

# **Rosie Eastwood**

## **Solicitor**

### **577943**

[Agreement Date: 8 March 2024](#)

## **Decision - Agreement**

Outcome: Regulatory settlement agreement

Outcome date: 8 March 2024

Published date: 14 March 2024

## **Firm details**

### **Firm or organisation at date of publication and at time of matters giving rise to outcome**

Name: Furley Page LLP

Address(es): 39 St Margarets Street, Canterbury, CT1 2TX

Firm ID: 440461

## **Outcome details**

This outcome was reached by agreement.

### **Decision details**

#### **1. Agreed outcome**

1.1 Rosie Eastwood, a solicitor of Furley Page LLP (the Firm), agrees to the following outcome to the investigation of her conduct by the Solicitors Regulation Authority (SRA):

- a. she is fined £1,000
- b. to the publication of this agreement
- c. she will pay the costs of the investigation of £300.

#### **2. Summary of Facts**

2.1 On the evening of 27 May 2023, Miss Eastwood was arrested under suspicion of driving while under the influence of excess alcohol. She was breathalysed and provided an alcohol reading of 93 microgrammes of alcohol in 100 millilitres of breath, against the prescribed limit of 35 microgrammes of alcohol in 100 millilitres of breath.

2.2 On 19 July 2023 Miss Eastwood pleaded guilty and was convicted of driving a motor vehicle whilst above the prescribed alcohol limit, contrary to Section 5(1)(a) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988.

2.3 Miss Eastwood was disqualified from driving for 24 months, to be reduced by 26 weeks if she completed a driver rehabilitation course and was ordered to pay:

- a. A fine of £649
- b. A victim surcharge of £260
- c. Costs of £85

2.4 Miss Eastwood promptly notified the SRA of her arrest and of her subsequent conviction.

### **3. Admissions**

Miss Eastwood admits, and the SRA accepts, that by virtue of her conduct of driving with excess alcohol and her conviction, she has failed to behave in a way that upholds trust and public confidence in the solicitors' profession and in legal services provided by authorised persons, in breach of Principle 2 of the SRA Principles 2019.

### **4. Why a fine is an appropriate outcome**

4.1 The SRA's Enforcement Strategy sets out its approach to the use of its enforcement powers where there has been a failure to meet its standards or requirements.

4.2 When considering the appropriate sanctions and controls in this matter, the SRA has taken into account the admissions made by Miss Eastwood and the following mitigation which she has put forward:

- a. At the time of the incident, she was dealing with a number of personal issues.
- b. This was an isolated incident and is out of character.
- c. No harm has been caused to property or persons.
- d. She notified both her employer and the SRA at the first opportunity.
- e. She has expressed insight and remorse.

4.3 Having considered the 'Topic Guide: Driving with excess alcohol convictions' (the Topic Guide), the SRA considers that a fine is the appropriate outcome because although there are a number of mitigating features, there is the aggravating feature that Miss Eastwood received a high sentence - being a disqualification from driving of over 18 months. The Topic Guide sets out that we will impose serious sanctions where aggravating features are present.

4.4 A fine is appropriate to maintain professional standards and uphold public confidence in the solicitors' profession and in legal services provided by authorised persons. Any lesser sanction would not provide a credible deterrent to Miss Eastwood and others. A financial penalty therefore meets the requirements of rule 4.1 of the Regulatory and Disciplinary Procedure Rules.

## **5. Amount of the fine**

5.1 The amount of the fine has been calculated in line with the SRA's published guidance on its approach to setting an appropriate financial penalty (the Guidance).

5.2 Having regard to the Guidance, the SRA and Ms Eastwood agree that the nature of the misconduct was low because the conduct was not intentional, did not continue after it was known to be improper or formed a part of misconduct. The Guidance gives this type of misconduct a score of one.

5.3 The SRA considers that the impact of the misconduct was medium because the conduct had the potential to cause moderate harm. The Guidance gives this level of impact a score of four.

5.4 The nature and impact scores add up to five. The Guidance indicates a broad penalty bracket of between 5% and 8% is appropriate.

5.5 In deciding the level of fine within this bracket, the SRA has considered the mitigation at paragraph 4.2 above which Miss Eastwood has put forward.

5.6 The SRA considers a basic penalty of £2,444, which is at the bottom of the bracket, to be appropriate.

5.7 The SRA considers that the basic penalty should be reduced to £1,000. This reduction reflects the Miss Eastwood's early admission of guilt, her prompt self-report, her full cooperation with our investigation and the submission of a statement of means document that has been considered.

5.8 Miss Eastwood has not made any financial gain or received any other benefit as a result of her conduct. Therefore, no adjustment is necessary to remove this. The amount of the fine is to be set at £1,000.

## **6. Publication**

6.1 The SRA considers it appropriate that this agreement is published in the interests of transparency in the regulatory and disciplinary process. Ms Eastwood agrees to the publication of this agreement.

## **7. Acting in a way which is inconsistent with this agreement**

7.1 Miss Eastwood agrees that she will not deny the admissions made in this agreement or act in any way which is inconsistent with it.

7.2 If Miss Eastwood denies the admissions or acts in a way which is inconsistent with this agreement, the conduct which is subject to this agreement may be considered further by the SRA. That may result in a disciplinary outcome or a referral to the Solicitors Disciplinary Tribunal on the original facts and allegations.

7.3 Denying the admissions made or acting in a way which is inconsistent with this agreement may also constitute a separate breach of principles 2 and 5 of the Principles and paragraph 7.3 of the Code of Conduct for Solicitors, RELs and RFLs.

## **8. Costs**

8.1 Miss Eastwood agrees to pay the costs of the SRA's investigation in the sum of £300. Such costs are due within 28 days of a statement of costs due being issued by the SRA.

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