completion, the purchaser raised queries and concerns about the terms and conditions of sale of the property and about an alleged failure to disclose material information in the sale contract. He also alleged that Mr Thomson and his colleague had acted improperly in breach of the SRA Principles and Code of Conduct for Solicitors, RELs and RFLs.



On 28 June 2023, Mr Thomson notified the purchaser that the vendor was prepared to rescind the contract of sale and return the money the purchaser had paid. The proposed settlement offer included a term that the purchaser agreed not to make any complaints to the Property Ombudsman or the SRA about the vendor or any of its advisers, including its legal advisers.

On five further occasions between 28 June 2023 and 16 July 2023, Mr Thomson repeated the offer in settlement to the purchaser. The purchaser did not accept the offer. He made a report to the SRA that Mr Thomson had attempted to prevent him from reporting Mr Thomson's conduct.

There was no evidence of any misconduct by Mr Thomson in the underlying transaction for the sale of his client's property. However, it was found that Mr Thomson:

Between 28 June 2023 and 16 July 2023, repeatedly made settlement offers which included improper attempts to prevent the buyer of his client's property, from making a complaint to the appropriate regulatory authorities.

And in doing so he breached:

Principle 2 of the SRA Principles 2019; and

Paragraph 7.5 of the SRA Code of Conduct for Solicitors, RELs and RFLs.

Reasons/basis

Decision on sanction

It was decided that a rebuke was an appropriate and proportionate sanction.

This was because his conduct was serious by reference to the following factors in the SRA Enforcement Strategy:

- He is an experienced solicitor who should have known that his conduct breached his regulatory obligations; he demonstrated a concerning lack of judgment.
- It persisted longer than was reasonable as he repeated the offer on five further occasions.
- It undermined trust and confidence in the solicitors' profession and in legal services provided by authorised persons.

A more serious sanction was not considered to be proportionate by reference to the following factors in the Enforcement Strategy:



- No harm was caused to the purchaser because he did not enter into the proposed settlement agreement and was not deterred from making a complaint about Mr Thomson to the SRA.
- There is a low risk of repetition. Mr Thomson apologised and acknowledged his conduct breached Paragraph 7.5 of the Code of Conduct for Solicitors, RELs and RFLs.
- Mr Thomson has a clear regulatory history.

Other information

SRA Principles 2019

Principle 2: You must act in a way that upholds public trust and confidence in the solicitors' profession and in legal services provided by authorised persons.

SRA Code of Conduct for Solicitors, RELs and RFLs

Paragraph 7.5: You do not attempt to prevent anyone from providing information to the SRA or any other body exercising regulatory, supervisory, investigatory or prosecutory functions in the public interest.

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