

Lucy Crossman

Solicitor

391892

Agreement Date: 21 July 2021

Decision - Agreement

Outcome: Regulatory issue agreement

Outcome date: 21 July 2021

Published date: 26 July 2021

Firm details

No detail provided:

Outcome details

This outcome was reached by agreement.

Decision details

1. Agreed outcome

1.1 Lucy Crossman, a solicitor, 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.

Reasons/basis

2. Summary of Facts

2.1 Between 31 October 2016 and 29 April 2021 Lucy Crossman was employed at Walsh Solicitors.

2.2 On or around the 3 July 2020, a USB storage device was found by a member of the public. The USB device was not encrypted and contained sensitive personal data in relation to a number of current and former clients. The member of the public accessed the USB device and reviewed the contents of one or more of the documents. One or more of the documents made reference to a firm of solicitors (Firm A).

2.3 On 3 July 2020, the member of the public contacted Firm A and subsequently sent the USB storage device to this firm.



2.4 On 7 July 2020, Firm A reviewed the contents of the USB storage device and established that it may belong to Lucy Crossman. It subsequently reported the matter to the SRA.

2.5 On 15 December 2020, Lucy Crossman confirmed to the SRA that the USB device belonged to her.

3. Admissions

3.1 Lucy Crossman makes the following admissions which the SRA accepts:

3.2 By failing to safeguard confidential client information which she had retained on an unencrypted USB between January 2016 and August 2019, she:

- a. breached paragraph 6.3 of SRA Code of Conduct 2019;
- b. breached Principles 2 and 7 of SRA Principles 2019.

4. Why a written rebuke is an appropriate outcome

4.1 The SRA's Enforcement Strategy 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 Lucy Crossman and the following mitigation which she has put forward:

- a. She has admitted her conduct in full and shown insight.
- b. She failed to realise the USB device was lost as she was on furlough from her employment at Walsh Solicitors at the time the device was found by a member of the public.

4.3 The SRA considers that a written rebuke is the appropriate outcome because:

- a. Her conduct was reckless as to the risk of harm and her regulatory obligations. The USB storage device contained approximately 1400 documents containing confidential information about clients and former clients, including details of minors and of clients' criminal convictions. The USB storage device was not encrypted and could be accessed without a password.
- b. There is a low risk of repetition.
- c. The level and nature of breach is such that some public sanction is warranted to uphold public confidence in the

delivery of legal services.

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. Lucy Crossman agrees to the publication of this agreement.

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

6.1 Lucy Crossman 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 Lucy Crossman 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 Lucy Crossman 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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