

Wendy Outhwaite

Employee

218098

Employee-related decision Date: 13 November 2020

Decision - Employee-related decision

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

Outcome date: 13 November 2020

Published date: 30 November 2020

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Switalskis Solicitors Limited

Address(es): 19 Cheapside, Wakefield, West Yorkshire, WF1 2SD

Firm ID: 614622

Firm or organisation at date of publication

Name: Bromets Jackson Heath LLP

Address(es): Kirkgate House, Tadcaster, LS24 9AD

Firm ID: 464678

Outcome details

This outcome was reached by SRA decision.

Decision details

ORDER FOR PUBLICATION

IN THE MATTER OF: Wendy Outhwaite of Leeds, West Yorkshire

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

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THE FACTS

Wendy Outhwaite was employed as a secretary by Switalskis Solicitors, whose head office is at 19 Cheapside Wakefield WF1 2SO, between 1 June 2015 and 3 December 2018.

She was previously employed by Steel & Co between 7 February 2013 and 1 June 2015 when that firm merged with Switalskis. She worked at Switalskis' office at Highfield House, 179 High Street, Boston Spa LS23 6AA.

The following findings were made against Ms Outhwaite:

1. She fabricated a will in the name of a client, naming herself as a beneficiary of the residual estate.
2. She amended and created documents to give the impression the client had given instructions making her a beneficiary of his will.
3. She amended a receipt from a jeweller to disguise the true amount she had received for the sale of a client's jewellery.
4. She fabricated a replacement receipt showing the incorrect amount.

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

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Ms Outhwaite was ordered to pay a £7,500 financial penalty and the SRA's costs of £1,350 in investigating this matter.

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

FINDING

Ms Outhwaite 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 her part that it is undesirable for her 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 in respect of Ms Outhwaite that with effect:

1. no solicitor shall employ or remunerate her in connection with his/her practice as a solicitor;
2. no employee of a solicitor shall employ or remunerate her in connection with the solicitor's practice;
3. no recognised body shall employ or remunerate her;
4. no manager or employee of a recognised body shall employ or remunerate her in connection with the business of that body;
5. no recognised body or manager or employee of such a body shall permit her to be a manager of the body; and
6. 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 permission.

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- v. no recognised body or manager or employee of such a body shall permit her to be a manager of the body; and
- vi. no recognised body or manager or employee of such a body shall permit her to have an interest in the body

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Other information

Ms Outhwaite has 28 days from 25 November 2020 to apply for a review of the decision

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