



Claire Wilson

Solicitor

654000

Agreement Date: 26 April 2022

Decision - Agreement

Outcome: Regulatory settlement agreement

Outcome date: 26 April 2022

Published date: 23 May 2022

Firm details

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

Name: Tilly Bailey & Irvine LLP

Address(es): York Chambers, York Road, Hartlepool, TS26 9DP

Firm ID: 439536

Outcome details

This outcome was reached by agreement.

Reasons/basis

1. Agreed outcome

1.1 Ms Wilson, a solicitor, agrees to the following outcome to the investigation of her conduct by the Solicitors Regulation Authority Limited (SRA):

- a. she is rebuked
- b. to the publication of this agreement
- c. she will pay the costs of the investigation of £300.

2. Summary of Facts

2.1 On 13 June 2021, Ms Wilson was stopped by the police while driving her car and was asked to provide a roadside sample of breath.

2.2 She was subsequently charged with driving a motor vehicle with an alcohol level over the prescribed limit.

2.3 On 27 September 2021 at Peterlee Magistrates' Court, Ms Wilson pleaded guilty and was:

- a. disqualified from driving for 17 months to be reduced by 17 weeks on completion of a course approved by the secretary of state and
- b. fined £317.

2.4 She was also ordered to pay:

- a. costs of £85 and
- b. a victim surcharge of £34.

2.5 Ms Wilson promptly notified the SRA of her conviction.

3. *Admissions*

3.1 Ms Wilson admits and the SRA accepts that by virtue of her conduct and conviction she failed to behave in a way which upholds public trust and confidence in the solicitors' profession and in legal services provided by authorised persons in breach of Principle 2 of the SRA Principles.

4. *Why a 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. Its topic guide for driving with excess alcohol convictions also provides insight on the approach to enforcement and indicative sanctions guidelines.

4.2 When considering the appropriate sanctions and controls in this matter, the SRA has taken into account the admissions made by Ms Wilson and the following mitigation which she has put forward:

- a. this was an isolated incident
- b. there was no harm caused to persons or property
- c. she promptly reported her conviction to the SRA, and cooperated with its investigation
- d. she has shown insight and remorse for her actions
- e. she has completed the driving course.

4.3 The SRA consider a rebuke is the appropriate outcome because:

- a. a public sanction is required to uphold public confidence in the delivery of legal services

- b. a rebuke is appropriate to uphold professional standards and uphold public confidence in the solicitors' profession and in legal services provided by authorised persons because of the seriousness of her conduct
- c. any lesser sanction would not provide a credible deterrent to Ms Wilson and others.

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. Ms Wilson agrees to the publication of this agreement.

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

6.1 Ms Wilson 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 Ms Wilson 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 Ms Wilson 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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