



Charlotte Earl

Employee

577934

Employee-related decision Date: 20 July 2023

Decision - Employee-related decision

Outcome: Control of non-qualified staff (Section 43 / Section 99 order)

Outcome date: 20 July 2023

Published date: 9 October 2023

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Irwin Mitchell LLP

Address(es): Riverside East 2 Millsands Sheffield S3 8DT

Firm ID: 570654

Outcome details

This outcome was reached by SRA decision.

Decision details

The SRA has put restrictions on where and how Ms Earl can work in an SRA regulated firm. It was found that:

Ms Earl has acted dishonestly because:

- She backdated a letter prepared on 26 April 2021 to 19 April 2021.
- She told the person receiving the letter dated 26 April 2021 that it had been posted when it had not.
- She told a client that she was awaiting medical records and chased for them when she knew she had not requested them or had chased for them.

Ms Earl has acted recklessly because:

- She represented to the court on 27 July 2021 that she had written to a client on 29 June 2021 when in fact she had created the letter to the client on that day but not sent it until 5 July 2021.

Ms Earl's conduct was dishonest.



By virtue of the above, it is undesirable for Ms Earl to be involved in a legal practice without the SRA's prior written consent.

The facts

Between June 2018 and March 2022, Ms Earl worked as a paralegal in the Sheffield office of Irwin Mitchell LLP, handling road traffic accident claims.

In one client matter, Ms Earl backdated a letter she had prepared on 26 April 2021 to 19 April 2021. She sent it to a third party under cover of an email that told the reader the letter had been posted 'last week' when it had only been created that day.

In a second client matter, Ms Earl had been given authority to obtain a client's medical records. She told the client that she was awaiting the records and had chased for them when in fact she had not requested them or chased for them.

In a third client matter, Ms Earl represented to the court that she had written to a client on 29 June 2021 when in fact the letter she was referring to was not sent until 5 July 2021.

Reasons/basis

An order pursuant to section 43(2) of the Solicitors Act 1974 was imposed as Ms Earl's conduct meant that it was undesirable for her to be involved in a legal practice without the SRA's prior approval.

This was because Ms Earl's conduct was serious.

Ms Earl was also ordered to pay costs of £600.

What our section 43 order means

To make an order pursuant to section 43 that with effect from the date of the letter or email notifying Ms Earl of this decision:

- i. no solicitor shall employ or remunerate her in connection with his/her practice as a solicitor;
- ii. no employee of a solicitor shall employ or remunerate her in connection with the solicitor's practice;
- iii. no recognised body shall employ or remunerate her;
- iv. no manager or employee of a recognised body shall employ or remunerate her in connection with the business of that body;
- v. no recognised body or manager or employee of such a body shall permit her to be a manager of the body; and

vi. no recognised body or manager or employee of such a body
shall permit her to have an interest in the body

except in accordance with the SRA's prior written permission.

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