

Sophie Mulrooney

Employee

7156360

[Employee-related decision Date: 11 June 2024](#)

Decision - Employee-related decision

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

Outcome date: 11 June 2024

Published date: 21 June 2024

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: First Legal Solicitors Ltd

Address(es): 4th Floor, 8 Princes Parade, Liverpool L3 1DL

Firm ID: 634939

Outcome details

This outcome was reached by SRA decision.

Decision details

1. Agreed outcome

1.1 Sophie Mulrooney ('Ms Mulrooney'), a non-admitted, former employee of First Legal Solicitors Ltd ('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 Ms Mulrooney that, from the date of this agreement:
 - i. no solicitor shall employ or remunerate her in connection with their 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. to the publication of this agreement

c. she will pay the costs of the investigation of £675.

2. Summary of facts

2.1 In December 2022, Ms Mulrooney was employed as the Senior Operations Support for Your Legal Services Group ('YLSG'). YLSG had a services agreement in place with the Firm, a recognised body, to provide legal administrative services.

2.2 Ms Mulrooney oversaw and had day to day running of the stamp duty refund cases for the Firm and was supervised by a solicitor.

2.3 On 27 November 2022, a client instructed the Firm to pursue a claim for a stamp duty refund.

2.4 The Firm received a refund of £3,062.50, on behalf of the client, from HMRC on 21 December 2022.

2.5 On 23 December 2022, Ms Mulrooney, provided the Firm's finance team with the bank account details for the client's refund to be paid into. The payment reached the client on 28 December 2022.

2.6 Ms Mulrooney left the Firm in or around the first half of 2023.

2.7 On 22 August 2023, the client contacted the Firm to request an update as they had not received the refund.

2.8 The Firm undertook an investigation following the client contacting them and discovered that Ms Mulrooney had amended the client's name, email address and contact number on the Firm's case management system to that of someone connected to her. The bank details which she supplied to the Firm's finance team were for the same connected person.

2.9 The Firm replaced the client's refund and has improved its controls to prevent the situation occurring again.

2.10 The Firm reported Ms Mulrooney's conduct to the SRA on 11 September 2023.

2.11 On 18 September 2023, the Firm wrote to Ms Mulrooney informing her of their investigation and its findings. Ms Mulrooney responded to the Firm and admitted her conduct. She said she had told the third party that there had been an issue with her bank account so needed their bank



account details to have her wages paid into and that they were not aware of what she had done. She provided mitigation for her actions, apologised to the Firm and client, and made an offer to pay the money back.

3. Admissions

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

- a. that directing the payment of client money to a third party unconnected to the client, and without the client's instructions, involved conduct which means that it is undesirable for her to be involved in a legal practice
- 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-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 Ms Mulrooney and the following mitigation which she has put forward:

- a. it was a one-off incident (albeit a serious one)
- b. there were issues in her personal life at the time the misconduct occurred
- c. her offer to repay the money in instalments was accepted by the Firm.

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

- a. Ms Mulrooney is not a solicitor
- b. by undertaking work in the name of, or under the direction and supervision of a solicitor, she was involved in legal practice
- c. by directing the payment of client money to a third party unconnected to the client, and without the client's instructions, Ms Mulrooney has occasioned or been party to an act or default in relation to a legal practice. Ms Mulrooney's conduct in relation to that act or default makes it undesirable for her to be involved in a legal practice.

4.4 Ms Mulrooney's conduct makes it undesirable for her to be involved in a legal practice because:

- a. Ms Mulrooney's role as a case handler involved her in a client facing role, where she was in a position of trust within the Firm

- b. the conduct took place during her work at the Firm
- c. Ms Mulrooney knew the funds were due to a client and not to any unconnected third party. She knew that she did not have the client's instructions to transfer the funds to the third party. She did so in order to gain a financial advantage she was not entitled to. Ordinary and decent people would regard her conduct as dishonest
- d. there is a risk that Ms Mulrooney may act in a similar way in the future and there is a strong public interest in controlling Ms Mulrooney's employment at firms we regulate.

5. Publication

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

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

6.1 Ms Mulrooney 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 Mulrooney agrees to pay the costs of the SRA's investigation in the sum of £675. Such costs are due within 28 days of a statement of costs due being issued by the SRA.

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