![Solicitors Regulation Authority]

Matthew Price
Employee
671177

Agreement Date: 25 May 2021

Decision - Agreement

Outcome: Regulatory settlement agreement

Outcome date: 25 May 2021

Published date: 27 May 2021

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Ellisons

Address(es): Headgate Court, Head Street, Colchester, CO1 1NP

Firm ID: 49336

Outcome details

This outcome was reached by agreement.

Reasons/basis

1. Agreed outcome

1.1 Mr Matthew Price, a former employee of Ellisons (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 him 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 Between 19 May 2008 and 15 June 2020 Mr Price worked at the firm in its accounts department.

2.2 On 3 June 2020 the firm's bank returned a cheque dated 2 June 2020 which had been drawn from the office bank account. The cheque had been made payable to Mr Price in the sum of £550. The firm's bank was concerned about the validity of the signature on the cheque which was purportedly that of the firm's Compliance Officer for Finance and Administration.

2.3 Mr Price was suspended from his employment by the firm pending its further enquiries. He admitted to writing the cheque and copying the signature on to it.

2.4 By examining the firm's accounting records, it identified:

    a. That Mr Price made seven transfers totalling £12,790 from the firm's client account to his personal bank account as set out below:

Date of payment	Amount
10 January 2019	£3,170
15 April 2019	£2,800
10 June 2019	£300
22 July 2019	£2,400
16 August 2019	£2,290
14 October 2019	£830
11 December 2019	£1,000

    b. That Mr Price made seven transfers totalling £12,790 from the firm's client account to his personal bank account as set out below:
    c. That a further cheque dated 2 June 2020 (referred to in paragraph 2.2 above) made payable to Mr Price in the sum of £550, was drawn from the firm's office account.

2.5 Upon discovery, the firm replaced the monies that had been transferred from its client account and reported Mr Price's conduct to the SRA for investigation.

2.6 Mr Price admitted to making the client account transfers detailed above and also admitted that he had drawn a cheque to himself from the firm's office account in May 2020 and that he had attempted to do the same in June 2020.

2.7 On 15 June 2020 the firm dismissed Mr Price from his employment.

3. Admissions

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

   a. He made the transfers referred to in paragraph 2.4 (a) above, from the firm's client account to his personal bank account.
   b. He wrote out the cheques referred to in paragraphs 2.4 (b) and (c) above and copied the signatures on to them.
   c. That his conduct was dishonest.

Mitigation

4.1 Mr Price's explanation for his actions was that he got into personal debt. Mr Price has also advised that he was struggling with his mental health at the time the conduct took place and later had a breakdown. He has expressed remorse for his actions.

5. Why a section 43 order is appropriate

5.1 The SRA's Enforcement Strategy and its guidance on how it regulates non-authorised persons, sets out our approach to using section 43 orders to control where a non-authorised person can work.

5.2 When considering whether a section 43 order is appropriate in this matter, the SRA has taken into account the admissions made by Mr Price and the following mitigation which he has put forward:

   a. He is repaying the firm
   b. He has expressed remorse and insight for his actions
   c. He has co-operated with the SRA investigation

5.3 The SRA and Mr Price agree that a section 43 order is appropriate because:

   a. Mr Price is not a solicitor.
   b. His employment at the firm means that he was involved in a legal practice.
   c. By making the transfers from the firm's client account to his personal bank account and writing out the cheques from the firm's office account referred to above, he has occasioned or been party to an act or default in relation to a legal practice. His conduct in

relation to those acts or defaults makes it undesirable for him to be involved in a legal practice.

5.4 Mr Price's conduct makes it undesirable for him to be involved in a legal practice because it was dishonest. It also demonstrates that he poses a risk to client and office money. Should Mr Price be involved in legal practice again there is a risk that his conduct could be repeated.

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

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

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

8. Costs

8.1 Mr Price 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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