



Thomas Elliott

Employee

7173633

[Employee-related decision Date: 6 February 2025](#)

Decision - Employee-related decision

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

Outcome date: 6 February 2025

Published date: 9 May 2025

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Eversheds Sutherland (International) LLP

Address(es): One Wood Street, LONDON, EC2V 7WS

Firm ID: 383181

Outcome details

This outcome was reached by SRA decision.

Decision details

Thomas Elliott, a former employee of Eversheds Sutherland (International) LLP (the Firm), agrees to the following outcome to the investigation of his 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 Mr Elliott that, from the date of this agreement:
 - i. no solicitor shall employ or remunerate him in connection with his 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
 - vi. no recognised body or manager or employee of such body shall permit him to have an interest in the body



except in accordance with the SRA's prior permission

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

Reasons/basis

2. Summary of facts

2.1 Mr Thomas Elliott was employed by the Firm as a project co-ordinator, he was not a legally qualified member of staff.

2.2 In 2023 the Firm acted on a pro bono basis for a client introduced by Mr Elliott. The client was a player at a local sports club of which Mr Elliott was Club Secretary. Representation was in respect of proceedings instigated by the local sports association.

2.3 Following the representation of the client, Mr Elliott created two invoices on the Firm's system. One invoice dated 2 August 2023, was seeking payment of 50% of the legal costs "associated with the defence" of the player in the disciplinary proceedings brought against the player by the local association. The legal costs totalled £79,926.95 and the amount sought was £39,963.47.

2.4 The second invoice dated 4 August 2023 was presented in a claim for costs from the Firm to the client. The total fees claimed (inclusive of VAT) were £95,912.34.

2.5 On 2 October 2023, during an interview conducted by the Firm as part of an internal investigation, Mr Elliott initially denied creating the second invoice. Mr Elliott later admitted in writing that the information provided during the interview was factually inaccurate and that he had created the invoice using information available on the Firm's system.

2.6 On 30 October 2023, Mr Elliott resigned from the Firm following the internal investigation and disciplinary proceedings.

3. Admissions

3.1 Mr Elliott makes the following admissions which the SRA accepts:

- a. that he created invoices on the Firm's system for billing for a matter which was not to be charged for by the Firm as it was done on a pro bono basis
- b. that he used information obtained from his employment at the Firm to attempt to claim costs which were not owed
- c. that on 2 October 2023 he provided misleading information to the Firm by stating that he had asked for a draft invoice from the Firm's finance team when he knew that he created the invoice issued in the name of the Firm



- d. that in using information available on the Firm's system without the knowledge of the firm to pursue his personal motives and misleading the Firm about his actions involved conduct which means that it is undesirable for him to be involved in a legal practice
- e. that his conduct set out above was dishonest.

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 Mr Elliott and the following mitigation which he has put forward:

- a. Mr Elliott has admitted the conduct, shown insight and remorse and has fully co-operated with the SRA investigation.
- b. Mr Elliott described his actions as "hot-headed" and motivated by a strong reaction to what he saw as an injustice in the way a young footballer had been investigated and the impact this had on the footballer and his family.
- c. Mr Elliott's actions have not been motivated by personal financial gain, and he told the Firm that he wanted to help the Firm to recover some costs. He gained nothing financially from this.
- d. Mr Elliott's does not feel there is any meaningful defence against his actions but reiterated that his actions do not reflect his wider character or a dishonest motivation. His intent was not to obtain money inappropriately but address the injustice he perceived there to be.

4.3 The SRA and Mr Elliott agree that a section 43 order is appropriate because:

- a. Mr Elliott is not a solicitor
- b. his employment or remuneration at the Firm means that he was involved in a legal practice
- c. by using information available on the Firm's system to raise invoices in a pro bono matter without his employer's knowledge and misleading his employer about his actions, Mr Elliott has occasioned or been party to an act or default in relation to a legal practice. Mr Elliott's conduct in relation to that act or default makes it undesirable for him to be involved in a legal practice.

4.4 Mr Elliott's conduct makes it undesirable for him to be involved in a legal practice because it demonstrates that he is capable to react impulsively and use information available to him without his employer's knowledge to pursue his own agenda and mislead his employer when

confronted in respect of his actions. A person willing to do this is not suitable to work in legal practice. If such conduct were to be repeated in future, it would pose a risk to clients and public trust.

5. Publication

5.1 The SRA considers it appropriate that this agreement is published in the interests of transparency in the regulatory process. Mr Elliott agrees to the publication of this agreement.

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

6.1 Mr Elliott agrees that he will not deny the admissions made in this agreement or act in any way which is inconsistent with it.

7. Costs

7.1 Mr Elliott 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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