

IN THE MATTER OF ANGELA HANLON, solicitors clerk

- AND -

IN THE MATTER OF THE SOLICITORS ACT 1974

Mr.K I B Yeaman (in the Chair)
Mr. J N Barnecutt
Mr. K J Griffin

Date Of Hearing: 4th February 1997

FINDINGS

of the Solicitors' Disciplinary Tribunal
constituted under the Solicitors Act 1974

An application was made on behalf of the Law Society by David Rowland Swift solicitor of 19 Hamilton Square, Birkenhead on the 23rd September 1996 that an Order be made by the Tribunal directing that, as from a date to be specified in the Order, no solicitor should except with the permission of the Law Society for such period and subject to such conditions as the Law Society might think fit to specify in the permission, employ or remunerate in connection with the practice as a solicitor, Angela Hanlon of Dover, Kent a person who was or had been a clerk to a solicitor within the meaning of the Solicitors Act 1974 or that such Order might be made as he Tribunal should think right.

The allegation was that the respondent had been guilty of conduct of such a nature that in the opinion of the Law Society it would be undesirable for her to be employed by a solicitor in connection with his or her practice as a solicitor in future.

The application was heard at the Court Room No. 60 Carey Street, London WC2 on the 4th February 1997 when Jonathan Goodwin solicitor and partner in the firm of Messrs Percy Hughes & Roberts, 19 Hamilton Square, Birkenhead appeared for the applicant. The respondent did not appear and was not represented.

The evidence before the Tribunal included the admission of the respondent contained in her letter addressed to the applicant dated the 19th October 1996, the full text which is set out under the heading "The submissions of the respondent".

At the conclusion of the hearing the Tribunal ORDERED that as from the 4th February 1997 no solicitor should except in accordance with permission in writing granted by the Law Society for such a period and subject to such conditions as the Society might think fit to specify in the permission employ or remunerate in connection with the practice as a solicitor Angela Hanlon of Dover, Kent, a person who was or had been a clerk to a solicitor and the Tribunal further Ordered her to pay the costs of and incidental to the application and enquiry fixed in the sum of £689.68p.

The facts are set out in paragraphs 1 to 4 hereunder:-

1. The respondent who was not a solicitor was employed in a clerical capacity by Messrs Furley Page Fielding & Barton solicitors of 39 Margarets Street, Canterbury Kent. She had been employed in that capacity by the firm from November 1992 until the 5th July 1995 when her employment was terminated.
2. The respondent was employed as support staff for the managing clerk in the litigation department of the firm. Routine checks revealed financial discrepancies in seventeen client matters which were discovered on investigation to have been the responsibility of the respondent. The total sum involved was £780.00.
3. The discrepancies arose as a result of the respondent falsely requisitioning cheques payable to H M Paymaster General at least one of which was intended to be used by her to discharge a personal debt. When interviewed by the firm the respondent admitted her dishonesty.
4. On the 26th June 1996 the Adjudication and Appeals Committee of the Solicitors Complaints Bureau resolved that application should be made to the Tribunal for an Order pursuant to Section 43 (1) (b) of the Solicitors Act 1974.

The submissions of the applicant

5. In the circumstances it was right that the employment of the respondent within the solicitors profession should be controlled.

The submissions of the applicant (the text of her above-mentioned letter dated 19th October 1996)

6. "Dear Sir,

I acknowledge receipt of your letter and apologise for the delay in responding due to illness. I admit the allegations and I have returned the document to the Clerk to the Solicitors as requested. I will not be being represented. I can never forgive myself for my acts and am disgusted with myself. I will never work for a solicitor again and I am prepared to sign an undertaking to that affect.

Yours sincerely,

signed Angela Hanlon."

The Findings of the Tribunal

The Tribunal FOUND the allegation to have been substantiated, it was right that the respondent's employment within the solicitors' profession should be controlled: the Tribunal made the Order sought and further Ordered the respondent to pay the costs of the application and enquiry in a fixed sum.

DATED this 24th day of February 1997

on behalf of the Tribunal

A handwritten signature in cursive script, appearing to read 'K I B Yeaman', written in black ink.

K I B Yeaman
Chairman