

James Swead

Solicitor

419026

Control of practice Date: 9 March 2024

Decision - Control of practice

Outcome: Condition

Outcome date: 9 March 2024

Published date: 22 April 2024

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: ALPHA OMEGA SOLICITORS LTD

Address(es): 7 Ely Place London EC1N 6RY England

Firm ID: 656540

Firm or organisation at date of publication

Name: Spencer West LLP

Address(es): Longbow House14-20 Chiswell Street London EC1Y 4TW
England

Firm ID: 555456

Outcome details

This outcome was reached by SRA decision.

Decision details

James Swead's practising certificate for 2023/ 2024 is subject to the following conditions:

1. Mr Swead shall not act as a manager or owner of any authorised body.
2. Subject to condition above, Mr Swead may act as a solicitor only as an employee and only where that employment has first been approved by the SRA.
3. Mr Swead may not act as a signatory to any client account and does not have the power to authorise payments or

transfers from any client account.

4. Mr Swead may not act as a compliance officer for legal practice (COLP) or compliance officer for finance and administration (COFA) for any authorised body, or Head of Legal Practice (HOLP) or Head for Finance and Administration (HOFA) in any authorised non-SRA firm.

In these conditions the terms are as defined in the SRA Glossary.

Reasons/basis

The above conditions are necessary in the public interest. They are reasonable and proportionate having regard to the purposes set out in regulation 7 of the SRA Authorisation of Individuals 9 Regulations, and the regulatory objectives and principles governing regulatory activities as contained in section 28 of the Legal Services Act 2007.

Prosecution Date: 26 January 2023

Decision - Prosecution

Outcome: Referral to Solicitors Disciplinary Tribunal

Outcome date: 26 January 2023

Published date: 10 April 2024

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Eldons Berkeley Limited & Alpha Omega Solicitors Limited

Address(es): 7 Ely Place, London EC1N 6RY

Firm ID: 572779 & 656540

Firm or organisation at date of publication

Name: Spencer West LLP

Address(es): Longbow House, 14-20 Chiswell Street, London EC1Y 4TW

Firm ID: 555456

Outcome details

This outcome was reached by SRA decision.

Reasons/basis

This notification relates to a Decision to prosecute before the Solicitors Disciplinary Tribunal. This is an independent Tribunal which will reach its own decision after considering all the evidence, including any evidence put forward by the Solicitor. The Tribunal has certified that there is a case to answer in respect of allegations which are or include that :-

1. On or around 3 July 2017, Mr Swead caused or permitted a payment to be deducted from the client account ledger for a client's commercial conveyancing matter without the client's authority.
2. On or around 5 July 2017, Mr Swead caused or permitted monies to be improperly withdrawn from the client account for Eldons Berkeley Limited.
3. Mr Swead provided information to the court during proceedings concerning a winding up petition in respect of Eldons Berkeley Limited which was untrue.
4. Mr Swead agreed contract terms to secure a business loan without disclosing information to the lender which he knew, or ought to have known, was material to the application for the loan.

The allegations are subject to a Hearing before the Solicitors Disciplinary Tribunal and are as yet unproven.

Control of practice Date: 15 December 2023

Decision - Control of practice

Outcome: Condition

Outcome date: 15 December 2023

Published date: 1 February 2024

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Eldons Berkeley Limited

Address(es): 7 Ely Place, London, EC1N 6RY

Firm ID: 572779

Firm or organisation at date of publication

Name: Spencer West LLP

Address(es): Longbow House, 14-20 Chiswell Street, London, EC1Y 4TW

Firm ID: 555456

Outcome details

This outcome was reached by SRA decision.

Decision details

James Swead's practising certificate for 2022/2023 is subject to the following conditions:

1. Mr Swead may act as a solicitor only in a role that has first been approved by the SRA.
2. Mr Swead may not act as signatory to any client account and does not have the power to authorise payments or transfers from any client account.
3. Mr Swead is not to be a compliance officer for legal practice (COLP) or a compliance officer for finance and administration (COFA) for any authorised body or head of legal practice (HOLP) or head of finance and administration (HOFA) in any authorised non-SRA firm.

In these conditions the terms are as defined in the SRA Glossary.

Reasons/basis

The above interim conditions are made under rule 3.2 of the SRA Regulatory and Disciplinary Procedure Rules, which states that at any stage an authorised decision maker may, pending a final decision by the SRA or the Solicitors Disciplinary Tribunal, impose interim conditions on the practising certificate of a solicitor. We are satisfied that these conditions are necessary in the public interest or for the protection of the public.

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