

Vanessa Ann Filby

Employee

803609

[Employee-related decision Date: 13 December 2024](#)

Decision - Employee-related decision

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

Outcome date: 13 December 2024

Published date: 17 January 2025

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Malcolm C.Foy & Co

Address(es): 14 Princes Street, Doncaster, DN1 3NJ

Firm ID: 568181

Outcome details

This outcome was reached by SRA decision.

Decision details

Summary of decision

The SRA has put restrictions on where and how Vanessa Filby can work in an SRA regulated firm. Ms Filby was previously employed at Malcolm C Foy Limited (the firm) as a conveyancing executive.

It was found that Ms Filby falsified documents to facilitate the transfer of money from the firm's client account to her personal bank accounts and as a result it is undesirable for her to be involved in a legal practice in any of the ways described in the order below.

Reasons/basis

The facts of the case

The firm summarily dismissed Ms Filby for gross misconduct on 1 July 2020, when it discovered that she had made 26 payments from the

firm's client account to her personal bank accounts, totalling £109,800.92.

Decision on outcome

An order pursuant to section 43(2) of the Solicitors Act 1974 was imposed as Ms Filby's conduct meant that it was undesirable for her 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 Ms Filby of this decision.

Ms Filby's conduct was serious because it involved the misappropriation of client money, was an abuse of her position of trust at the firm and involved dishonesty.

Ms Filby was also ordered to pay a proportion of the SRA's costs of £1,725.

Other information

What our Section 43 order means

- 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.

[Search again \[https://www.sra.org.uk/consumers/solicitor-check/\]](https://www.sra.org.uk/consumers/solicitor-check/)