



Blake Morgan

Solicitors Regulation Authority  
Interventions Guide

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## **Solicitors Regulation Authority Interventions**

The Solicitors Regulation Authority has the power, granted to it by Parliament, to close down firms of solicitors in certain circumstances. This process is called an intervention.

Following an intervention, the **Solicitors Regulation Authority** takes possession of all papers and money held by the intervened firm and appoints another firm of solicitors to act as its agent in order to do this. Blake Morgan is an appointed Solicitors Regulation Authority agent.

Throughout this guide we answer the questions you may have if you are a client of an intervened firm such as;

- Why haven't I heard about the intervention from Blake Morgan?
- Who is involved?
- What is involved?
- Where are my documents and money?
- When can I get my documents and money back?
- How do I instruct a new firm of solicitors?

### **SRA Interventions: Why haven't I heard about the intervention from Blake Morgan?**

If the intervention in question has occurred with the last few days or weeks and you have not heard anything, it maybe because the Solicitors Regulation Authority is in the process of drawing up a database of files and writing to you, to let you know that you should contact Blake Morgan.

If the intervention occurred some time ago and you have still not been contacted it may be that you have moved house and the intervened firm did not have your new address. If this is the case you should contact us by clicking **here** or call 023 8085 7270.

### **SRA Interventions: Who is involved?**

#### **Who is the Solicitors Regulation Authority?**

The **Solicitors Regulation Authority** is a public body that governs the standards of conduct and practice of all solicitors in England and Wales.

The Solicitors Regulation Authority achieves this aim in a wide variety of ways, from setting the standards which have to be met in order to qualify as a solicitor, to providing information to the public about different firms of solicitors. As part of their regulatory duties, the Solicitors Regulation Authority has the power to close down a solicitor's practice in certain circumstances. This is known as an 'intervention'.

## **Who is Blake Morgan?**

In order to carry out their intervention duties effectively the Solicitors Regulation Authority appoints intervention agents to assist in the execution and day-to-day administration of each intervention. Blake Morgan is an appointed intervention agent. We take possession of all papers and monies held by the solicitor's practice on behalf of the Solicitors Regulation Authority.

For further information please contact the Intervention team on 023 8085 7270 or email [interventions@blakemorgan.co.uk](mailto:interventions@blakemorgan.co.uk).

## **SRA Interventions: What is involved?**

The following outlines what is involved in an intervention.

- What is an intervention?
- What happens to my money?
- What happens to the money I owed the intervened solicitor?
- What happens to my documents?

## **What is an intervention?**

An intervention is where the Solicitors Regulation Authority resolves to close a solicitor's practice. This is a power given to the Solicitors Regulation Authority by Parliament.

An intervention has the effect that the intervened firm is completely closed down from the time of the intervention and is no longer able to act for its clients.

The Solicitors Regulation Authority takes possession of all papers and monies held by the intervened firm. To carry out the intervention effectively the Solicitors Regulation Authority appoints an intervention agent to carry out their duties; Blake Morgan is one such intervention agent. It is not our role to continue the practice of the intervened firm.

As the effect of an intervention is to close the practice, and therefore the intervened firm will no longer be able to act for you, accordingly you will need to instruct new solicitors to act for you. You are free to choose which solicitors you now wish to act for you. Blake Morgan may be able to act for you although you have no obligation to instruct Blake Morgan; nor does Blake Morgan have any obligation to accept your instructions.

If your file requires further or continued attention it is very important that you instruct a new firm of solicitors to act for you as quickly as possible. You should be aware that there may be important time limits; for example, in litigation there is a limited period of time in which an action can be brought. It is therefore important that you contact us as quickly as possible so that your position with regard to any ongoing matter is not prejudiced. See **page 5** to find out how to **instruct a new solicitor**.

## **What happens to my money?**

Once an intervention has taken place, the Solicitors Regulation Authority through its agent takes possession of all the monies held by that firm on behalf of their clients. Blake Morgan is responsible for examining the intervened firm's accounts in order to assess how much money is held on behalf of each client.

If it is possible to establish how much money is owed to each client, and once we have received the instructions of the Solicitors Regulation Authority, Blake Morgan will endeavour to distribute that money to the people entitled to it.

Unfortunately in some cases this is not possible, for example, if the firm's accounting records are inadequate. In these cases any money held by us is sent to the Solicitors Regulation Authority and clients will need to contact the Solicitors Regulation Authority Compensation Fund to claim any money due. The Compensation Fund details are:

Claims Management  
Solicitors Regulation Authority  
The Cube  
199 Wharfside Street  
Birmingham  
B1 1RN

Click on the following link to the **Solicitors Regulation Authority Compensation Fund** web pages for more information.

See **page 6** if you believe the intervened firm was holding **money** to which you are entitled.

### **What happens to the money I owed the intervened solicitor?**

You are still liable for any outstanding invoices, costs and disbursements which the intervened solicitor had incurred on your case up to and including the time of the intervention.

If you make a claim for any money that is owed to you by the intervened firm, this claim will be set off against any money you owed because of work already completed.

Any money that is due to the intervened solicitor should be sent to Blake Morgan as agent for the Solicitors Regulation Authority and should not be sent to the intervened solicitor.

### **What happens to my documents?**

As soon as an intervention has occurred, all client files and documents held by the intervened solicitor are removed from the intervened solicitor's premises.

If your papers were at the intervened firm's office, you will be asked for details of a new solicitor that you would like to instruct or where you would like your papers to be sent.

Papers that are unclaimed will be sent to intervention archives at the Solicitors Regulation Authority for storage.

See **page 5** to find out how to **claim your documents** back.

For further information please contact the Intervention team on 023 8085 7270 or email [interventions@blakemorgan.co.uk](mailto:interventions@blakemorgan.co.uk).

## **SRA Interventions: Where are my documents and money?**

### **Documents**

If Blake Morgan has participated in an intervention into a law firm holding your documents within the last few months, these documents are likely to be in our possession. The documents will be being held safely at one of our offices near **Southampton**, Hampshire. See **page 7** to **apply to have your documents released**.

If an intervention in which Blake Morgan participated occurred more than a few months ago or Blake Morgan did not participate in the intervention in question, then the Solicitors Regulatory Authority will know the location of your documents. In order to arrange their release you should contact the Solicitors Regulation Authority by writing to:

Interventions Archives  
Solicitors Regulation Authority  
Unit A  
Colonnade Point  
Pro Logis Park  
Coventry  
CV6 4BX.

### **Money**

If the intervention in question was conducted recently and Blake Morgan was the appointed agent for the Solicitors Regulation Authority, then Blake Morgan will be holding all client money in the possession of the intervened solicitor as at the date of the intervention. Blake Morgan is in charge of using the intervened firm's records to try to establish who is due what monies from the intervened firm. For more information see **page 6** to find out **what happens to monies previously held by the intervened firm**.

## **SRA Interventions: When can I get my documents and money back?**

### **Documents**

You can request the return of your documents, Wills, deeds or files in a number of different ways. The method you choose will affect the speed with which you receive your files.

1. The swiftest way to claim back your documents, Wills, deeds or files previously held by the intervened solicitor is to print out and complete an application form and email or fax it back to us along with your identification documents. **Download** the Authority to release form on the main webpage.
2. Alternatively, you can also print off and complete the application and send it to our office along with your proof of identification and proof of address. Once we have received your completed application and supporting documents we will send you your documents in the post. **Download** the Authority to release form on the main webpage.
3. Alternatively, you could come in person to our offices in **Southampton**, Hampshire during normal business hours to collect your documents. You should arrange an appointment time

with us a few days in advance so that we can ensure that your documents and files will be ready for you. See the contact details at the bottom of this guide.

4. If you have already found a new solicitor you can authorise us to release your documents directly to them. See **page 7 to apply to a release of documents.**

## **Money**

If we are able to establish which clients are owed what money we will, with the consent of the Solicitors Regulation Authority, release the money back to those clients. If you believe that the intervened firm held money on your behalf, please **download** the claim form on the main webpage, complete it and return it to us with any documentary evidence you have in support.

We take very seriously the need to protect client money and take all possible precautions to ensure that we are releasing the money to the correct person. The length of time this will take will depend on the condition of the intervened firm's accounting system.

Unfortunately in some cases it is not possible for us to release the money, for example if the firm's accounting records are inadequate. In these cases any money held by us is sent to the Solicitors Regulation Authority. To claim some of your entitlement you would need to contact the Solicitors Regulation Authority Compensation Fund on the following address:

Claims Management  
Solicitors Regulation Authority  
The Cube  
199 Wharfside Street  
Birmingham  
B1 1RN

Click on the link for information on **Solicitors Regulation Authority Compensation Fund.**

If you are unable to wait for us to complete the examination of the accounts then you may make an application to the Compensation Fund at the address set out above. Please note that applications to the Compensation Fund should be submitted within six months. Please also note that in order to make a claim on the Compensation Fund you will need to show that you have suffered actual financial loss. The loss must have arisen during a solicitor's normal work. It must have been caused by the dishonesty of the solicitor, or you must be suffering financial hardship as a result of the solicitor's failure to pay money he or she has received either to you or on your behalf.

**For further information please contact the Intervention team on 023 8085 7270 or email [interventions@blakemorgan.co.uk](mailto:interventions@blakemorgan.co.uk).**

## **SRA Interventions: How do I instruct a new firm of solicitors?**

This section includes the following information on instructing a new firm of solicitors and answering any questions you might have.

- How do I get my documents back?
- How do I get my files released directly to my new solicitor?
- How do I claim my documents back if my file is a conveyancing matter?
- How do I claim my documents back if they relate to a company?
- How do I claim documents back on behalf of someone else?
- How do I ask Blake Morgan to review and store my Will?

- How much will I have to pay to have my documents returned to me?
- How do I contact Blake Morgan?
- How do I get more information on interventions?

You are free to choose which solicitor you now wish to act for you. Blake Morgan may be able to act for you although you have no obligation to instruct Blake Morgan. Also Blake Morgan may not be able to act for you. For example, there are some cases which we unfortunately cannot accept because we do not possess special expertise in those areas, for example in immigration cases. Furthermore, we cannot accept legally aided cases because we do not possess a legal aid franchise. There may also be a conflict of interest which prevents us from accepting your instructions. If you are thinking of instructing Blake Morgan you should contact us.

## How do I get my documents back?

### The application

The normal application comprises three parts:

1. **The authority** - For the protection of the intervened firm's previous clients we require that all applications to release documents expressly state that we are authorised to release the files. You can download the form at the bottom of the page. This authorisation must be signed by the person to whom the file relates. If the intervened firm was instructed by more than one person then all of those people must sign an authority form. If you are claiming a file back on behalf of somebody else see further down this page for information.
2. **Photographic identification** - To make sure we are releasing the files to the correct person we require applications to include a copy of photographic identification (such as a drivers licence or passport). Please do not send to us original documentation. If the intervened firm was instructed by more than one person then all of these people must provide copy photographic identification.
3. **Proof of address** - To make sure we are releasing the file to the correct address we require applications to be supported by proof of address (such as a copy of a bank statement or recent utility bill). Please do not send to us original documentation. If the more than one person instructed the intervened firm, they must all provide proof of address.

### Ways of submitting your application

You can request the return of your documents, Wills, deeds or files in a number of different ways.

1. The quickest way to submit your application is to print off and complete the document release application and then send it back to us along with your identification documents. To download the form below. You can send it by email or fax to 023 8048 0581. Once we have received your completed application form and supporting documents we will send you your documents in the post.
2. Alternatively you can print off the application, complete it and send it to our office by post along with proof of identification and proof of address by post to: Intervention team, Blake Morgan, New Kings Court, Tollgate, Chandler's Ford, Eastleigh, SO53 3LG. Once we have

received your completed application form and supporting documents we will send you your documents in the post.

3. You could come in person to our offices in **Southampton**, Hampshire during normal business hours to collect your documents. You should arrange an appointment time with us a few days in advance so that we can ensure that your documents and files will be ready for you. Should you wish to do this, please telephone our intervention team on 023 8085 7270. You will still be required to produce photographic identification and proof of address.

### **How do I get my file released directly to my new solicitor?**

If you have already found a new solicitor you can authorise us to release your documents directly to them. In order for us to do this, you should fill in an application in the normal way and submit it to us either by email, fax, by post or in person. In your application you should make it clear that you are giving us authority to release the documents to your new solicitors and give us their name and address.

If you wish to have your documents released directly to a new solicitor we also require that the new solicitor gives us an undertaking on release of the files. This form, called Solicitors Undertaking on release of files can be downloaded below.

Please note that if your file is legally aided your new solicitor's firm must be in possession of a Legal Aid Franchise.

### **How do I claim my documents back if my file is a conveyancing matter?**

It is normally the case in conveyancing matters that your mortgage lender will have jointly instructed the intervened solicitor. We therefore require their authority before we are able to release the files. You should note that mortgage lenders will usually only give authority to release files to other solicitors rather than you personally.

It is your responsibility to contact your mortgage lender and have them provide the authority for us to release the files. If, as is usually the case, we are instructed to release the files to a new firm of solicitors we will also require the usual undertaking from these new solicitors.

### **How do I claim my documents back if they relate to a company?**

If the file relates to a company rather than a person we require that the authority form is signed by a company director and printed on company headed paper. The director must also supply his or her photographic identification and the proof of address must be addressed to the company in whose name the file was held by the intervened firm.

### **Minors**

If the person you are claiming for is a minor you must submit an additional form stating that the person on behalf of whom you are applying is a minor and that you are the legal guardian and are, therefore, authorised to fill in the authority form. A Guardian Authority form can be downloaded below.

If there is more than one legal guardian, they must each fill in a Guardian Authority form as well as following the normal application procedure.



### **Trustees, executors and administrators**

If you are a trustee, executor or administrator of a Will or statutory trust we require you to include proof of your position along with your application. This may comprise a copy of the trust deed, enduring power of attorney, Will or grant of probate.

If other people are named as a trustee, executor or administrator in addition to you we will require their authorisation to release the documents to you. This authority can be given by filling in the usual authorisation form.

### **How do I ask Blake Morgan to review and store my Will?**

If the intervened solicitor held your Wills then we are willing to store your Will for you. There is no charge for this service, but we will not review your Wills before storing them. To request that we continue holding your Wills download the form below.

### **How much will I have to pay to have my documents returned to me?**

There is no charge for having your documents returned to you by standard post.

If, however, you require that your documents to be sent to you by another method, there may be a charge for that service.

### **How do I contact Blake Morgan?**

By telephone on 023 8085 7270 or email on [interventions@blakemorgan.co.uk](mailto:interventions@blakemorgan.co.uk). Our fax number is 023 8048 0581.

Alternatively you can contact us by writing to:

Intervention team  
Blake Morgan  
New Kings Court  
Tollgate  
Chandler's Ford  
Eastleigh  
SO53 3LG

### **How do I get more information on interventions?**

Visit the **Solicitors Regulation Authority website** to find out more about interventions.