

Angela Craig
Employee
7053096

Agreement Date: 11 October 2023

Decision - Agreement

Outcome: Regulatory settlement agreement

Outcome date: 11 October 2023

Published date: 16 October 2023

Firm details

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

Name: Higgs LLP

Address(es): 3 Waterfront Business Park, Brierley Hill, DY5 1LX, England

Firm ID: 819589

Outcome details

This outcome was reached by agreement.

Decision details

1. Agreed outcome

1.1 Ms Angela Craig (Ms Craig), a former employee of Higgs LLP (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, Ms Craig 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 any licensed body, or
 - iv. Being employed by any licensed body
- b. To pay the investigation costs of £675

2. Summary of facts



2.1 Ms Craig was employed as a Legal Executive by Hison Services Limited ('Hison') incorporated from August 2021 to November 2022. As a Legal Executive, Ms Craig's role and responsibilities included: engaging with clients, maintenance and preparation of estate accounts, responsibility for estate administration files, interpreting wills, and working knowledge of Inland Revenue processes and procedures.

2.2 Her employment contract is between herself, Hison and the firm. Hison is a service company that provides certain services to Higgs and is an ultimate subsidiary of Higgs LLP. There is no definition of 'employee' in the Legal Services Act 2007. However, the SRA Glossary definition of 'employee' is as follows: 'means an individual who is engaged 2 Sensitivity: Confidential under a contract of service by a person, firm or organisation or its wholly owned service company'.

2.3 Ms Craig therefore meets the definition of 'employee' as she was engaged under a contract of service by Hison which is a wholly owned service company of Higgs LLP.

2.4 The firm's identification of the issue and its internal investigation 2.4 The firm identified that in two separate probate matters in June and July 2022, Ms Craig misled the clients of the firm. In both cases she informed the clients that applications for Grant of Probate had been submitted to the Probate Registry when they had not.

2.5 The firm investigated the matter and established that in neither case the Grant of Probate had been submitted. This was rectified by the firm submitting the relevant applications.

2.6 The breach was then reported to the SRA.

The SRA's investigation

2.7 The SRA reviewed the firm's internal investigation papers including emails sent by Ms Craig to both clients. The firm also provided evidence from the Probate Registry that the applications had not been completed.

Email correspondence and misleading statements

2.8 The emails were provided by the firm as Ms Craig had left the firm by the time the SRA investigation commenced. Both emails to the relevant clients stated that the submissions had been made to the Probate Registry.

2.9 In the first client matter, Ms Craig sent an email to the client on 4 July 2022 stating: 'I have now lodged the probate application with the probate registry so that we can obtain the Grant of Probate. The time estimate for the issue of grants remains at 8 weeks but I will check on progress online and let you know as soon as the grant has been issued.'



2.10 In the second client matter, Ms Craig sent an email to the client on 20 June 2022 stating: 'I am still waiting for the Grant of Probate and totally in the hands of the probate registry.'

3. Admissions

3.1 Ms Craig admits, and the SRA accepts, that by agreeing to the conduct summarised above she breached the following SRA principles:

- a. Principle 2 which states you act – in a way that upholds public trust and confident in the solicitors' profession and in legal services provided by the authorised persons;
- b. Principle 4 which states you act – with honesty, and;
- c. Principle 5 which states you act – with integrity.

3.2 Ms Craig agrees, and the SRA accepts, that her conduct means that it is undesirable for her to be engaged in the activities mentioned in section 1.1.

4. Why the agreed outcome is appropriate

Section 99 disqualification

4.1 Ms Craig and the SRA agree that a disqualification is appropriate because:

1. The firm is a licensed body
2. Ms Craig has breached rules as described in Paragraph 3 above which, by virtue of section 176 Legal Services Act 2007 (LSA), applied to her as she was an 'employee' of the firm
3. The conditions in rule 5 of the SRA's Regulatory and Disciplinary Procedure Rules (RDPRs) are met, in that:
 - i. It is undesirable for Ms Craig to engage in the activities listed in 1.1(a) of this agreement, and
 - ii. Disqualification is a proportionate outcome in the public interest because it will prevent Ms Craig from undertaking a similar role at another firm and helps maintain trust in the profession as a whole

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

- a. In the first client matter, she informed the client that the application for Grant of Probate had been submitted to the Probate Registry, when it had not. Ms Craig's conduct was dishonest and lacking integrity because at the time of drafting the email, Ms Craig was possessed of the knowledge that the application had not been submitted and that her email did not accurately reflect the position of her client's matter.



- b. In the second client matter, Ms Craig informed the client that the application for Grant of Probate had been submitted to the Probate Registry. Ms Craig further demonstrated conduct that was dishonest and lacking integrity because at the 4 Sensitivity: Confidential time she sent her email, Ms Craig was aware the application had not been submitted and her email did not accurately reflect the position of her client's matter.
- c. Despite being at the firm for a further 4 months, Ms Craig did not take any opportunity to inform anyone of what she had done.

4.3 In deciding that disqualification is proportionate, the SRA has taken into account of the disqualification criteria in rule 5 of the RDPRs and the following mitigation which Ms Craig has put forward:

- a. She has fully cooperated and engaged with the SRA;
- b. She has provided regret and remorse for what she has done and she apologises to the firm, her former colleagues and the clients involved

5. Publication

5.1 The SRA considers it is appropriate that this agreement is published both in the interests of transparency in the regulatory process and due to the regulatory legal guidance which demands publication when dealing with a licensed body, such as Higgs LLP.

5.2 The Legal Services Board rules (Registers of licensed bodies: section 87(4) rules (version 2)' dated April 2018) state that the SRA, as a licensing authority, must publish a register of licensed bodies. This register must include details of any enforcement action or sanction on the licensed body, its owner or any employee not including administrative fines

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

6.1 Ms Craig agrees that she will not deny the admitted acts and will not act in a way which is inconsistent with this agreement.

7. Costs

7.1 Ms Craig 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 being issued by the SRA.

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