



Jack Mallinson

Employee

812712

Employee-related decision Date: 14 June 2023

Decision - Employee-related decision

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

Outcome date: 14 June 2023

Published date: 7 July 2023

Firm details

No detail provided:

Outcome details

This outcome was reached by SRA decision.

Reasons/basis

Agreed outcome

1.1 Jack Mallinson (Mr Mallinson), a former employee of Law Offices UK, a recognised body, agrees to the following outcome to the investigation of his 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 him that, from the date of this agreement:
 - i. no solicitor shall employ or remunerate him in connection with his practice as a solicitor
 - ii. no employee of a solicitor shall employ or remunerate him in connection with the solicitor's practice
 - iii. no recognised body shall employ or remunerate him
 - iv. no manager or employee of a recognised body shall employ or remunerate him in connection with the business of that body
 - v. no recognised body or manager or employee of such a body shall permit him to be a manager of the body
 - vi. no recognised body or manager or employee of such body shall permit him to have an interest in the body

vii. except in accordance with the SRA's prior permission

b. to the publication of this agreement

2. Summary of facts

2.1 Between 22 February 2018 and 7 August 2020, Mr Mallinson was employed by Slater and Gordon UK Limited, a firm of solicitors, as a Court of Protection paralegal. His role included:

- i. managing client matters and providing client care
- ii. supporting fee earners in their duties and
- iii. daily contact with clients over the telephone and via email.

2.2 Between 27 September 2020 and 16 February 2021, Mr Mallinson was employed by Law Offices UK as a trainee solicitor. He handled cases in conveyancing, wills and probate and lasting powers of attorney.

2.3 On 7 January 2021, Mr Mallinson was arrested by West Yorkshire Police. His arrest was part of an investigation which would lead to his later conviction as described at paragraph 2.6 below.

2.4 On 8 January 2021, Law Offices UK was notified of and the reasons for his arrest. It commenced its own internal investigation which established that Mr Mallinson had used its IT system to access pornographic websites.

2.5 On 16 February 2021, the Firm dismissed Mr Mallinson for gross misconduct.

2.6 On 2 March 2022 at Leeds Magistrates' Court, Mr Mallinson pleaded guilty to six offences arising from his possession and publication of offensive images of children and animals.

2.7 Mr Mallinson received a combined sentence of 12 months imprisonment, suspended for 24 months. He was also ordered to attend rehabilitation and made subject to a Sexual Harm Prevention Order.

3. Admissions

3.1 Mr Mallinson agrees, and the SRA accepts, that his conviction means that it is undesirable for him to be involved in a legal practice.

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 Mr Mallinson and the following mitigation which he has put forward:

- a. He pleaded guilty to the charges put to him at the Magistrates Court.
- b. He co-operated with the SRA's investigation.
- c. He has no restrictions on interacting/having/working with children and the Court issued rehabilitation orders to target his underlying issues.

4.3 The SRA and Mr Mallinson agree that a section 43 order is appropriate because:

- a. Mr Mallinson is not a solicitor
- b. his employment and remuneration at Law Offices UK means that he was involved in a legal practice and
- c. he has been convicted of offences which make it undesirable for him to be involved in a legal practice.

4.4 The nature of the offences for which Mr Mallinson pleaded guilty were serious. The offences involved vulnerable individuals for which Mr Mallinson was given a suspended prison sentence.

4.5 Mr Mallinson held paralegal and trainee solicitor roles for over three years. He worked with a variety of clients, including in court of protection work, where the nature of that work means that clients can be particularly vulnerable.

4.6 Mr Mallinson's conviction undermines the public's trust and confidence in the safe delivery of legal services, particularly where clients are vulnerable. His underlying behaviour questions the high standards of professional judgment that the public expects of someone working in such roles.

5. Publication

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

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

6.1 Mr Mallinson agrees that he will not deny the admissions made in this agreement or act in any way which is inconsistent with it.

7. Costs

7.1 The SRA was satisfied with information Mr Mallinson gave to it about his financial circumstances and agreed that Mr Mallinson would not pay the costs of the investigation of £300.

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