

Victoria Kerr

Solicitor

602016

Agreement Date: 10 August 2022

Decision - Agreement

Outcome: Regulatory settlement agreement

Outcome date: 10 August 2022

Published date: 17 August 2022

Firm details

Firm or organisation at date of publication and at time of matters giving rise to outcome

Name: Law Room Solicitors Ltd

Address(es): 489-493 Bolton Road, Pendlebury, Manchester, N27 8QT

Firm ID: 644527

Outcome details

This outcome was reached by agreement.

Reasons/basis

1. Agreed outcome

1.1 Ms Kerr, a solicitor, agrees to the following outcome to the investigation of her conduct by the Solicitors Regulation Authority (SRA):

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

2. Summary of Facts

2.1 On 30 July 2021, Ms Kerr was stopped by Greater Manchester Police while driving on the motorway. She was breathalysed at the scene and taken to Bury Police Station after her alcohol level exceeded the prescribed limit.

2.2 On 25 August 2021, Ms Kerr pleaded guilty at Manchester Magistrates Court to driving while over the prescribed legal limit for alcohol.

2.3 The sentence was:

an 18-month driving ban reduced by 18 weeks on satisfactory completion of a drink drivers awareness course

- a. a fine of £450
- b. Ms Kerr was also ordered to pay costs of £85

2.4 Ms Kerr promptly notified the SRA that she had been charged and convicted.

3. Admissions

3.1 Ms Kerr makes the following admissions which the SRA accepts, that by virtue of her conduct and conviction, she failed to behave in a way which upholds public trust and confidence in the solicitors' profession and in legal services provided by authorised persons, in breach of Principle 2 of the SRA Principles.

4. *Why the agreed outcome is appropriate*

4.1 The SRA's Enforcement Strategy 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 Ms Kerr and the following mitigation which she has put forward:

- a. she promptly reported her conviction to the SRA and co-operated fully with its investigation
- b. she has shown insight and remorse for her actions and pleaded guilty at the first opportunity.
- c. no harm was caused to persons or property because of offence
- d. this is an isolated incident.

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

- a. there was a disregard by Ms Kerr to the potential risk of harm
- b. there was direct responsibility on the part of Ms Kerr for her conduct.

4.4 A Rebuke is appropriate to maintain professional standards and uphold public confidence in the solicitors profession and in legal services provided by authorised persons. Any lesser sanction would not provide a credible deterrent to Ms Kerr and others. A Rebuke therefore meets the

requirements of rule 3.1 of the Regulatory and Disciplinary Procedure Rules.

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. Ms Kerr agrees to the publication of this agreement.

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

6.1 Ms Kerr agrees that she will not deny the admissions made in this agreement or act in any way which is inconsistent with it.

6.2 If Ms Kerr 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 Ms Kerr 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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