

Jane Pleass

Solicitor

133165

[Sanction Date: 24 March 2023](#)

Decision - Sanction

Outcome: Rebuke

Outcome date: 24 March 2023

Published date: 23 August 2023

Firm details

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

Name: Pleass Thomson & Company Limited

Address(es): Rosemary Chambers, 91-93 Rosemary Road West, Clacton-on-Sea, CO15 1EP

Firm ID: 383956

Outcome details

This outcome was reached by SRA decision.

Decision details

Who does this decision relate to?

Jane Christine Florence Pleass, a solicitor and manager of Pleass Thomson & Company Limited, a recognised body which is located at Rosemary Chambers, 91- 93 Rosemary Road West, Clacton-on-Sea, CO15 1EP.

Summary of decision

The SRA rebuked Ms Pleass for failing to take her client's instructions when preparing his will or obtaining confirmation that the individual who gave her instructions to prepare her client's will had her client's authority to do so.

Facts of the misconduct



It was found that:

1. On 2 September 2019, Ms Pleass took instructions from her client's partner to prepare her client's will. Her client's partner told Ms Pleass that her client was seriously ill and unable to attend Ms Pleass' office with her.
2. Ms Pleass prepared a will for her client and sent it to her client's partner. She received further instructions from her client's partner to amend her client's will.
3. On 2 October 2019, Ms Pleass sent a final version of her client's will to her client's partner to pass it to her client. On 4 October 2019, the client's will was returned to Ms Pleass signed and witnessed by her client.
4. On 16 November 2021, the client's daughter complained to the SRA. She told the SRA that at the time her father's will was prepared by Ms Pleass and signed by him he had a terminal illness and was taking medication.
5. Ms Pleass admitted that she had not contacted her client or taken any instructions from him between 2 September 2019 when his partner first provided her with instructions to prepare his will and 4 October 2019 when his will was executed. She also accepted that she had not been provided with confirmation that her client's partner had her client's authority to provide Ms Pleass with instructions to prepare his will.
6. By failing to take her client's instructions to prepare his will or obtain confirmation that her client's partner had authority to provide her with instructions on his behalf Ms Pleass breached Principles 4 and 6 of the SRA Principles 2011 and failed to achieve Outcome 1.5 of the SRA Code of Conduct 2011.

Principle 4 of the SRA Principles 2011 requires Ms Pleass to act in the best interests of her client.

Principle 6 of the SRA Principles 2011 requires her to behave in a way that maintains the trust the public placed in her and in the provision of legal services.

Outcome 1.5 of the SRA Code of Conduct 2011 requires her to provide a competent service to her client, delivered in a timely manner and which takes account of his needs and circumstances.

Decision on sanction and costs

Ms Pleass was rebuked and ordered to pay costs of £600.

This was because Ms Pleass' conduct was serious by reference to the following factors in the SRA Enforcement Strategy:

1. 1. Her conduct was reckless as to the risk of harm to her client and his beneficiaries.

2. She was an experienced solicitor with direct responsibility for the conduct and with full control over her behaviour.
3. A public sanction was required to maintain standards and to acknowledge there had been a breach of regulatory requirements given the finding that she had breached Principles 4 and 6 of the SRA Principles 2011 and Outcome 1.5 of the SRA Code of Conduct 2011.
4. A rebuke will deter her, and others, from similar behaviour in the future.

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