



Janice Martin

Solicitor

154843

Fined Date: 12 June 2024

Decision - Fined

Outcome: Fine

Outcome date: 12 June 2024

Published date: 15 July 2024

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Armstrong Teasdale Limited (formally known as Kerman & Co LLP and Kerman Legal Services Limited)

Address(es): 38-43 Lincoln's Inn Fields, London WC2A 3pe

Firm ID: 657002

Firm or organisation at date of publication

Name: Hill Dickinson LLP

Address(es): The Broadgate Tower, 20 Primrose Street, London EC2A 2EW

Firm ID: 424853

Outcome details

This outcome was reached by SRA decision.

Decision details

Who does this disciplinary decision relate to?

Janice Barbara Martin was a solicitor at Armstrong Teasdale Limited (formally known as Kerman & Co LLP and Kerman Legal Services Limited), located at 38-43 Lincoln's Inn Fields, London, WC2A 3PE, England (the firm).

Between 26 June 2017 and 21 March 2020, the firm was a recognised body. Since 22 March 2020, the firm is a licenced body.



Short summary of decision

We have fined Ms Martin £19,644 and ordered her to pay £1,350 costs for failing to ensure that the firm had in place any or compliant documentation to prevent activities relating to money laundering and terrorist financing as required by the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (the MLRs 2017).

Reasons/basis

Facts of the misconduct

The SRA commissioned a forensic investigation into the firm. This identified various documented and compliant firm wide risk assessment (FWRA) and its policies, controls, and procedures (PCPs) dating back to 26 June 2017.

Ms Martin was the firms Compliance Officer for Legal Practice (COLP) / Head of Legal Practice (HOLP) and Money Laundering Compliance officer (MLCO) . She also was at times a manager, owner, and partner at the firm.

It was found that:

- i. Between 26 June 2017 and 14 July 2022, Ms Martin failed to ensure that the firm had in place any, or any compliant:
 - a. FWRA as required by Regulation 18 of the MLRs 2017,
 - b. PCPs as required by Regulation 19 of the MLRs 2017.

In doing so, to the extent that the conduct took place before 24 November 2019, she breached Principle 6 of the SRA Principles 2011 and failed to achieve outcome 7.5 of the SRA Code of Conduct 2011.

In so far as the conduct took place after 25 November 2019, she breached Principle 2 of the SRA Principles 2019, and Paragraph 7.4 of the SRA Code of Conduct for Solicitors, RELs and RFLs.

- ii. Ms Martin provided the SRA with inaccurate information, by making a declaration to the SRA on 5 November 2020 that the firm had a firm-wide risk assessment, which was compliant with the requirements of Regulation 18 of the MLRs 2017, when none was in place.

In doing so she breached Principle 2 SRA Principles (2019) and Rule 7.4 of the SRA Code of Conduct for Solicitors, RELs and RFLs.

Decision on sanction



Ms Martin was directed to pay a financial penalty of £19,644 and ordered to pay costs of £1350.

It was decided that a financial penalty was an appropriate and proportionate sanction.

This was because her conduct was serious by reference to the following factors in the SRA Enforcement Strategy:

1. Ms Martin is an experienced solicitor and had responsibility for her own conduct which was serious.
2. It was incumbent upon Ms Martin as COLP/ HOLP and MLCO and to ensure the firm had documented and compliant AML documentation in place to mitigate and manage the risks posed. For a significant period of time the firm failed to have proper regard to the SRA's guidance and warning notices which explained what was required, the risks that failure to comply with AML requirements posed, and the regulatory consequences of failing to comply.
3. It is in the public interest that firms ensure compliance with the MLRs 2017. A failure to do so has the potential to cause significant harm by exposing the firm to the risk that its services will be used to carry out money laundering or terrorist financing. Where properly compliant AML documentation and policies, controls and procedures are in place, this mitigates and manages the risk and ensures that the public can take comfort that firms are complying with their legal and regulatory obligations.
4. Ms Martin had a responsibility to ensure the firm complied with the MLRs 2017. She failed to do so for five years. Continual failure to comply erodes the SRA's effectiveness. Such failure undermines the ability for a supervisory authority to deal with compliance and diminishes public confidence in the legal profession.

In view of the above, Ms Martin's conduct was placed in conduct band C which has a financial penalty bracket of between 16%-49% of her gross annual income. Her conduct was placed in the bottom of this bracket given:

- a. Aggravating factors
 - i. Ms Martin is an experienced solicitor, and she was fully responsible for her conduct.
 - ii. The firm has a statutory obligation to have a FWRA and PCPs in place. Ms Martin as COLP/HOLP and MLCO was directly responsible for the breach of that obligation.
 - iii. The breaches persisted for longer than reasonable.
 - iv. Her conduct in relation to allegation two was reckless.

Ms Martin is currently employed by Hill Dickinson Solicitors.

- b. Mitigating/other factors
 - i. Ms Martin co-operated with the SRA.



- ii. Ms Martin made an early admission and showed frank insight into her misconduct.
- iii. There was no evidence that actual harm had materialised. The financial penalty was reduced by 30% in recognition of the fact that Ms Martin.
- iv. Ms Martin took some steps to try to bring the firm into compliance through commissioning independent audits of the PCPs.
- v. In the last two months of her employment Ms Martin was unable to fully discharge her compliance roles for health reasons.

The financial penalty was reduced by 30% in recognition of the fact that Ms Martin made an early admission and cooperated with the SRA's investigation.

Other information

SRA Principles 2011

Principle 6 You must behave in a way that maintains the trust the public places in you and in the provision of legal services.

SRA Code of Conduct 2011

Outcome 7.5 You comply with legislation applicable to your business, including anti-money laundering and data protection legislation.

SRA Principles 2019

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 Code of Conduct for Firms 2019

Paragraph 2.1(a) You have effective governance structures, arrangements, systems, and controls in place that ensure you comply with all the SRA's regulatory arrangements, as well as with other regulatory and legislative requirements, which apply to you.

[Control of practice Date: 13 April 2024](#)

Decision - Control of practice

Outcome: Condition

Outcome date: 13 April 2024

Published date: 3 May 2024

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Armstrong Teasdale Ltd

Address(es): 38-43 Lincoln's Inn Fields, London WC2A 3PE

Firm ID: 657002

Outcome details

This outcome was reached by SRA decision.

Decision details

Ms Janice Martin's practising certificate for 2023/2024 has been issued free from conditions.

Reasons/basis

The SRA is satisfied that none of the purposes set out in regulation 7 of the SRA Authorisation of Individuals Regulations, or the regulatory objectives contained in the Legal Services Act 2007 and the principles governing regulatory activities in section 28 of that Act, make it necessary in the interests of the public to impose any practising certificate conditions

[Control of practice Date: 16 October 2023](#)

Decision - Control of practice

Outcome: Condition

Outcome date: 16 October 2023

Published date: 19 December 2023

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Armstrong Teasdale Ltd

Address(es): 38-43 Lincoln's Inn Fields, London WC2A 3PE

Firm ID: 657002

Outcome details

This outcome was reached by SRA decision.

Decision details

Janice Martin's practising certificate for 2022/2023 is subject to the following conditions:

Ms Martin shall not hold or have responsibility for any client money and shall not authorise client or office account transfers, electronic or otherwise. In this condition the terms are as defined in the SRA Glossary.

Reasons/basis

The above condition is necessary in the public interest and reasonable and proportionate having regard to the purposes set out in Regulation 7 of the SRA Authorisation of Individuals Regulations and the regulatory objectives and principles governing regulatory activities as contained in section 28 of the Legal Services Act 2007.

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