

Daniel Hall

Employee

651323

[Agreement Date: 9 September 2021](#)

Decision - Agreement

Outcome: Regulatory settlement agreement

Outcome date: 9 September 2021

Published date: 14 September 2021

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: BERMANS (2012) LIMITED

Address(es): Exchange Station, Tithebarn Street, LIVERPOOL L2 2QP

Firm ID: 608077

Outcome details

This outcome was reached by agreement.

Decision details

1. Agreed outcome

1.1 Daniel Hall, a former employee of Bermans (the Firm), agrees to the following outcome to the investigation of his 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 Mr Hall that, from the date of this agreement:
 - i. no solicitor shall employ or remunerate him in connection with his practice as a solicitor
 - ii. no employee of a solicitor shall employ or remunerate him in connection with the solicitor's practice
 - iii. no recognised body shall employ or remunerate him
 - iv. no manager or employee of a recognised body shall employ or remunerate him in connection with the business of that body
 - v. no recognised body or manager or employee of such a body shall permit him to be a manager of the body



vi. no recognised body or manager or employee of such body shall permit him to have an interest in the body

except in accordance with the SRA's prior permission

b. to the publication of this agreement

c. he will pay the costs of the investigation of £300.

2. Summary of facts

2.1 Mr Hall was a trainee solicitor at the Firm between September 2018 and September 2020. In August 2019, he managed some conveyancing matters for a colleague while she was on annual leave, including six cases for the same client. Mr Hall:

- a. did not take all of the actions he was asked to
- b. misled his colleague, saying that he had taken the actions, and then produced two emails with the time and date removed to hide the time they were sent and;
- c. when his colleague queried the untimed/undated emails, produced the same two emails but altered the times and dates and maintained that the emails were sent as requested.

2.2 Mr Hall's colleague checked with the Firm's IT department who confirmed that the time and dates on the emails produced by Mr Hall were incorrect.

2.3 A meeting was called by the colleague to discuss the discrepancies with the emails. His colleague presented the information obtained from the IT department. At this stage Mr Hall admitted he had removed the dates and times from the first emails on file and then changed the date and times on the emails he forwarded to his colleague in response to her requests.

2.4 On the basis of the misleading information provided by Mr Hall, the colleague initially told the client that the cases had been progressed and later had to apologise for the incorrect information. The colleague then addressed the issue with the client.

2.5 The Firm investigated the matter and gave Mr Hall a warning. It reported Mr Hall's conduct to the SRA on 10 October 2019.

3. Admissions

3.1 Mr Hall makes the following admissions which the SRA accepts:

- a. He misled his colleague regarding the progression of six of her files. In doing so he put two emails on file with dates and times removed. He then forwarded the same two emails with altered dates and times.



- b. That his conduct in respect of misleading his colleague and removing, and then altering, the time and dates of emails was intentionally misleading and dishonest.
- c. That as a result of his actions he has been involved in conduct which means that it is undesirable for him to be involved in a legal practice.

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 Mr Hall and the following mitigation which he has put forward:

- a. Mr Hall had personal circumstances causing him a significant amount of worry and distraction at the time of the events.
- b. Mr Hall felt under pressure from his workload as a trainee solicitor and says his actions were a result of him trying to keep up with his work.
- c. The events took place in August 2019 and Mr Hall has moved on with his career, away from legal practice, since accepting the consequences of his actions.

4.3 The SRA and Mr Hall agree that a section 43 order is appropriate because:

- a. Mr Hall is not a solicitor.
- b. Mr Hall's employment or remuneration at the Firm means that he was involved in a legal practice.
- c. By misleading a colleague regarding the progression of her conveyancing files, including the alteration of emails, Mr Hall has occasioned or been party to an act or default in relation to a legal practice.

4.4 Mr Hall's conduct makes it undesirable for him to be involved in a legal practice because he has admitted he was dishonest. His dishonest behaviour caused the client to be misled on the progress of their instructions and undermines the public's trust in the provision of legal services and the solicitors' profession. If such conduct were to be repeated in future, it would pose a risk to clients and public trust.

5. Publication

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

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

6.1 Mr Hall agrees that he will not deny the admissions made in this agreement or act in any way which is inconsistent with it.

7. Costs

7.1 Mr Hall agrees to pay the costs of the SRA's investigation in the sum of £300. Such costs are due within 28 days of a statement of costs due being issued by the SRA.

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