

# Canan Oztas

## Employee

### 7015235

*Employee-related decision Date: 27 February 2023*

#### *Decision - Employee-related decision*

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

Outcome date: 27 February 2023

Published date: 29 March 2023

#### *Firm details*

##### **Firm or organisation at time of matters giving rise to outcome**

Name: Miya Limited

Address(es): 247 High Road, Wood Green, London, N22 8HF

Firm ID: 620580

#### *Outcome details*

This outcome was reached by SRA decision.

#### *Decision details*

*Who does this decision relate to?*

Ms Canan Oztas of Wood Green, London

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

#### *Summary of decision*

The SRA has put restrictions on where and how Ms Oztas can work in an SRA regulated firm. It was found that between 19 January 2018 and 25 May 2022, Ms Oztas misappropriated £744,305.67 from the business bank account of Miya Limited trading as Miya Solicitors (Miya) to her own personal bank account. Ms Oztas was found to have been dishonest.

#### *The facts of the case*

Ms Oztas was employed as a Costs Negotiator/Accounts by Miya from at least 19 January 2018 to 29 April 2022. Her role permitted her to make payments of up to £10,000 from the firm's accounts without approval from others.

On 17 October 2022 a forensic investigation report commissioned by the SRA identified that:

- Between 19 January 2018 to 25 May 2022, Ms Oztas made 182 improper payments totalling £744,305.67 from Miya's bank account to her own. This was money that had been paid by clients on account of costs and/or disbursements.
- Of the 182 payments, 147 were requested and authorised by Ms Oztas on her own. Of the balance, 23 were requested and authorised by a (now) former accounts assistant at the firm who was Ms Oztas's assistant. That person acted at the request of Ms Oztas. The remaining 12 were requested and co-authorised by Ms Oztas and co- authorised by a director of Miya. There is no suggestion or allegation that the assistant or the co-director provided knowing assistance to Ms Oztas or connived or conspired with her in any way.

#### *Our decision on outcome*

An order pursuant to section 43(2) of the Solicitors Act 1974 was imposed as Ms Oztas' conduct meant that it was undesirable for her to be involved in a legal practice without the SRA's prior approval.

This was because of the serious nature of her conduct, which included acting dishonestly.

Ms Oztas was also ordered to pay the SRA's costs of £600.

#### *What our Section 43 order means*

To make an order pursuant to section 43 that with effect from the date of the letter or email notifying Ms Oztas of this decision:

- i. no solicitor shall employ or remunerate her in connection with his/her 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; and
- 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 written permission.

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