

Jack Fitzsimmons

Employee

7176377

[Employee-related decision Date: 15 November 2024](#)

Decision - Employee-related decision

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

Outcome date: 15 November 2024

Published date: 11 December 2024

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Antony Hodari Holdings Ltd

Address(es): 83 Fountain Street, Manchester, M2 2EE, England

Firm ID: 569572

Outcome details

This outcome was reached by SRA decision.

Decision details

1. Decision

1.1 I have decided as follows:

1.2 To disqualify Mr Fitzsimmons under s99 of the Legal Services Act 2007 from holding any of the following positions in a licensed body with immediate effect:

1.2.1 Head of legal practice

1.2.2 Head of finance and administration

1.2.3 A manager

1.2.4 An employee.

1.3 To publish the section 99 order.

1.4 To direct Mr Fitzsimmons to pay £600 in relation to the SRA's costs of investigating this matter.

Reasons/basis

The facts of the case

Mr Fitzsimmons, who is not a solicitor, was employed as a Civil Litigation Executive by Antony Hodari Solicitors, a licensed body, at the time of the offence.

On 3 July 2023 police officers searched Mr Fitzsimmons' car and found a wrapped block of material under the front passenger seat, later identified as one kilogramme of cocaine. He was arrested and charged on suspicion of drugs offences. The police investigation revealed that Mr Fitzsimmons was heavily involved in the supply of Class A and Class B drugs.

Mr Fitzsimmons pleaded guilty and was convicted on 2 August 2023 of the following offences:

- a. Possession with intent to supply a controlled drug of Class A – cocaine in contravention of section 4 (1) of the Misuse of Drugs Act 1971.
- b. Being concerned in the supply of a controlled drug of Class B – cannabis to another in contravention of section 4 (1) of the Misuse of Drugs Act 1971.
- c. Being concerned in the supply of a quantity of amphetamine, a controlled drug of class B, to another in contravention of section 4 (1) of the Misuse of Drugs Act 1971.

He was immediately remanded to prison for 68 months, with sentences running concurrently.

Our decision on sanction

Mr Fitzsimmons' conduct breached relevant duties that applied to him as an employee of a licensed body, namely Principles 1, 2 and 5 of the SRA Principles 2019. It was found that it would be undesirable for him to act as a head of legal practice, head of finance and administration, a manager or an employee of a body licensed in accordance with section 99 of the Legal Services Act 2007.

Mr Fitzsimmons was disqualified from holding any of these roles.

Mr Fitzsimmons was also ordered to pay the SRA's costs of £600.

SRA Principles 2019

Principle 1: You act in a way that upholds the constitutional principle of the rule of law, and the proper administration of justice.

Principle 2: You act in a way that upholds public trust and confidence in the solicitors' profession and in legal services provided by authorised persons.

Principle 5: You act with integrity.

Other information

It was alleged that Mr Fitzsimmons, who is a non-authorised individual and a former employee of Antony Hodari Solicitors was convicted on 2 August 2023 at Liverpool Crown Court of the following offences:

1. Possession with intent to supply a controlled drug of Class A – cocaine in contravention of section 4 (1) of the Misuse of Drugs Act 1971. The sentence imposed for this offence was 68 months imprisonment.
2. Being concerned in the supply of a controlled drug of Class B – cannabis to another in contravention of section 4 (1) of the Misuse of Drugs Act 1971. The sentence imposed for this offence was 21 months imprisonment to be served concurrently.
3. Being concerned in the supply of a quantity of amphetamine, a controlled drug of class B, to another in contravention of section 4 (1) of the Misuse of Drugs Act 1971. The sentence imposed for this offence was 21 months imprisonment to be served concurrently.

And in doing so committed or substantially contributed to a serious breach of any regulatory obligation of a nature that indicates it is undesirable for them to carry out activities as a HOLP, HOFA, manager or employee (as defined by the SRA Glossary) of a licensed body.

Findings

I find this allegation proven.

By virtue of Mr Fitzsimmons' conduct leading to a criminal conviction on 2 August 2023, he breached Principles 1, 2 and 5 of the SRA Principles 2019, and it is therefore undesirable for him to carry out activities as a HOLP, HOFA, manager or employee of a licensed body.

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