

# **Megan Murphy**

## **Employee**

### **7157795**

[Employee-related decision Date: 6 June 2024](#)

## **Decision - Employee-related decision**

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

Outcome date: 6 June 2024

Published date: 11 June 2024

## **Firm details**

### **Firm or organisation at time of matters giving rise to outcome**

Name: Goldman Knightley Ltd

Address(es): Ground Floor, Newspaper House, 40 Churchgate, Bolton BL1 1HL

Firm ID: 626198

## **Outcome details**

This outcome was reached by SRA decision.

### **Decision details**

#### **1. Agreed outcome**

1.1 Ms Megan Murphy, a former employee of Goldman Knightley Ltd (the Firm), a Licensed Body, agrees to the following outcome to the investigation of her conduct by the Solicitors Regulation Authority (SRA):

- a. from the date of this agreement, she is disqualified under section 99 of the Legal Services Act 2007 from:
  - i. acting as Head of Legal Practice of any licensed body
  - ii. acting as Head of Finance and Administration of any licensed body
  - iii. being a manager of a licensed body, or
  - iv. being employed by any licensed body
- b. to the publication of this agreement
- c. to pay the costs of the investigation of £300.

1.2 In this agreement, the term ‘Licensed Body’ means a body which holds a licence in force under Part 5 of the Legal Services Act 2007.

## **2. Summary of facts**

2.1 Ms Murphy was employed by the Firm between September 2016 and January 2020. Her last job title at the Firm was Trainee Legal Executive, and she was supervised by a Solicitor.

2.2 Ms Murphy, at the time of the allegations, had conduct of a holiday sickness claim made by the Firm’s client against the defendants in a litigated matter; a travel company.

2.3 On 28 October 2019, Ms Murphy, during the handling of this client’s claim, filed a notice of discontinuance with the courts, without the client’s consent or knowledge.

2.4 In response to the notice of discontinuance filed, the defendant’s solicitors made an application to set this aside on grounds of fundamental dishonesty. This application succeeded and costs were awarded against the Firm’s client and his case was struck out.

2.5 On 29 November 2019, Ms Murphy sent the client an email which dishonestly claimed that the trial date had been vacated due a lack of judge availability, when this was not the case. Ms Murphy failed to mention the notice of discontinuance that she had sent to court.

2.6 On 3 February 2020, in response to the Firm’s enquiries into Ms Murphy’s mishandling of the matter, Ms Murphy misled a director of the Firm by stating that she had received the client’s consent to file the notice of discontinuance, when she knew, or ought to have known, that this was not true.

2.7 On 9 February 2020, Ms Murphy misled a consultant solicitor of the Firm by stating that she had received the client’s consent to file the notice of discontinuance, when she knew, or ought to have known, this was not true.

2.8 On 12 February 2020, Ms Murphy signed a statement drafted by the Firm in which she admits:

- i. to signing the notice of discontinuance and filing it at court
- ii. to informing the client that the trial had been vacated due to judge unavailability
- iii. that she did not have the client’s instructions to file the notice of discontinuance and it was untrue to say that she had
- iv. that she misled the Firm’s director on 3 February 2020
- v. that she misled the Firm’s consultant solicitor on 9 February 2020

## **3. Admissions**



3.1 Ms Murphy makes the following admissions which the SRA accepts:

- a. that by virtue of her conduct she failed to behave in a way which upholds public trust and confidence in the solicitors' profession and in legal services provided by the authorised persons, in breach of Principle 2 of the SRA Principles.
- b. the nature of her conduct, in dishonestly misleading several parties and acting without client instructions, she failed to act with honesty and integrity, in breach of Principles 4 and 5 of the SRA Principles.
- c. the conduct held at point (b) is also a breach of paragraph 1.2 of the Code of Conduct for Firms.

3.2 Ms Murphy agrees, and the SRA accepts, that her conduct means that it is undesirable for her to be engaged in activities mentioned in section 1.1 (a) (i-iv).

#### **4. Why a section 99 disqualification 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 99 disqualification orders.

4.2 Ms Murphy and the SRA agree that a disqualification order is appropriate because:

- a. the Firm is a Licensed Body
- b. Ms Murphy has breached rules as described in paragraph 3 above which, by virtue of section 176 of the Legal Services Act 2007, applied to her
- c. the conditions in rule 5 of the SRA Disciplinary Procedure Rules 2018 (DPR) are met, in that:
  - i. it is undesirable for Ms Murphy to engage in the activities listed in paragraph 1.1(a) of this agreement, and
  - ii. disqualification is a proportionate outcome in the public interest because it will prevent Ms Murphy from undertaking a similar role at another firm and helps maintain trust in the profession.

4.3 It is undesirable for Ms Murphy to engage in the activities listed at paragraph 1.1(a) of this agreement, for the following reasons:

- a. the dishonest nature of her conduct means it would be undesirable for Ms Murphy to work at a licensed or authorised body.
- b. as she was working in a client facing role dealing with clients, her dishonest conduct shows a lack of integrity and may cause public trust and confidence in the profession to be diminished.

4.4 In deciding that disqualification is proportionate, the SRA has taken into account the disqualification criteria in rule 3.1(c) of the DPR and the following mitigation which Ms Murphy has put forward:



- a. This was an isolated incident, as confirmed by the Firm after conducting an internal review of Ms Murphy's files
- b. Ms Murphy has fully co-operated with the SRA investigation.

## **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.

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

6.1 Ms Murphy 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 Murphy 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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