

Liam Gillard
Employee
7248873

[Agreement Date: 19 September 2024](#)

Decision - Agreement

Outcome: Regulatory settlement agreement

Outcome date: 19 September 2024

Published date: 1 October 2024

Firm details

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

Name: Osborne Clarke LLP

Address(es): 1 London Wall, London, EC2Y 5EB

Firm ID: 619990

Outcome details

This outcome was reached by agreement.

Decision details

1. Agreed outcome.

1.1 Liam Gillard (Mr Gillard), a former employee of Osborne Clarke 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 Gillard 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.

2. Summary of facts

2.1 Mr Gillard, a non-authorised person, was an Assistant Accountant at the Firm.

2.2 The Firm sponsored Mr Gillard to study and take exams through the Institute of Chartered Accountants for England & Wales so he could qualify as a Chartered Accountant. As an employer sponsor, the Firm liaised with the course provider about his progress.

2.3 Mr Gillard had to take a mandatory mock exam set by the course provider. On 8 November 2023, the course provider chased Mr Gillard for the completed mock exam. On 16 November 2023, Mr Gillard told the Firm he had emailed the completed mock exam to the course provider.

2.4 The course provider told the Firm it had not received the mock exam and the Firm started an investigation. It asked Mr Gillard for a copy of the email with the mock exam attached and also asked its IT department to verify that Mr Gillard sent an email. On 17 November 2023, the Firm's IT department confirmed that there was no record of Mr Gillard sending an email to the course provider.

2.5 Mr Gillard said he emailed the mock exam to the course provider from his private account and when he tried to forward that email to his work account it was blocked by Mimecast. The Firm asked to see the email sent from his private account and Mr Gillard provided a forwarded email which did not have the mock exam attached. The Firm then asked for the private account email to be shared as an attachment. Mr Gillard then said that he could not find the original email sent from his private account.

2.6 On 11 December 2023, the Firm held a final disciplinary hearing. Mr Gillard admitted during this hearing that he had falsified the emails shared with the Firm and at no time had he sent the mock exam to the course provider. The Firm subsequently terminated Mr Gillard's employment.

3. Admissions

3.1 Mr Gillard admits, and the SRA accepts:



- a. That on 16 November 2023 he falsified an email to an external provider and misled his employer that he had sent that email.
- b. That his conduct was dishonest and means that it is undesirable for him 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 Mr Gillard and the following mitigation which he has put forward:

- a. Mr Gillard has expressed remorse for his actions.
- b. Mr Gillard's actions amounted to an error of judgment and was out of character.

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

- a. Mr Gillard is not a solicitor.
- b. His employment or remuneration at the Firm means that he was involved in a legal practice.
- c. By falsifying an email to an external provider and continuing to mislead his employer that it had been sent, Mr Gillard has occasioned or been party to an act or default in relation to a legal practice. Mr Gillard's conduct in relation to that act or default makes it undesirable for him to be involved in a legal practice.

4.4 Mr Gillard's conduct makes it undesirable for him to be involved in a legal practice because:

- a. He knew that the email had not been sent but continued to claim to his employer that it had been. That misleading conduct was dishonest.
- b. Providing misleading information to colleagues and external providers is behaviour that demonstrates that Mr Gillard is not a suitable individual to hold such a role in a legal practice. Should Mr Gillard continue in similar employment without control, this would impact the public's confidence in the safe delivery of legal services.

5. Publication

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

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

6.1 Mr Gillard 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 Gillard 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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