

Tracey Rowlinson

Employee

7161733

[Employee-related decision Date: 12 February 2024](#)

Decision - Employee-related decision

Outcome: Approval of employment (section 43)

Outcome date: 12 February 2024

Published date: 28 May 2024

Firm details

Firm or organisation at date of publication

Name: Exclusive Law Ltd

Address(es): St. Georges House, Second Floor, 56 Peter Street,
Manchester M2 3NQ

Firm ID: 669522

Outcome details

This outcome was reached by SRA decision.

Decision details

Exclusive Law Ltd (the firm) have been granted permission under Section 43 of the Solicitors Act 1974 to employ Ms Tracy Rowlinson as a fee earner in the Criminal Injury Department subject to the following conditions:

1. Ms Rowlinson's work is at all times supervised by Andrew Doyle (SRA number 226546) and in his absence by Christian Cassidy (SRA 342963).
2. Ms Rowlinson's employment at the firm is limited to that as outlined by them in their initial application dated 22 January 2024 and their subsequent email dated 2 February 2024.
3. Ms Rowlinson's supervision is as per the details provided to us by the firm in their initial application dated 22 January 2024 and their subsequent email dated 2 February 2024.
4. Ms Rowlinson is not responsible for the supervision of other staff.
5. Ms Rowlinson does not meet clients in person. All contact is via telephone, mail or email.



6. Ms Rowlinson's telephone calls are recorded and reviewed as per the information provided to us by the firm.
7. Any proposed variation to Ms Rowlinson's duties, or arrangements as to her supervision are notified to us in advance of the change taking place and that the variation must not take place until permission is granted by us.
8. This approval will lapse if Ms Rowlinson's employment with the firm is terminated or if Ms Rowlinson leaves the firm.
9. This approval and the conditions attached to it are subject to review at the absolute discretion of the SRA.

Reasons/basis

Tracy Rowlinson was made subject to an order under section 43 of the Solicitors Act 1974 on 8 February 2024 and the order became effective on 12 February 2024. In accordance with section 43 of the Solicitors Act 1974, any solicitor wishing to employ or remunerate him in connection with their practise as a solicitor must obtain our approval. The SRA is satisfied that the above employment will not put public confidence in the administration of justice and the provision of legal services or the interests of clients at risk.

Agreement Date: 8 February 2024

Decision - Agreement

Outcome: Regulatory settlement agreement

Outcome date: 8 February 2024

Published date: 28 May 2024

Firm details

Firm or organisation at date of publication

Name: Exclusive Law Ltd

Address(es): St Georges House Second Floor, 56 Peter Street,
Manchester, M2 3NQ

Firm ID: 669522

Outcome details

This outcome was reached by agreement.

Decision details



1. Agreed outcome

1.1 Tracy Rowlinson, an employee of Exclusive Law Ltd (the Firm), agrees to the following outcome to the investigation of her conduct by the Solicitors Regulation Authority (SRA):

- a. to the SRA making an order under section 43 of the Solicitors Act 1974 (a section 43 order) in relation to Tracy Rowlinson (Ms Rowlinson) that, from the date of this agreement:
 - i. no solicitor shall employ or remunerate her in connection with his 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
 - vi. no recognised body or manager or employee of such body shall permit her to have an interest in the bodyexcept in accordance with the SRA's prior permission
- b. to the publication of this agreement
- c. she will pay the costs of the investigation of £300.

2. Summary of facts

2.1 On 16 June 2023, we received a report from Andrew Doyle, Compliance Officer for Legal Practice at the Firm. The report stated that Ms Rowlinson had improperly used her late mother's Disabled Persons Parking Badge (blue badge).

2.2 Ms Rowlinson is a non-authorised individual employed at the Firm, a recognised body. Her role at the Firm is Head of the Criminal Injury Department. As part of her role, she is responsible for vetting potential cases, taking instructions from new clients and running files from initial instruction to end.

2.3 Ms Rowlinson's car was impounded on 15 June 2023 by Manchester City Council (the Council) due to Ms Rowlinson displaying her late mother's blue badge and parking in a Disabled Bay. The Disabled Bay was located on Chepstow Street, approximately five minutes' walk from the Firm's office. Upon noticing the vehicle parked in the Disabled Bay, the Civil Enforcement Officer for the Council searched the Council's database which showed that the blue badge holder, Ms Rowlinson's mother, had deceased. The Civil Enforcement Officer confirmed the position with the relevant issuing authority, who confirmed that the blue



badge displayed in Ms Rowlinson's vehicle had been cancelled on 11 April 2022.

2.4 On 16 June 2023, Ms Rowlinson was interviewed under caution by the same Civil Enforcement Officer for improperly using a blue badge. The interview took place due to the Civil Enforcement Officer having reason to believe that an offence may have been committed under Section 1 of the Fraud Act 2006. This blue badge had been issued to Ms Rowlinson's mother and was for her mother's use only.

2.5 At the interview under caution on 16 June 2023, Ms Rowlinson confirmed that she had been using her late mother's blue badge. She also confirmed that she was aware that it was an offence to use a blue badge that had not been issued to her.

2.6 In her responses to the SRA, Ms Rowlinson has confirmed that she only used her late mother's blue badge for the purposes of attending the Firm's office and parking nearby. This was because she wished to park close to the Firm's office to attend on time and to avoid high parking charges in central Manchester. She had been using the blue badge since March 2023 and stopped on 15 June 2023 when the blue badge was confiscated.

3. Admissions

3.1 Ms Rowlinson makes the following admissions which the SRA accepts:

- a. between March 2023 and 15 June 2023, she used her late mother's blue badge, for the sole purpose of attending the Firm's offices and undertaking her duties there, in circumstances where she was not entitled to do so and where use of the blue badge was misleading
- b. that her use of the blue badge was improper in that it misrepresented to the public that her mother properly required use of the Disabled Bay and as a result, a financial benefit was gained by her evasion of local parking charges, and as such involved conduct which means that it is undesirable for her to be involved in a legal practice
- c. that her conduct set out above was dishonest.

4. Why a section 43 order is appropriate

4.1 The SRA's Enforcement Strategy and its guidance on how it regulates non-authorised persons, sets out its approach to using section 43 orders to control where a non-authorised person can work.

4.2 When considering whether a section 43 order is appropriate in this matter, the SRA has taken into account the admissions made by Ms Rowlinson and the following mitigation which she has put forward:



- a. She was encountering difficult personal circumstances at the time. The stress caused by this impaired her judgement and decision-making.
- b. She was encountering difficult financial circumstances at the time which would have been exacerbated by the cost of local parking charges near the Firm's office.
- c. She has acknowledged her conduct was wrong and shown remorse for her actions. She has cooperated fully with investigations conducted by the SRA, the Firm and the Council.

4.3 The SRA and Ms Rowlinson agree that a section 43 order is appropriate because:

- a. Ms Rowlinson is not a solicitor
- b. her employment or remuneration at the Firm means that she was involved in a legal practice
- c. by improperly using her late mother's blue badge to attend the Firm's office and undertake her legal duties there, in circumstances where she was not entitled to do so and such use was misleading, Ms Rowlinson has occasioned or been party to an act or default in relation to a legal practice. Ms Rowlinson's conduct in relation to that act or default makes it undesirable for her to be involved in a legal practice.

4.4 Ms Rowlinson's conduct makes it undesirable for her to be involved in a legal practice because:

- a. The conduct involves dishonesty and misleading the public. Ms Rowlinson had been using the blue badge for a continued period of three months and it is not clear whether she would have stopped had the Council not impounded her car. By using the blue badge in this manner, Ms Rowlinson continually misrepresented to the public that her mother properly required use a disabled parking space. Her continued use of the blue badge demonstrates her intention to mislead the public and deprive disabled persons of parking concessions properly afforded to them under the Disabled Persons's Parking Act 2013. Furthermore, Ms Rowlinson financially benefitted from the use of the blue badge. She evaded local parking charges through using the blue badge and afforded herself more time which would not ordinarily be afforded to individuals properly using other methods of transport to attend the Firm's office.
- b. We hold non-authorised persons working in the legal profession to the same higher standards expected of solicitors. Ms Rowlinson's lapse in judgement when improperly using the blue badge indicates that she may exercise a similar lack of judgement in her legal practice. Her conduct in continually and intentionally misleading the public calls into question her trustworthiness and suitability to work within legal practice, and as such, her practice should be controlled.



- c. Ms Rowlinson continues to be employed by a recognised body. There is a realistic chance, if placed under significant stress again, that she may act dishonestly in her legal practice.
- d. She holds a senior role at the Firm. Someone of her experience and seniority is expected to exercise better judgement. Should she employ dishonest practices in this role, the impact has the potential to be significant and far reaching.

5. Publication

5.1 The SRA considers it appropriate that this agreement is published in the interests of transparency in the regulatory process. Ms Rowlinson agrees to the publication of this agreement.

6. Acting in a way which is inconsistent with this agreement

6.1 Ms Rowlinson agrees that she will not deny the admissions made in this agreement or act in any way which is inconsistent with it.

7. Costs

7.1 Ms Rowlinson agrees to pay the costs of the SRA's investigation in the sum of £300. Such costs are due within 28 days of a statement of costs due being issued by the SRA.

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