

IN THE MATTER OF JULIE ANN FLETCHER,  
A person (not being a solicitor) employed or remunerated by a solicitor

- AND -

IN THE MATTER OF THE SOLICITORS ACT 1974

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Mr R J C Potter (in the chair)  
Mrs K Todner  
Mr S Howe

Date of Hearing: 23rd June 2009

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## **FINDINGS**

of the Solicitors Disciplinary Tribunal  
Constituted under the Solicitors Act 1974

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An application was duly made on behalf of the Law Society by Jennifer Jane Ackers, solicitor employed by the Solicitors Regulation Authority (“SRA”) that an Order under Section 43 of the Solicitors Act 1974 as amended be made by the Tribunal directing that as from a date to be specified in such Order no solicitor recognised body or Registered European Lawyer should employ or remunerate Julie Ann Fletcher, who had been employed or remunerated by O’Neill Morgan solicitors of Prudential Buildings, 63 St Petersgate, Stockport SK1 1DH except in accordance with permission in writing granted by the SRA for such period, or that such Order might be made as the Tribunal should think fit.

The allegation was that the Respondent had on 29<sup>th</sup> October 2007 been made subject to a formal police caution administered by the Greater Manchester Constabulary for an offence of theft by an employee and had thereby been guilty of conduct of such a nature that in the opinion of the SRA it would be undesirable for her to be employed by a solicitor in connection with his or her practice in that she dishonestly misappropriated client monies while employed by O’Neill Morgan solicitors as a conveyancing assistant.

### **The Evidence before the Tribunal**

The Tribunal expressed itself to be satisfied as to service of all necessary documents upon the Respondent and noted that she had returned a Tribunal questionnaire duly completed in which she admitted the allegation.

**The facts are set out in paragraphs 1 - 2 hereunder**

1. The Respondent, born in 1955 was not a solicitor. During the relevant period the Respondent had been employed first as a legal secretary and later as a conveyancing assistant at the firm of O'Neill Morgan solicitors. She left that firm on 13<sup>th</sup> July 2007 and was subsequently employed by another firm of solicitors.
2. By letter of 19<sup>th</sup> August 2008 Greater Manchester Police notified the SRA that on 29<sup>th</sup> October 2007 the Respondent had been cautioned by Greater Manchester Police for an offence of theft by employee. The circumstances of the offence were that between 1<sup>st</sup> November 2006 and 13<sup>th</sup> July 2007 the Respondent used a company cheque book to steal money for her own use. The total stolen was £6,084.26. The Respondent had dishonestly completed various payment required slips on various client accounts of O'Neill Morgan solicitors to have cheques issued for her own personal benefit.

**The Submissions of the Applicant**

3. The Respondent had admitted the facts in the questionnaire which she had returned and those facts spoke for themselves.
4. The Applicant sought the costs of and incidental to the application and enquiry in the sum of £2771.70. She confirmed that a schedule of such costs had been sent to the Respondent and one was handed to the Tribunal.

**The Findings of the Tribunal**

5. The Tribunal found the allegation to have been substantiated. The Respondent had behaved dishonestly and had taken money whilst in the employment of a firm of solicitors. It was desirable in order to protect the public and the good reputation of the solicitors' profession that the Respondent should not be employed by solicitors, a recognised body or a Registered European Lawyer unless the SRA had first given its consent. With regard to the question of costs it was right in principle that the Respondent should bear the costs of and incidental to the application and enquiry. The Tribunal would normally be minded to order such costs to be subject to a detailed assessment in the absence of a Respondent. Having inspected the schedule the Tribunal considered that some of the costs claimed related to investigations at her employer's firm and were not directly related to the Respondent's misconduct. The Tribunal therefore summarily fixed the costs to be paid by the Respondent in the sum of £1,771.70.

Dated this 29th day of July 2009

On behalf of the Tribunal

R J C Potter  
Chairman