

# **SOLICITORS DISCIPLINARY TRIBUNAL**

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12741-2025

## **BETWEEN:**

SOLICITORS REGULATION AUTHORITY LTD

Applicant

and

NATASHA JANET DIONNE FAIRS

Respondent

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Before:

Mrs C. Evans (in the chair)

Mr U. Sheikh

Ms E Keen

Date of Hearing: 13 June 2025

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## **Appearances**

There were no appearances as the matter was dealt with on the papers.

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## **JUDGMENT ON AN AGREED OUTCOME**

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## **Allegations**

1. The allegation against the Respondent, made by the SRA within that statement was that, while in practice as a solicitor at Irwin Mitchell LLP (“The Firm”):
  - 1.1 Between February 2020 and April 2023, she created records as to the time spent by her working on client matters which were inaccurate, misleading and in excess of the time actually, spent on the client matters against which they were recorded and in doing so she breached Principles 2, 4 and 5 of the SRA Principles 2019 (“the Principles”) and paragraph 1.4 of the Code of Conduct for Solicitors, RELs and RFLs (“the Code for Solicitors”).

## **Documents**

2. The Tribunal considered all of the documents before it contained in the Tribunal’s Digital Case System and in particular the following documents: -
  - The Applicant’s Rule 12 Statement dated 28 February 2025
  - The Respondent’s Answer to the R12 Statement dated 1 May 2025
  - The Statement of Agreed Facts and Outcome dated 5 June 2025

## **Background**

3. The Respondent is a solicitor having been admitted to the Roll on 15 October 2003.
4. From November 2012 to May 2022, the Respondent served as an Associate Solicitor at the Firm. In May 2022 she was promoted to the role of Senior Associate Solicitor. Throughout her time at the Firm, the Respondent was a member of the Firm’s Serious Injury Team
5. The Respondent does not hold a current practising certificate and is not working in legal practice.

## **Application for the matter to be resolved by way of Agreed Outcome**

6. The parties invited the Tribunal to deal with the Allegations against the Respondent in accordance with the Statement of Agreed Facts and Outcome annexed to this Judgment. The parties submitted that the outcome proposed was consistent with the Tribunal’s Guidance Note on Sanctions.

## **Findings of Fact and Law**

7. The Applicant was required to prove the allegations on the balance of probabilities. The Tribunal had due regard to its statutory duty, under section 6 of the Human Rights Act 1998, to act in a manner which was compatible with the Respondent’s rights to a fair trial and to respect for their private and family life under Articles 6 and 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

The Tribunal reviewed all the material before it and was satisfied on the balance of probabilities that the Respondent's admissions were properly made.

### **Sanction**

8. The Tribunal considered the Guidance Note on Sanction (11<sup>th</sup> Edition February 2025) and the proper approach to sanctions as set out in Fuglers and others v SRA [2014] EWHC 179. In so doing, the Tribunal assessed the seriousness of the misconduct considering both culpability and harm.
9. The Tribunal found that the Respondent had been directly responsible for her actions. Her conduct, in submitting excessive time recorded sheets, was deliberate and involved a significant degree of planning as the Respondent selected the files on which she would record excessive time, in the knowledge that the time would be written off because the costs had already been agreed or the files were already closed.
10. In assessing the harm caused by the Respondent's conduct, the Tribunal acknowledged that, while no direct harm was inflicted on clients, her inaccurate, misleading, and inflated time recording had a significant impact on both her colleagues and the Firm. Those working on the same cases as the Respondent received a smaller share of fees than they were entitled to, as costs were allocated among fee earners based on recorded time. Additionally, the Firm relied on time recording to assess staffing needs, track Work in Progress, and forecast future fee income, all of which were adversely affected by the Respondent's misconduct.
11. The main aggravating feature of the Respondent's conduct was dishonesty. The Tribunal found her conduct to be deliberate, calculated and sustained over a significant period of time.
12. The Tribunal having determined that the Respondent's conduct was dishonest, observed that a finding of dishonesty would, absent exceptional circumstances, require an order striking the solicitor from the roll.
13. Having considered the authorities, in particular: Solicitors Regulation Authority v Sharma [2010] EWHC 2022 (Admin) and also SRA -v James [2018] EWHC 2058 (Admin), the Tribunal could not find any exceptional circumstances justifying any lesser sanction other than a striking off.
14. Therefore, the only appropriate and proportionate sanction open to the Tribunal was to strike the Respondent off the Roll of solicitors

### **Costs**

15. With respect to costs, the parties agreed that the Respondent should pay the SRA's costs in the sum of £5,200.00.
16. The Tribunal determined that the agreed costs were reasonable and proportionate. Accordingly, the Tribunal ordered the Respondent, to pay costs in the sum of £5,200.00

**Statement of Full Order**

17. The Tribunal ORDERED that the Respondent, NATASHA JANET DIONNE FAIRS, solicitor, be STRUCK OFF the Roll of Solicitors and it further Ordered that she do pay the costs of and incidental to this application and enquiry fixed in the sum of £5,200.00.

Dated this 28<sup>th</sup> day of July 2025  
On behalf of the Tribunal

*C. Evans*

C. Evans  
Chair

**BEFORE THE SOLICITORS DISCIPLINARY TRIBUNAL      Case Number: 12741-2025**  
**IN THE MATTER OF THE SOLICITORS ACT 1974 (as amended)**

**SOLICITORS REGULATION AUTHORITY LIMITED**

**Applicant**

**and**

**NATASHA JANET DIONNE FAIRS**

**Respondent**

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**STATEMENT OF AGREED FACTS AND PROPOSED OUTCOME**

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1. By its application dated 28 February 2025 and the statement made pursuant to Rule 12 (2) of the Solicitors (Disciplinary Proceedings) Rules 2019 which accompanied that application, the Solicitors Regulation Authority Ltd ("the SRA") brought proceedings before the Solicitors Disciplinary Tribunal making four allegations of misconduct against Natasha Janet Dionne Fairs ("the Respondent").

**The allegation**

2. The allegation against the Respondent, made by the SRA within that statement was that, while in practice as a solicitor at Irwin Mitchell LLP ("The Firm"):
  - 2.1. Between February 2020 and April 2023 she created records as to the time spent by her working on client matters which were inaccurate, misleading and in excess of the time actually spent on the client matters against which they were recorded and in doing so she breached Principles 2, 4 and 5 of the SRA Principles 2019 ("the Principles") and paragraph 1.4 of the Code of Conduct for Solicitors, RELs and RFLs ("the Code for Solicitors").
3. The Respondent admits the allegation in full.

### **Agreed Facts**

4. The following facts and matters, which are relied upon by the SRA in support of the allegation set out within paragraphs 5 to 36 of this statement, are agreed between the SRA and the Respondent.

### **Professional Details**

5. The Respondent was born on January 1978 and is a solicitor having been admitted to the Roll on 15 October 2003. The Respondent does not hold a current practising certificate and the last one held was for the practice year 2022/2023.
6. At the time of the events which are the subject of the allegation, the Respondent was employed by the Firm in its London office. The Firm has 21 offices across England, Wales and Scotland. The Firm provides a range of legal services to private clients and business clients.
7. SRA records show that the Respondent was employed by the Firm between October 2007 and 16 May 2023. From October 2007 to November 2012, she was employed as a Solicitor. From November 2012 to May 2022, her role at the Firm was as an Associate Solicitor and in May 2022 she was promoted to the role of Senior Associate Solicitor. The Respondent worked in the Firm's Serious Injury Team throughout.

### **Background to the allegation**

8. The conduct first came to the attention of the SRA when the Firm made a report to the SRA on 22 December 2023. In the report, the Firm explained that, in April 2023, two colleagues of the Respondent raised concerns to the Respondent's supervising partner, Richard Mark Geraghty ("Mr Geraghty"). The concerns were that the Respondent appeared to be recording excessive amounts of time on client matters and the time recorded did not appear to be justified by the work carried out on those client matters.
9. Mr Geraghty carried out a detailed review of the Respondent's time recording for the period from April 2019 to April 2023. He identified a number of features relating to the Respondent's time recording as follows:
  - 9.1. Time was recorded on individual days which was significantly in excess of what would be expected on a normal working day. The Firm would usually expect a fee

earner to record approximately 6.3 chargeable hours per day. However, by way of example, on 28 April 2020, the Respondent recorded 20 hours and 24 minutes of chargeable time, on 19 April 2022, the Respondent recorded 22.9 hours of chargeable time and on 14 April 2023, the Respondent recorded 18.1 hours of chargeable time.

- 9.2. The Respondent recorded large amounts of time on complex, high value cases where the final bill had already been raised and the costs had been agreed. This would result in the Respondent's time being written off and there would be no identifiable detriment to the client or any other paying party.
- 9.3. The Respondent also recorded large amounts of time on low value cases where the costs were fixed or agreed. This meant that there would be no further billing and, again, the result would be that the Respondent's time would be written off with no identifiable detriment to the client or any other paying party.
- 9.4. The Respondent recorded time in blocks of hours on the Firm's time recording system but she recorded the corresponding time in blocks of units (a unit being 6 minutes), on the file. For example, on 14 April 2023, the Respondent recorded 5 hours of time worked on the time recording system but she recorded 5 units of time worked on the file note on the client's file. This could be perceived as a genuine error or that the Respondent had accidentally confused her hours with her units. However, the pattern and frequency of this apparent error led the Firm to conclude that it was a calculated practice by the Respondent which she could claim was an error if she were questioned about it.
- 9.5. The Firm also identified that the Respondent's excessive time recording increased towards the end of the Firm's financial year so that the majority of the excessive time recording entries occurred in February, March and April of each year. There was also an identifiable increase in the Respondent's excessive time recording in September, October and November which was the lead up to the Firm's mid-year performance review.
10. The Firm held an Investigation meeting on 4 May 2023. Present at the meeting were the Respondent, Mr Geraghty and an HR Adviser from the Firm. Mr Geraghty explained the purpose of the meeting and took the Respondent through several examples of where he had identified excessive time recording. The Respondent confirmed that the time

recording entries were as they appeared and were as the Firm suspected. She did not offer any alternative explanation.

11. On 10 May 2023, the Firm held a Disciplinary meeting attended by the Respondent, an HR Adviser and Claire Howard ("Ms Howard"), a Partner at the Firm. Ms Howard asked the Respondent if she was familiar with the Firm's policies on time recording. The Respondent confirmed that she was. Ms Howard asked the Respondent if there was anything in Mr Geraghty's report ("the Report") with which she wished to take issue or which was not accurate. She also asked the Respondent why she felt the need to record time in excess of the work that she had actually carried out. The Respondent read a statement that she had prepared.
12. In the statement, the Respondent accepted the findings of the Report and apologised for her conduct. She explained the reasons why she had found it difficult to achieve the time recording targets set by the Firm. This included personal reasons and reasons related to her work circumstances.

**Allegation 1- created time records which were inaccurate, misleading and in excess of the time actually spent on the client matters against which they were recorded.**

13. Whilst the Firm reported that the Respondent's excessive time recording commenced in early 2019, the allegation focuses upon the Respondent's conduct after 25 November 2019.

**Client AD**

14. On 13 May 2021, the Respondent sent a letter to her client, AD. She referred to a MS Teams Conference held the same afternoon where she and Counsel advised AD to discontinue his personal injury claim, with no order for costs being made against him.
15. On 17 May 2021, and after AD confirmed that he wished to withdraw his claim, the Respondent produced a file note which stated that she had been 'engaged in drafting Notice of Discontinuance and Consent Order.' The time engaged was 6 units (36 minutes). The client file contains the draft Notice of Discontinuance and Consent Order. The Respondent recorded six hours for the equivalent entry on her time recording sheet even though both documents were brief.



16. On the same date, the Respondent sent a brief email to AD to acknowledge his decision to withdraw his claim. She stated within her equivalent file note that she had been engaged for two units (12 minutes) to write back to him having also reviewed the file and considered the Defendant's offer letter. However, the Respondent recorded two hours of work on the time recording system for the time taken to send the email to her client only. She recorded two additional hours for reviewing/analysing the file following instructions from her client.

#### **Client GA**

17. On 17 October 2022, at 08:41, the Respondent emailed a Team Leader - Costs Lawyer, at the Firm. The Respondent confirmed that she would accept the costs offer for GA's matter. The Respondent recorded three hours under her equivalent entry on her time recording sheet even though her email to the Team Leader-Costs Lawyer was very brief.
18. At 08:44, the Respondent emailed a Litigation Assistant at Kennedy's, to accept the costs offer. She recorded one hour under her equivalent entry on her time recording sheet, despite having only emailed the Team Leader-Costs Lawyer three minutes before.
19. The Respondent sent three emails to a Litigation Assistant, at the Firm on the same date. She recorded three hours under her equivalent entry on her time recording sheet even though her emails were all very brief.

#### **Client RC**

20. On 13 March 2023, the Respondent emailed Mr Geraghty to confirm that the Firm had settled RC's claim at a Joint Settlement Meeting on 10 March 2023. The Respondent asked Mr Geraghty to confirm whether he agreed to costs being capped at 40% of her damages at £74,000. On the same day, Mr Geraghty responded to confirm that he agreed that costs must be capped at 40% of the damages.
21. On 29 March 2023, The Respondent emailed a Law Costs Draftsman at the Firm. She attached a Part 36 Offer received on behalf of the Defendant. She stated that:
- 'I am off sick and then annual leave but I have copied [TC] in who will be able to get authority to accept any increase you are able to get. If you think we should just accept the offer then please advise. If we are able to settle costs we can then bill the money in client account and report to the client.'*

22. On the same date, the Respondent recorded five hours for 'Review/Analyse Part 36 offer on costs' on her time recording sheet even though a cap on the client's shortfall had already been agreed, and she was on sickness leave.
23. The Respondent recorded a further 14.5 hours of work across various client matters on 29 March 2023 despite having informed the Law Costs Draftsman that she was on sick leave on that day. She also recorded 8.8 hours for sick leave.

**Client JS**

24. On 14 April 2023, the Respondent discussed the merits of the client's claim with Counsel. Her file note stated that she was engaged for 5 units (30 minutes), although she recorded five hours under her equivalent entry on her time recording sheet.
25. The Respondent subsequently discussed the matter with the client, JS. Her file note stated that she was engaged for 6 units (36 minutes), although she recorded six hours under her equivalent entry on her time recording sheet.
26. At 12:33, The Respondent emailed Mr Geraghty about this matter. She recorded four hours under the equivalent entry on her time recording sheet even though her email was only several paragraphs long.
27. Within his Investigation Report, Mr Geraghty stated the following with reference to the above entries:

*'On that day she recorded the following on this file, I assume in the knowledge it would be written off'.*

28. At the Investigation meeting and throughout the SRA investigation, the Respondent admitted that she had created records as to the time spent working on client matters which were inaccurate, misleading and in excess of the time actually worked. She referred to issues in her personal life which made it difficult for her to complete the number of chargeable hours that the Firm expected of her, each day.
29. In her prepared statement at the Disciplinary meeting she said:

*'There were several issues in my personal life that I'd like to highlight as mitigation; My mum became unwell she had two cardiac arrests and was in ICU. She was then back*

*and forth to the hospital and otherwise house bound. I had an 18 month old baby and a 3 year old and was going to Northampton and back. In 2019 she became house bound, in and out of hospital until in 2022 she was admitted with an infection and then passed away end of February. The funeral was at the end of March. Dealing with this, my family, my work as well as the pandemic, we all were involved in that. I had to home school two children and continued to work.'*

30. The Respondent did not explain her situation to the Firm and did not ask for help. She explained this by saying:

*'I didn't ask for help, I didn't feel there was any that could be given. I did the stupid thing. I appreciate that it was stupid and wrong. I felt my only option was to make up my time. I made the wrong decision I should've asked for help. I was drowning and the time pressure made me make the stupid decision to put the time down.'*

31. The Respondent explained that she sought to minimise the impact of her excessive time recording by only recording on files where she knew that the time would be written off because the costs had already been agreed or the file was closed. She said:

*'It was on closed files and I knew they were going to be written off... It wasn't charged to clients and defendants, I wouldn't do that... But I get the point, it doesn't matter what stage the file is it's still wrong and I accept that.'*

32. However, although clients were not harmed by the Respondent's conduct, there was an impact on the Firm and on her colleagues. In his witness statement dated 2 August 2024, Mr Geraghty explained that time recording played a role in determining bonus payments and promotions.

33. The Respondent's conduct adversely affected her colleagues who were working on the same cases because, when costs were received, Mr Geraghty explains:

*'[Ms Fairs'] actions also meant that she was rewarded in terms of salary and bonus payments based on performance that was not genuine. Her actions also adversely affected the other people working on the same cases. This is because when costs are received on a case they are allocated to the different fee earners in proportion to the amount of time they spent on the case. As [Ms Fairs] was recording an inflated amount of time on some cases, her allocation would be the (sic) higher than it should have*

*been. Other fee earners would consequently receive a smaller proportion of the fees for their work than they should have done.’ paragraph 15.*

34. Inaccurate time recording also affected the Firm because the Firm used time recording as a tool to help it determine the need for staff resources, how much Work in Progress existed and what its future fee income was likely to be.

35. The Respondent's conduct consists of misleading her employer over a period of at least three years and the conduct pre-dates the personal issues which the Respondent referred to in an attempt to explain her behaviour. This was a planned course of action whereby the Respondent selected the files on which she would record excessive time, in the knowledge that the time would be written off because the costs had already been agreed or the file was already closed. In Mr Geraghty's witness statement he describes this as follows:

*‘There was no harm caused to clients by any of the false time recording that I discovered. [Ms Fairs] had found a way whereby she would record time that essentially went under the radar.’ – paragraph 13.*

36. The Respondent derived a benefit from her conduct as it led the Firm to mistakenly believe that she was achieving her time recording targets. Time recording assisted the Firm in determining bonuses for fee earners and also contributed to the reason why the Respondent was promoted to the role of Senior Associate. As Mr Geraghty explained in his witness statement:

*‘Time recording does play an important role in determining bonus payments. The overall performance rating for the year is the key determinate of the level of bonus that an individual will receive. It is difficult to receive a “high” or “good” rating if you are not meeting your time recording targets. By manipulating her time recording, [Ms Fairs] was meeting her targets and this would have fed through to her performance ratings and in turn to her annual bonus payments.’*

*‘The ability to meet time and billing targets are also relevant to promotion. [Ms Fairs] was promoted to Senior Associate during the time I was managing her. You would usually struggle to achieve such a promotion if you were not meeting your targets unless there was some very specific reason to account for it.’*

**Non-Agreed Mitigation**

37. The following mitigation, which is not agreed by the SRA, is put forward by the Respondent.
38. The Respondent accepts the Tribunal's findings and the sanction of strike-off. She does not seek to revisit or minimise the seriousness of her misconduct and acknowledges that it represented a breach of the trust placed in her as a solicitor.
39. The Respondent deeply regrets her actions and has reflected extensively on the pressures she faced and the poor decisions she made. She accepts full personal responsibility and does not seek to justify or excuse her behaviour.
40. The Respondent recognises that she engaged in misleading time recording over a prolonged period. She accepts that this was wrong, regardless of the fact that the entries were limited to cases that had been closed or where costs had already been agreed and the time was expected to be written off. However, she respectfully submits the following contextual points.
41. At the relevant time, she was managing significant personal and professional pressures, including the serious illness and death of a close family member, the demands of home-schooling during the pandemic, and a high-volume and low-value caseload. Her supervisor was aware of many of these difficulties through monthly review and team meetings, but no formal adjustments were offered. This led the Respondent to believe that support was either unavailable or not typically provided in such circumstances.
42. The Respondent was expected to meet approximately sixteen annual performance measures. While time recording was one of them, others including client outcomes, business development, and contributions to diversity and inclusion also formed part of the firm's assessment criteria for progression and remuneration. She did not receive professional recognition or promotion based solely on time recorded. Nonetheless, she accepts that her actions distorted performance data and affected internal metrics.
43. The Respondent was aware that exceeding time targets was a strong focus within the firm. Peers who recorded significantly above 100% were regularly praised, and performance comparisons were frequently made. There was a clear expectation that targets would be met by mid-year and end-of-year reviews, with limited attention given to how those targets were achieved.

44. The Respondent found it increasingly difficult to meet the chargeable time target while also fulfilling the wider expectations placed upon her. In addition to her casework, she had responsibilities across business development, media activity, and charitable partnerships, as well as leadership roles in both local and national firm-wide groups focused on abuse, rehabilitation, and amputation. These contributions were recognised and valued by the firm and resulted in growth in both the London and National Serious Injury and Personal Injury teams. However, the time spent on these activities often had to be made up elsewhere in order to meet time recording expectations. Over time, the Respondent fell behind and struggled to balance these competing pressures.
45. During the relevant period, the Respondent's responsibilities extended beyond her caseload, as explained in para 44 above. Whilst not offered as justification, the Respondent submits that the expectation to maintain high performance across these additional areas contributed to the overall pressure she experienced and which she now accepts she did not manage appropriately. She offers this statement to demonstrate insight, accountability and sincere remorse.
46. However, the Respondent does not contend that the mitigation set out above amounts to exceptional circumstances which would justify the Tribunal in making any order other than that she be struck off the Roll.

#### **Penalty proposed and costs**

47. The admitted misconduct is serious and of the highest level. It is therefore proposed that the Respondent should be struck off the Roll of Solicitors.
48. With respect to costs, it is further agreed that the Respondent should pay the SRA's costs of this matter agreed in the sum of £5,200.00.

#### **Explanation as to why such an order would be in accordance with the Tribunal's sanctions guidance**

49. The Respondent has admitted dishonesty. The Solicitors Disciplinary Tribunal's "Guidance Note on Sanction" (11th edition), at paragraph 28, states that: *"Some of the most serious misconduct involves dishonesty, whether or not leading to criminal proceedings and criminal penalties. A finding that an allegation of dishonesty has been*

*proved will almost invariably lead to striking off, save in exceptional circumstances (see **Solicitors Regulation Authority v Sharma [2010] EWHC 2022 (Admin)**).*

50. In **Sharma [2010] EWHC 2022 (Admin)** at [13] Coulson J summarised the consequences of a finding of dishonesty by the Tribunal against a solicitor as follows:

*“(a) Save in exceptional circumstances, a finding of dishonesty will lead to the solicitor being struck off the Roll ... That is the normal and necessary penalty in cases of dishonesty...*

*(b) There will be a small residual category where striking off will be a disproportionate sentence in all the circumstances ...*

*(c) In deciding whether or not a particular case falls into that category, relevant factors will include the nature, scope and extent of the dishonesty itself, whether it was momentary ... or over a lengthy period of time ... whether it was a benefit to the solicitor ... and whether it had an adverse effect on others...”*

51. For the reasons described below, there are no exceptional circumstances here.

### **Aggravating features**

52. The Respondent's conduct was repeated, on numerous occasions, over a period of at least three years. The conduct is likely to have continued were it not for the Respondent's colleagues alerting the Firm to their concerns.
53. The conduct was not impulsive but was a planned course of action whereby the Respondent selected the files on which she would record excessive time, in the knowledge that the time would be written off or that those files were already closed.
54. The Respondent was an experienced solicitor, having been admitted to the Roll for almost twenty years when the conduct was discovered. She was a Senior Associate Solicitor and would have been aware of her regulatory obligations and the Standards and Regulations governing the conduct of the profession.
55. The Respondent's conduct adversely impacted on her colleagues. Costs were allocated to colleagues who had worked on the same file in proportion to the time that they had

recorded on the file. Therefore, when the Respondent inflated the amount of time that she had worked on a file, other colleagues would, consequently, receive a smaller proportion of the fees for their work than they should have done.

56. The Respondent's conduct adversely impacted on the Firm. The Firm used time recording as a tool to help it determine the need for staff resources, how much Work in Progress existed and what its future fee income was likely to be.

57. The Respondent benefitted from her conduct as it led the Firm to believe that she was achieving her time recording targets. Time recording assisted the Firm in determining bonuses for fee earners and also contributed to the reason why the Respondent was promoted to the role of Senior Associate Solicitor.

58. These were serious acts of dishonesty committed over an extended period and the case plainly does not fall within the small residual category where striking off would be a disproportionate sentence. Accordingly, the fair and proportionate penalty in this case is for the Respondent to be struck off the Roll of Solicitors.

59. Having considered the Solicitors Disciplinary Tribunal's Guidance Note on Sanctions (11th Edition), the seriousness of the Respondent's conduct is such that a lesser sanction would be inappropriate and a strike off is required for the protection of the public and the reputation of the legal profession.

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John Quentin

Head of Legal and Enforcement, upon behalf of the SRA

Date 5 June 2025

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Natasha Janet Dionne Fairs

Date 25 May 2025