

Matthew Francis

Employee

266238

[Employee-related decision Date: 2 January 2018](#)

Decision - Employee-related decision

Outcome: Approval of employment (section 43)

Outcome date: 2 January 2018

Published date: 19 January 2018

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Winterbotham Smith Penley LLP

Address(es): 3-7 Rowcroft, Stroud, Gloucestershire, GL5 3BJ

Firm ID: 484891

Outcome details

This outcome was reached by SRA decision.

Decision details

Section 43 Order

Reasons/basis

In the matter of Matthew Francis

A person who was involved in legal practice but is not a solicitor

The facts

Matthew Francis was employed as a business development adviser and trainee solicitor for Winterbotham Smith and Penley LLP (WSP) from 1 March 2016 until 31 January 2017. He was found to have installed three personal cloud drives on to the WSP network and stored precedents and templates onto the drives. On two occasions he denied storing any WSP data on the drives. His conduct was found to be dishonest.

Matthew Francis' contract was terminated in January 2017. His current employment details are unknown.

Findings

Matthew Francis who is or was involved in a legal practice (as defined by section 43(1A) of the Solicitors Act 1974) but is not a solicitor, has occasioned or been a party to, with or without the connivance of a solicitor, an act or default in relation to a legal practice which involved conduct on his part of such a nature that in the opinion of the Society it would be undesirable for him to be involved in a legal practice in all the ways set out below.

Order

To make a section 43 order that with effect from the date of the letter or email notifying Matthew Francis of Chertsey, Surrey of this decision:

- 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 a Society permission.

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