

Nicholas Gittins

Employee

7052161

[Employee-related decision Date: 25 July 2024](#)

Decision - Employee-related decision

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

Outcome date: 25 July 2024

Published date: 11 September 2024

Firm details

Firm or organisation at date of publication

Name: Kinetic Law

Address(es): Unit 2D, Suite 2Phoenix Park, Blakewater Road, Blackburn, BB1 5RW

Firm ID: 627329

Outcome details

This outcome was reached by SRA decision.

Decision details

The SRA has put restrictions on where and how Mr Gittins can work in an SRA regulated firm. It was found that Mr Gittins, who is not a solicitor, was involved in a legal practice and has occasioned or been a party to an act or default which involved such conduct on his part that it is undesirable for him to be involved in a legal practice in any of the ways described in the order below.

An order pursuant to section 43(2) of the Solicitors Act 1974 was imposed as Mr Gittins' conduct meant that it was undesirable for him to be involved in a legal practice without the SRA's prior approval. The order pursuant to section 43 was made with effect from the date of the letter or email notifying Mr Gittins of the decision. Mr Gittins was also ordered to pay costs of £1.350.

What our Section 43 order means



- i. no solicitor shall employ or remunerate him in connection with his/her practice as a solicitor;
- ii. no employee of a solicitor shall employ or remunerate him in connection with the solicitor's practice;
- iii. no recognised body shall employ or remunerate him;
- iv. no manager or employee of a recognised body shall employ or remunerate him in connection with the business of that body;
- v. no recognised body or manager or employee of such a body shall permit him to be a manager of the body; and
- vi. no recognised body or manager or employee of such a body shall permit him to have an interest in the body except in accordance with the SRA's prior written permission.

Reasons/basis

Mr Gittins was a personal injury litigation paralegal at Concept Law Solicitors of 35 Carr Road, Nelson, Lancashire BB9 7JS, from June 2014 to July 2023.

It was found that Mr Gittins, in the course of his conduct of a litigated personal injury claim, failed to make his client or his employer aware that a claim for loss of earnings had been struck out. He made an application to vacate the final hearing against his client's instructions and without the knowledge of the client or his employer, misled his client as to the reason for the final hearing being vacated and misled the court in his statement in support of his application to vacate the final hearing.

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