



Stephen Vasey
Solicitor
159306

Fined Date: 27 June 2024

Decision - Fined

Outcome: Fine

Outcome date: 27 June 2024

Published date: 27 August 2024

Firm details

Firm or organisation at date of publication and at time of matters giving rise to outcome

Name: Walters & Plaskitt Solicitors

Address(es): Bews Corner, 2 - 6 Westport Road, Burslem, Stoke on Trent, ST6 4AW

Firm ID: 57201

Outcome details

This outcome was reached by SRA decision.

Decision details

Who does this disciplinary decision relate to?

Stephen Vasey, who is a solicitor and partner at Walter & Plaskitt Solicitors, Bews Corner, 2-6 Westport Road, Stoke-on-Trent ST6 4AW.

Short summary of decision

We have issued Mr Vasey with a financial penalty for breaching Principle 7 of the SRA Principles 2019 and paragraphs 3.1, 3.2, 3.4 and 6.2(a) of the Code of Conduct for Solicitors RELs and RFLs (the Code).

Facts of the misconduct

Mr Vasey acted for two clients where one of them relinquished the beneficial ownership of their property to the other. There was a conflict of



their interests and no substantially common purpose in relation to the matter.

Mr Vasey did not have instructions from the client relinquishing their beneficial ownership and did not ensure the service he provided was competent. He failed to consider the individual needs, attributes, and circumstances of his clients.

It was found that Mr Vasey:

- i. Failed to act in the best interests of his client in breach of Principle 7 of the SRA Principles 2019.
- ii. Did not act on instructions from the client in breach of paragraph 3.1 of the Code.
- iii. Did not ensure the service he provided was competent in breach of paragraph 3.2 of the Code.
- iv. Did not consider and take account of his clients attributes, needs and circumstances in breach of paragraph 3.4 of the Code.
- v. Acted in relation to a matter or particular aspect of it when there was a conflict of interest in breach of paragraph 6.2(a) of the Code.

Decision on sanction

It was decided that a financial penalty was an appropriate and proportionate sanction. The conduct was not found to be reckless but had the potential to cause significant loss and had a significant impact on the client. Mr Vasey had direct control and responsibility for the conduct.

A financial penalty is appropriate because:

- Any lesser sanction would not be appropriate.
- To send a signal to those we regulate more widely with the aim of preventing similar behaviour by others.
- Some public sanction is required to uphold public confidence in the delivery of legal services.

No aggravating factors were found.

A mitigating factor was that Mr Vasey cooperated with the SRA investigation.

In view of the above, Mr Vasey's conduct was placed in conduct band C which has a financial penalty bracket of between 16% and 49% of his gross annual income. His conduct was placed at band C1 (16% of gross annual income). A discount of 5% was applied to the penalty to take account of the mitigating factor.

Financial penalty and costs

Mr Vasey was ordered to pay a financial penalty of £1,198 and costs of £1,350.

The regulatory framework:

Paragraph 3.1 of the Code of Conduct for Solicitors:

You only act for clients on instructions from the client, or from someone properly authorised to provide instructions on their behalf. If you have reason to suspect that the instructions do not represent your client's wishes, you do not act unless you have satisfied yourself that they do. However, in circumstances where you have legal authority to act notwithstanding that it is not possible to obtain or ascertain the instructions of your client, then you are subject to the overriding obligation to protect your client's best interests.

Paragraph 3.2 of the Code of Conduct for Solicitors:

You ensure that the service you provide to clients is competent and delivered in a timely manner.

Paragraph 3.4 of the Code of Conduct for Solicitors:

You consider and take account of your clients' attributes, needs and circumstances.

Paragraph 6.2(a)(i) of the Code of Conduct for Solicitors:

You do not act in relation to a matter or particular aspect of it if you have a conflict of interest or a significant risk of such a conflict in relation to that matter or aspect of it, unless

- a. the clients have a substantially common interest in relation to the matter or the aspect of it, as appropriate and the conditions below are met, namely that
 - i. all the clients have given informed consent, given or evidenced in writing, to you acting.

Principle 7:

You must act in the best interests of each client.

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