

Jenny Spink

Employee

7051823

[Agreement Date: 21 September 2023](#)

Decision - Agreement

Outcome: Regulatory settlement agreement

Outcome date: 21 September 2023

Published date: 27 September 2023

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Pudsey Legal Services Ltd

Address(es): Cringlebar House 415 Bradford Road Pudsey LEEDS LS28 7HQ

Firm ID: 573274

Outcome details

This outcome was reached by agreement.

Decision details

1. Agreed outcome

1.1 Jenny Spink (Ms Spink), a former employee of Pudsey Legal Services Ltd (the Firm), agrees to the following outcome to the investigation of her conduct by the Solicitors Regulation Authority (SRA):

- a. to the SRA making an order under section 43 of the Solicitors Act 1974 (a section 43 order) in relation to Ms Spink that, from the date of this agreement:
 - a. no solicitor shall employ or remunerate her in connection with his practice as a solicitor
 - b. no employee of a solicitor shall employ or remunerate her in connection with the solicitor's practice
 - c. no recognised body shall employ or remunerate her
 - d. no manager or employee of a recognised body shall employ or remunerate her in connection with the business of that body



- e. no recognised body or manager or employee of such a body shall permit her to be a manager of the body
- f. no recognised body or manager or employee of such body shall permit her to have an interest in the body

except in accordance with the SRA's prior permission

- b. to the publication of this agreement
- c. she will pay the costs of the investigation of £300.

2. Summary of facts

2.1 Ms Spink was employed by the Firm from 17 March 2020 as a legal cashier.

2.2 Ms Spink left the Firm on 22 April 2022. The Firm subsequently discovered that money from office account had been transferred directly into Ms Spink's bank account on five occasions.

2.3 The Firm reported the matter to the SRA and to the police in May 2022.

2.4 The police investigation found that Ms Spink had transferred £4,650 from the firm's office account to her own bank account between 1 October 2020 and 16 September 2021.

2.5 On 30 May 2023 Ms Spink pleaded guilty to the offence of Fraud by abuse of position.

2.6 On 20 June 2023, at Leeds Crown Court, Ms Spink was sentenced to:

- 12 months imprisonment suspended for 18 months;
- A Rehabilitation Activity Requirement of 15 days;
- An Unpaid Work Requirement of 175 hours within the next twelve months; and;
- To pay compensation of £4,650.

3. Admissions

3.1 Ms Spink makes the following admissions which the SRA accepts, that her conviction for fraud by abuse of position means that it is undesirable for her to be involved in a legal practice.

4. Why a section 43 order is appropriate

4.1 The SRA's Enforcement Strategy and its guidance on how it regulates non-authorised persons, sets out its approach to using section 43 orders to control where a non-authorised person can work.

4.2 When considering whether a section 43 order is appropriate in this matter, the SRA has taken into account the admissions made by Ms

Spink and the following mitigation which she has put forward:

- a. She admitted her conduct at an early stage
- b. She had personal problems at the time of the conduct which caused her to act out of character
- c. She offered to pay the money back at an early stage

4.3 The SRA and Ms Spink agree that a section 43 order is appropriate because:

- a. Ms Spink is not a solicitor
- b. by undertaking work in the name of, or under the direction and supervision of a solicitor, she was involved in a legal practice
- c. she has been convicted of an offence which makes it undesirable for her to be involved in a legal practice.

4.4 The offence makes it undesirable for Ms Spink to be involved in a legal practice because:

- a. Ms Spink's role, as a legal cashier, relied on honesty and integrity. Part of her today to day role involved handling and processing cash, cheques, and bank transfers. She was therefore in a position of trust within the Firm.
- b. Ms Spink has been convicted of a criminal offence which involves dishonesty.
- c. The offence took place during her work with the Firm, and over a long period of time.
- d. There is a risk that Ms Spink may act in a similar way in the future. As such, there is a strong public interest in controlling Ms Spink's employment with firms we regulate.

5. Publication

5.1 The SRA will publish this decision. This is a requirement of the Legal Services Board's rules. We must publish information on enforcement action or sanctions imposed against a licensed body or manager or employee of a licensed body. There is no discretion in the rules for us not to do this.

6. Acting in a way which is inconsistent with this agreement

6.1 Ms Spink agrees that she will not deny the admissions made in this agreement or act in any way which is inconsistent with it.

7. Costs

7.1 Ms Spink 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.

Reasons/basis

Ms Spink has accepted responsibility for her actions and pleaded guilty to Fraud. On that basis a s43 seemed suitable and two IMs agreed to this being dealt with by way of an RSA.

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