



Nathan Postill

Employee

663463

[Employee-related decision Date: 24 July 2020](#)

Decision - Employee-related decision

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

Outcome date: 24 July 2020

Published date: 31 July 2020

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Holmes & Hills LLP

Address(es): Bocking End, Braintree, CM7 9AJ

Firm ID: 534489

Outcome details

This outcome was reached by SRA decision.

Decision details

This outcome was reached by SRA decision.

Reasons/basis

IN THE MATTER OF: Nathan Postill of Braintree, Essex

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

THE FACTS

Between 6 October 2015 and 2 November 2018, Mr Postill was employed by Holmes & Hill LLP whose head office is at Bocking End, Braintree, Essex, CM7 9AJ. He was employed as junior member of the firm's accounts team.

The following findings were made against Mr Postill:



1. He misappropriated £477.58 (£327.58 and £150) of office money from the firm.
2. He misappropriated £466 (£426 and £40) from the two client matters. The firm replaced these sums upon discovery.
3. He failed to bank three client account cheques received by the firm which totalled £2,492.
4. 4 He made false postings on five client ledgers and on a number of office ledgers to hide mistakes he had made or money he had misappropriated:

It was found that the above conduct was dishonest and breached the following SRA Principles and SRA Accounts Rules 2011:

SRA Principle 2: Act with integrity

SRA Principle 6: You behave in a way that maintains the trust the public places in you and in the provision of legal services

SRA Principle 10: Protect client money and assets

Rule 14.1: Client money must without delay be paid into a client account, and must be held in a client account, except when the rules provide to the contrary (see rules 8, 9, 15, 16, 17 and 19).

Rule 29.1: You must at all times keep accounting records properly written up to show your dealings with:

- a. client money received, held or paid by you; including client money held outside a client account under rule 15.1(a) or rule 16.1(d); and
- b. any office money relating to any client or trust matter.

Mr Postill was ordered to pay a £2,000 financial penalty and the SRA's costs of £300 in investigating this matter.

An order pursuant to section 43(2) of the Solicitors Act 1974 was also made in relation to Mr Postill as detailed below.

FINDING

Mr Postill 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.

ORDER

To make an order pursuant to section 43 that with effect from the date of the letter or email notifying Mr Postill of Braintree, Essex 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 the SRA's permission.

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