

Perth lawyer jailed for seven-and-a-half years for stealing almost \$2 million from clients

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PHOTO: Helen Tolson's theft from vulnerable clients was described as "despicable behaviour" by a judge. (ABC News: Hugh Sando)

A Perth lawyer has been sentenced to seven-and-a-half years jail for stealing almost \$2 million from her clients, including an elderly woman in a nursing home and the beneficiaries of a deceased estate.

Mother-of-three Helen Marie Tolson, 45, took the \$1.96 million from trust accounts between September 2013 and August 2017, and used it to bolster her husband's business, pay off personal debts and buy two new cars.

At the time Tolson was working for her father's law firm and the District Court was told she falsified records to try to cover up her crimes.

Almost \$978,000 was taken from a trust account belonging to a woman in a nursing home, while most of the other money was stolen from the estate of a deceased woman.

At one point she was questioned by a relative of one of the beneficiaries of the estate about where their money was, and she told them a false story that it was invested in two bank term deposit accounts.

When the relative insisted that the money be paid to them, Tolson made up another false story, claiming it had been stolen by bank employees.

She then wrote a letter pretending to be from a bank lawyer saying that the matter was being investigated, but when the relative called the phone number that was provided, he realised he was actually talking to Tolson and went to the police.

Key points:

- Helen Tolson stole the money from trust accounts of clients over four years
- She claimed it had been invested in term deposits, then stolen by bank employees
- She later repaid the money by selling her house, and pleaded guilty to nine charges

'Horror breach of trust'

Tolson's barrister, Sam Vandongen SC, said his client fully understood the gravity of what she had done, including the falsification of records, which he said had been done "to stave off the inevitable".

He submitted that unlike other cases, her theft did not involve drugs or gambling, but was an attempt to fix the family's financial issues.

However, in taking the path she had chosen, Tolson had "made the choice to act dishonestly by stealing from a source that was readily available to her ..."

Mr Vandongen said all of the stolen money had been repaid, partly by Tolson's father, whom she planned to reimburse, and partly from the sale of her family's house.

State Prosecutor Peter Phillips described the offences as "some of the worst" that a lawyer can commit, describing them as a "horror breach of trust".

Judge Belinda Lonsdale accepted that Tolson was deeply ashamed and remorseful, saying from the evidence before her, she generally presented as a person with "a big heart" who was always willing to help.

Judge Lonsdale said it appeared Tolson had been motivated by a desire to ease the financial pressures on her family, but she also said there was "an element of greed" because some of the funds were used to ultimately benefit herself.

A particularly aggravating factor was Tolson's theft from an elderly woman in a nursing home — something she described as "despicable behaviour".

"... Those who take advantage of the elderly will be dealt with by severe punishment," she told Tolson.

Tolson pleaded guilty to nine stealing charges in total and will have to serve five-and-a-half years in jail before she can be released on parole.

Bookkeeper charged with stealing \$3.5 million

In a separate case, a woman has appeared in court charged with more than 100 counts of stealing a total of \$3.5 million from her employer.

Moe Moe Myint Kelly is facing charges of stealing from the Northbridge business over several years, starting in 2011.



PHOTO: Moe Moe Myint Kelly plans to fight charges of stealing \$3.5 million from her employer. (ABC News: Glyn Jones)

The East Perth woman is facing 115 charges in total.

It is alleged the 61-year-old committed the offences when she was the bookkeeper for the business and was responsible for banking.

Speaking outside court, she indicated she would be pleading not guilty.

Ms Kelly is due to appear in court again on January 8.