

Milo Molfa

Solicitor

449828

Agreement Date: 10 August 2021

Decision - Agreement

Outcome: Regulatory settlement agreement

Outcome date: 10 August 2021

Published date: 19 August 2021

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Curtis Mallet-Prevost Colt & Mosle LLP

Address(es): 99 Gresham Street, London, EC2V 7NG

Firm ID: 367685

Outcome details

This outcome was reached by agreement.

Decision details

1. Agreed outcome

1.1 Milo Molfa (Mr Molfa), a partner at Curtis Mallet-Prevost Colt & Mosle LLP, agrees to the following outcome to the investigation of his conduct by the Solicitors Regulation Authority (SRA):

- a. he is rebuked
- b. to the publication of this agreement
- c. he will pay the costs of the investigation of £300.

2. Summary of Facts

2.1 On 25 January 2021, Mr Molfa notified the SRA that he intended to plead guilty to driving a motor vehicle when the level of alcohol in his breath was over the prescribed limit.

2.2 On 28 January 2021 Mr Molfa pleaded guilty and was convicted of this offence. The sentence was:



- a. disqualified from holding or obtaining a driving licence for 12 months (reduced by 12 weeks if Mr Molfa completed a course approved by the Secretary of State), and
- b. a fine of £600.

2.3 Mr Molfa was also ordered to pay:

- c. costs of £400, and
- d. a victim surcharge in the sum of £60.

3. Admissions

3.1 Mr Molfa admits and the SRA accepts that by virtue of his conduct and conviction he failed to behave in a way that upholds public trust and confidence in the solicitors' profession and in legal services in breach of Principle 2 of the SRA Principles 2019.

4. *Why a written rebuke is an appropriate outcome*

4.1 The SRA's Enforcement Strategy and its topic guide on driving with excess alcohol convictions sets out its approach to the use of its enforcement powers where there has been a failure to meet its standards or requirements.

4.2 When considering the appropriate sanctions and controls in this matter, the SRA has taken into account the admissions made by Mr Molfa and the following mitigation which he has put forward:

- a. he has completed the course approved by Secretary of State
- b. he has shown insight into his conduct and expressed remorse for his actions
- c. no harm was caused to any persons or property as a result of his actions
- d. he promptly reported his intended guilty plea and subsequent conviction to the SRA and cooperated fully with its investigation.

4.3 The SRA considers that a written rebuke is the appropriate outcome because:

- a. the conduct was reckless as to the potential risk of harm to others
- b. a public sanction is required in order to uphold public confidence in the delivery of legal services

c. it creates a credible deterrent to Mr Molfa and others.

5. Publication

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

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

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

6.2 If Mr Molfa denies the admissions or acts in a way which is inconsistent with this agreement, the conduct which is subject to this agreement may be considered further by the SRA. That may result in a disciplinary outcome or a referral to the Solicitors Disciplinary Tribunal on the original facts and allegations.

6.3 Denying the admissions made or acting in a way which is inconsistent with this agreement may also constitute a separate breach of principles 2 and 5 of the Principles and paragraph 7.3 of the Code of Conduct for Solicitors, RELs and RFLs.

7. Costs

7.1 Mr Molfa 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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