

Mark Sinclair

Employee

7020675

[Employee-related decision Date: 24 July 2023](#)

Decision - Employee-related decision

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

Outcome date: 24 July 2023

Published date: 23 August 2023

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Ashurst LLP

Address(es): 1 Duval Square, London Fruit and Wool Exchange, London, E1 6PW

Firm ID: 468653

Outcome details

This outcome was reached by SRA decision.

Decision details

Who does this decision relate to?

Mark Sinclair of Sheffield.

A person who is or was involved in a legal practice but is not a solicitor.

Summary of decision

The SRA has put restrictions on where and how Mr Sinclair can work in an SRA regulated firm.

On 12 January 2021 Mr Sinclair was convicted of three offences. At the time he was employed by Ashurst LLP (the firm) as a Learning and Development Manager based in its London office.

By virtue of the above conviction, it is undesirable for Mr Sinclair to be involved in a legal practice without the SRA's prior written consent.

The facts of the case

Mr Sinclair was employed by the firm between 19 February 2019 until 11 October 2021. The firm is a recognised body. Mr Sinclair failed to tell the firm about his conviction.

Our decision on outcome

An order pursuant to section 43(2) of the Solicitors Act 1974 was imposed as the nature of the conviction is such that it is undesirable for Mr Sinclair to be involved in a legal practice without the SRA's prior approval.

This was because Mr Sinclair's conviction was serious, and it happened over a long period of time.

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

What our Section 43 order means

To make an order in respect of Mr Sinclair that:

- i. no solicitor shall employ or remunerate him in connection with his/her practice as a solicitor;
- ii. no employee of a solicitor shall employ or remunerate him in connection with the solicitor's practice;
- iii. no recognised body shall employ or remunerate him;
- iv. no manager or employee of a recognised body shall employ or remunerate him in connection with the business of that body;
- v. no recognised body or manager or employee of such a body shall permit him to be a manager of the body; and
- vi. no recognised body or manager or employee of such a body shall permit him to have an interest in the body.

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