

Margaret Compton

Solicitor

128517

[Sanction Date: 17 May 2024](#)

Decision - Sanction

Outcome: Rebuke

Outcome date: 17 May 2024

Published date: 20 June 2024

Firm details

No detail provided:

Outcome details

This outcome was reached by SRA decision.

Decision details

Who does this disciplinary decision relate to?

Margaret Compton was a consultant solicitor at Apex ABS Limited, a licensed body (the firm).

Short summary of decision

We have issued Mrs Compton with a rebuke for acting in three conveyancing transactions where there was a significant risk of a conflict of interest and/or breach of client confidentiality.

Facts of the misconduct

Between September 2020 and April 2021, Mrs Compton was acting through her limited company as a consultant solicitor at the firm.

It was found that on three occasions, she acted for one party in a conveyancing transaction where a colleague was acting for the other party.

It was found that:



1. Mrs Compton acted in a conflict of interests or where there was a significant risk of a conflict of interests in three conveyancing transactions. In doing so, she breached paragraph 6.2 of the SRA Code of Conduct for Solicitors, RELs and RFLs 2019 and
2. Mrs Compton acted where client confidentiality was breached or there was a significant risk client confidentiality would be breached in three conveyancing transactions. In doing so, she breached paragraphs 6.3 and 6.5 of the SRA Code of Conduct for Solicitors, RELs and RFLs and Principle 7 of the SRA Principles 2019.

Reasons/basis

Decision on sanction

It was decided that a rebuke was an appropriate and proportionate sanction.

Mrs Compton was issued with a written rebuke and ordered to pay costs of £1,350.

This was because Mrs Compton's conduct was serious by reference to the following factors in the SRA Enforcement Strategy:

- Her conduct was reckless as to the risk of a conflict
- She was a senior and experienced solicitor with direct responsibility for her own conduct
- The conduct was repeated on several occasions

A more serious sanction was not considered to be proportionate by reference to the following factors in the Enforcement Strategy:

- There were no allegations that she had been dishonest or acted with a lack of integrity
- It was not found that Mrs Compton had acted for personal gain or put her own interest above those of the clients
- Although acting in a conflict situation has an inherent risk of harm, no harm materialised in this case.
- There was a low risk of repetition

SRA Standards and Regulations breached

SRA Principles 2019

Principle 7: You must act in the best interests of each client.

SRA Code of Conduct for Solicitors, RELs and RFLs 2019

Paragraph 6.2 You do not act in relation to a matter or particular aspect of it if you have a conflict of interest or a significant risk of such a conflict



in relation to that matter or aspect of it, unless:

- a. the clients have a substantially common interest in relation to the matter or the aspect of it, as appropriate; or
- b. the clients are competing for the same objective, and the conditions below are met, namely that:
 - i. all the clients have given informed consent, given or evidenced in writing, to you acting;
 - ii. where appropriate, you put in place effective safeguards to protect your clients' confidential information; and
 - iii. you are satisfied it is reasonable for you to act for all the clients.

Paragraph 6.3 You keep the affairs of current and former clients confidential unless disclosure is required or permitted by law or the client consents.

Paragraph 6.5 You do not act for a client in a matter where that client has an interest adverse to the interest of another current or former client of you or your business or employer, for whom you or your business or employer holds confidential information which is material to that matter, unless:

- a. effective measures have been taken which result in there being no real risk of disclosure of the confidential information; or
- b. the current or former client whose information you or your business or employer holds has given informed consent, given or evidenced in writing, to you acting, including to any measures taken to protect their information.

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