

Catherine Hunt

Employee

454668

Agreement Date: 13 November 2020

Decision - Agreement

Outcome: Regulatory settlement agreement

Outcome date: 13 November 2020

Published date: 15 January 2021

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Herbert Smith Freehills LLP

Address(es): Exchange House, 12 Primrose Street, London EC2A 2EG,
Eng

Firm ID: 419682

Outcome details

This outcome was reached by agreement.

Reasons/basis

1. Agreed outcome

1.1 Catherine Margaret Hunt, a former employee of Herbert Smith Freehills (the Firm), agrees to the following outcome to the investigation of her conduct by the Solicitors Regulation Authority (SRA):

- a. to the SRA making an order under section 43 of the Solicitors Act 1974 (a section 43 order) in relation to her that, from the date of this agreement:
 - i. no solicitor shall employ or remunerate her in connection with his 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

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 permission.

b. to the publication of this agreement

c. that she will pay the costs of the investigation of £300.

2. Summary of facts

2.1 Ms Hunt was employed by the Firm as a paralegal in its disputes department from 29 November 2011 to 4 January 2019.

2.2 Between 3 September 2018 and 12 November 2018, Ms Hunt submitted nine overtime claim forms for a total of 260 hours to the Firm's payroll department.

2.3 The Firm became concerned that the claims were unusually high. Its investigation identified the claim forms were initialled 'AL'.

2.4 The Firm's overtime policy requires a manager to approve and initial completed overtime claim forms.

2.5 The Firm identified that 'AL' was a former manager at the Firm. The manager told the Firm that they had not approved any overtime for Ms Hunt or initialled the overtime forms.

2.6 The Firm dismissed Ms Hunt for gross misconduct on 4 January 2019 and reported the matter to the SRA on 18 January 2019.

3. Admissions

3.1 Ms Hunt makes the following admissions which the SRA accepts:

a. that she inserted the initials 'AL' on nine overtime claim forms and in doing so sought to mislead the Firm that a manager had approved her claim for overtime

b. that her conduct in initialling the claim forms and sending them to the payroll department was dishonest.

4. Why a section 43 order is appropriate

4.1 The SRA's Enforcement Strategy and its guidance on how it regulates non-authorised persons, sets out its approach to using section 43 orders to control where a non-authorised person can work.

4.2 When considering whether a section 43 order is appropriate in this matter, the SRA has taken into account the admissions made by Ms Hunt and that she has co-operated with the SRA investigation.

4.3 The SRA and Ms Hunt agree that a section 43 order is appropriate because:

- a. Ms Hunt is not a solicitor
- b. her employment or remuneration at the Firm means that she was involved in a legal practice
- c. by inserting the initials 'AL' on nine overtime claim forms and submitting them to the payroll department and misleading the Firm, she has occasioned or been party to an act or default in relation to a legal practice.

4.4 Ms Hunt's conduct makes it undesirable for her to be involved in a legal practice because it was dishonest.

4.5 The public, the profession and others are entitled to rely upon the honesty and integrity of the people that they deal with at solicitors' firms. Ms Hunt's actions have undermined trust in the provision of legal services and the solicitors' profession.

5. Publication

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

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

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

7. Costs

7.1 Ms Hunt 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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