

Rebecca Murray

Employee

834233

[Agreement Date: 11 March 2022](#)

Decision - Agreement

Outcome: Regulatory settlement agreement

Outcome date: 11 March 2022

Published date: 16 March 2022

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Potter Rees Limited

Address(es): 12 Commercial Street, MANCHESTER, M15 4PZ

Firm ID: 566800

Outcome details

This outcome was reached by agreement.

Reasons/basis

1. Agreed outcome

1.1 Ms Murray, a former employee of Potter Rees Limited (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 her that, from the date of this agreement:
 - i. no solicitor shall employ or remunerate her in connection with his practice as a solicitor
 - ii. no employee of a solicitor shall employ or remunerate her in connection with the solicitor's practice
 - iii. no recognised body shall employ or remunerate her
 - iv. no manager or employee of a recognised body shall employ or remunerate her in connection with the business of that body
 - v. no recognised body or manager or employee of such a body shall permit her to be a manager of the body



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

2. Summary of facts

2.1 Ms Murray was employed by the Firm as a legal assistant from 12 June 2017 until 18 June 2020.

2.2 In November 2019, Ms Murray was instructed to make a payment to a creditor on a client's matter.

2.3 On 27 January 2020, a partner at the Firm (RW) asked Ms Murray to confirm that the payment had been made. Ms Murray replied by email stating that the debt had been paid.

2.4 RW replied asking when the payment was made.

2.5 Ms Murray replied on 3 February 2020 confirming that it was made on 27 January 2020 and that she had written to the creditor in November 2019.

2.6 In reply, RW asked Ms Murray why the payment had not been made earlier and why the client file did not contain any correspondence with the creditor.

2.7 Ms Murray replied on 3 February 2020, attaching a letter dated 18 November 2019 that had purportedly been sent to the creditor, in which she asked the creditor for further details about the debt.

2.8 After further investigation, RW identified that the content of the letter of 18 November 2019 had been created on 3 February 2020. The letter had never been sent to the creditor.

2.9 Ms Murray resigned on 18 June 2020 prior to disciplinary proceedings being brought by the Firm.

3. Admissions

3.1 Ms Murray admits, and the SRA accepts:

- a. having told RW she had written to the creditors, when she had not, she sought to mislead RW by creating the content of a letter on 3 February 2020 and dating it 18 November 2019
- b. that her conduct 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-authorized persons, sets out its approach to using section 43 orders to control where a non-authorized 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 Murray and the following mitigation which she has put forward:

- a. she has admitted her conduct to the SRA
- b. she has expressed regret and remorse for her actions
- c. she has cooperated with the SRA investigation.

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

- a. Ms Murray is not a solicitor
- b. her employment and remuneration at the Firm (a recognised body) means that she was involved in a legal practice
- c. by creating the content of a letter on 3 February 2020 and purporting that it was dated and sent on 18 November 2019, Ms Murray has occasioned or been party to an act or default in relation to a legal practice. Ms Murray's conduct in relation to that act or default makes it undesirable for her to be involved in a legal practice.

4.4 Ms Murray's conduct makes it undesirable for her to be involved in legal practice because it was dishonest. The public, the profession and others are entitled to rely upon the honesty and integrity of the people that they deal with at solicitors' firms. Ms Murray's actions have undermined trust in the provision of legal services and the solicitors' profession.

5. Publication

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

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

6.1 Ms Murray 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 Murray 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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