

Michael Berry

Employee

7002717

Employee-related decision Date: 22 June 2022

Decision - Employee-related decision

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

Outcome date: 22 June 2022

Published date: 19 July 2022

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Slater and Gordon UK Limited

Address(es): 58 Mosley Street, Manchester M2 3HZ

Firm ID: 591058

Outcome details

This outcome was reached by SRA decision.

Decision details

In the matter of Mr Michael Berry, a person who is or was involved in a legal practice but is not a solicitor

Reasons/basis

Michael Berry who is not a solicitor, was employed by Slater and Gordon UK Limited (the firm) at 58 Mosley Street, Manchester M2 3HZ as a legal advisor in the personal injury practice group between 1 October 2019 - 22 October 2020, when he resigned with immediate effect.

It was found that:

1. On 6 July 2020 Mr Berry filed with the court and served on the defendant, an application for relief from sanctions and an extension of time to serve a claim form, particulars of claim, medical evidence and schedule of special damages which was supported by his witness statement of the same date that falsely and/or misleadingly purported to evidence that:
 - i. he was not aware that an order dated 20 June 2019 had been made on the matter because it had not been scanned



onto the case management system of his employer, Slater and Gordon UK Limited.

- ii. due to the Covid restrictions he was not able to review the paper file in the office and as such, the order dated 20 June 2019 was first discovered on 6 July 2020 during an audit, (i.e., after the extended date for service of 20 June 2020).
- iii. counsel had been instructed to settle the particulars of claim urgently.

In doing so, he breached Principles 1, 2, 4 and 5 of the SRA Principles 2019.

2. On 13 August 2020 Mr Berry filed with the court and served on the defendant, an application for an extension of time to serve a claim form, particulars of claim, medical evidence and schedule of special damages, which was supported by his witness statement of the same date which falsely and/or misleadingly purported to evidence that:

- i. the notice of issue of claim form had not been scanned onto the case management system of his employer, Slater and Gordon UK Limited.
- ii. he first became aware of the date of service when the file was audited on 13 August 2020, because of delays arising from the coronavirus restrictions and as such, he was not able to review the paper file in the office.

In doing so, he breached Principles 1, 2, 4 and 5 of the SRA Principles 2019. SRA Principle 1: You act in a way that upholds the constitutional principle of the rule of law, and the proper administration of justice.

SRA Principle 2: You act in a way that upholds public trust and confidence in the solicitors' profession and in legal services provided by authorised persons.

SRA Principle 4: You act with honesty.

SRA Principle 5: You act with integrity.

Mr Berry was made subject to a disqualification order under section 99 of the Legal Services Act 2007. This order prevents him from holding any of the following roles in a licensed body:

- Head of Legal Practice
- Head of Finance and Administration

- A manager
- An employee.

He was also directed to pay costs of £600.

Search again [<https://www.sra.org.uk/consumers/solicitor-check/>]