

# **Nadine Feuerstein**

## **Solicitor**

### **379599**

**[Agreement Date: 22 June 2023](#)**

## **Decision - Agreement**

Outcome: Regulatory settlement agreement

Outcome date: 22 June 2023

Published date: 29 June 2023

## **Firm details**

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

Name: Airbus Group Bank GmbH

Address(es): Karlstraße 7, MUNCHEN, D-80333, Germany

Firm ID: 636962

## **Outcome details**

This outcome was reached by agreement.

### **Decision details**

Rebuke, via RSA, and costs of £300 – dated 22 June 2023

### **Reasons/basis**

#### **1. Agreed outcome**

1.1 Ms Nadine Feuerstein, a solicitor working at Airbus Bank GmbH, agrees to the following outcome to the investigation of her conduct by the Solicitors Regulation Authority (SRA):

- a. she is rebuked
- b. to the publication of this agreement
- c. she will pay the costs of the investigation of £300.

#### **2. Summary of Facts**



2.1 On 4 July 2022, Ms Feuerstein was stopped by the police in Munich after she drove her car from a friend's house.

2.2 Ms Feuerstein was tested, and her blood alcohol content was 1.04%, where the legal limit in Germany is 0.5%.

2.3 She was subsequently charged with driving after consuming alcohol above the prescribed legal limit. On 13 December 2022 at Munich District Court, Ms Feuerstein pleaded guilty to this offence.

2.4 The sentence was:

- a. a fine of €5,000
- b. a nine month driving ban

2.5 Ms Feuerstein promptly reported her conviction to the SRA.

### **3. Admissions**

3.1 Ms Feuerstein admits, and the SRA accepts, that by driving having consumed a level of alcohol above that of the prescribed legal limit in Germany, resulting in a conviction for that offence, she breached Principle 2 of the SRA Overseas Principles, which states:

"You act in a way which upholds public trust and confidence in the solicitors' profession of England and Wales and in legal services provided by authorised persons."

### **4. Why a written rebuke is an appropriate outcome**

4.1 The SRA's Enforcement Strategy, and its topic guide on driving with excess alcohol convictions, sets out its approach to the use of its enforcement powers where there has been a failure to meet its standards or requirements.

4.2 When considering the appropriate sanctions and controls in this matter, the SRA has taken into account the admissions made by Ms Feuerstein and the following mitigation which she has put forward:

- a. this was an isolated incident and she has no previous convictions
- b. she promptly reported the incident to the SRA and has cooperated fully with our investigation
- c. she has shown remorse for her conduct and insight into the ethical standards expected of her as a solicitor and
- d. no harm was caused to property or persons as a result of the conduct.

4.3 The SRA and Ms Feuerstein agree that a written rebuke is the appropriate outcome because:



- a. she drove a vehicle when the level of alcohol in her blood was above the prescribed legal limit. Therefore, she disregarded the risk or potential risk of harm to others
- b. she had direct control and responsibility for her conduct and
- c. a public sanction is required to uphold public trust and confidence in the delivery of legal services by SRA authorised persons.

4.4 A rebuke is appropriate to sanction the regulated person for a breach of standards and/or requirements, but where the issues are only of moderate seriousness and do not require a higher level of response to maintain standards and/or uphold public confidence.

4.5 A rebuke is also intended to deter the individual and others from similar behaviour in the future. Any lesser sanction would not provide a credible deterrent to Ms Feuerstein and others.

4.6 A rebuke, therefore, satisfies the requirements of Rules 3.1(a), 10.1 and 10.2 of the SRA Regulatory and Disciplinary Procedure Rules.

## **5. Publication**

5.1 The SRA considers it appropriate that this agreement is published in the interests of transparency in the regulatory and disciplinary process. Ms Feuerstein agrees to the publication of this agreement.

## **6. Acting in a way which is inconsistent with this agreement**

6.1 Ms Feuerstein agrees that she will not deny the admissions made in this agreement or act in any way which is inconsistent with it.

6.2 If Ms Feuerstein denies the admissions or acts in a way which is inconsistent with this agreement, the conduct which is subject to this agreement may be considered further by the SRA. That may result in a disciplinary outcome or a referral to the Solicitors Disciplinary Tribunal on the original facts and allegations.

6.3 Denying the admissions made or acting in a way which is inconsistent with this agreement may also constitute a separate breach of principles 2 and 5 of the Principles and paragraph 7.3 of the Code of Conduct for Solicitors, RELs and RFLs.

## **7. Costs**

7.1 Ms Feuerstein agrees to pay the costs of the SRA's investigation in the sum of £300. Such costs are due within 28 days of a statement of costs due being issued by the SRA.

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