

Andrew Brian Mark

Non-lawyer manager

542410

Employee-related decision Date: 20 September 2022

Decision - Employee-related decision

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

Outcome date: 20 September 2022

Published date: 20 February 2023

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Kyles Legal Practice Ltd

Address(es): 20 Northumberland Square, North Tyneside, North Shields
NE30 1PX

Firm ID: 539810

Outcome details

This outcome was reached by SRA decision.

Decision details

Andrew Brian Mark (also known as Brian Mark) is a barrister. He was a director at Kyles Legal Practice Ltd, a recognised body, whose main office was at 20 Northumberland Square, North Tyneside, North Shields, Tyne and Wear NE30 1PX.

It was found that:

- a. Mr Mark failed to ensure the firm completed client account reconciliations for June and July 2018 and failed to ensure the firm's books of account were kept up to date in breach of rules 1.2(f), 29.1(a) and (b) and 29.12(a) (b) and (c) of the SRA Accounts Rules 2011 (the Accounts Rules).
- b. By allowing a client account shortage of at least £25,291.51 to occur on 31 May 2018 and by failing to remedy the shortage promptly on discovery Mr Mark breached rules 1.2(e) and (f) and 7.1 of the Accounts Rules.

- c. By allowing a client account shortage of at least £2,187.00 to occur on 31 January 2019 and by failing to remedy the shortage promptly on discovery Mr Mark breached rules 1.2(e) and (f) and 7.1 of the Accounts Rules.
- d. Mr Mark allowed the firm to inappropriately use a client suspense ledger from 1 July 2016 until at least 1 October 2018. By doing so he breached rules 1.2(e) and (f), 20.1, 29.1(a) and (b) and 29.2 (a) and (b) of the Accounts Rules.
- e. Because of his conduct set out at (a) to (d) above, Mr Mark breached Principles 8 and 10 of the SRA Principles 2011 and rule 6.1 of the Accounts Rules.

Mr Mark was directed to pay a financial penalty of £1,800 and costs of £600.

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