



## **Emma Allchurch**

### **Solicitor**

### **344442**

**Fined Date: 31 January 2025**

### **Decision - Fined**

Outcome: Fine

Outcome date: 31 January 2025

Published date: 12 March 2025

### **Firm details**

No detail provided:

### **Outcome details**

This outcome was reached by SRA decision.

### **Decision details**

#### **Who does this disciplinary decision relate to?**

Emma Allchurch is a solicitor, who at the time of the misconduct owned a firm called Allchurch Property Lawyers Ltd.

### **Short summary of decision**

We have fined Emma Allchurch for failing to disclose relevant information following a request for that information by the company providing her with professional indemnity insurance, her insurer.

### **Reasons/basis**

### **Facts of the misconduct**

It was found that:

Emma Allchurch did not provide her insurer with full details of work undertaken or advice given in relation to property developments and investments on which she was acting. Mrs Allchurch was aware that the insurer had concerns about this area of practice and as part of the insurance quote was asked to provide details of any work that fell into this category. Mrs Allchurch did not disclose all current work, rather she



provided an incomplete list of matters. She later explained that this was a list of matters on which she was due to exchange contracts.

This took place in July 2019.

In doing so she breached SRA Principles 2011 Principle 2. Emma Allchurch was not scrupulous about the accuracy of the information she sent to the insurer and so misled them as to the work she was undertaking.

### **Other information**

#### **Decision on sanction**

Emma Allchurch was directed to pay a financial penalty of £4229 and ordered to pay costs of £600.

It was decided that a financial penalty was an appropriate and proportionate sanction.

This was because her conduct was serious by reference to the following factors in the SRA Enforcement Strategy:

1.1.1 Mrs Allchurch was an experienced solicitor who was admitted to the Roll of Solicitors in May 2011 and had been running her own firm since 2015. She would have been aware of the obligations in relation to disclosure when seeking insurance.

1.1.2 As a solicitor she was required to act with integrity. Her conduct was not a single error of judgement. There were sufficient opportunities for Mrs Allchurch to provide the broker and insurer with a complete list of all relevant matters requested. The enforcement strategy provides that conduct or behaviour which demonstrates a lack of integrity are at the highest end of the spectrum, in a “profession whose reputation depends on trust”.

1.1.3 In this case, clients lost the protection provided by professional indemnity insurance.

1.1.4 There was a lack of insight into the underlying behaviour, but it was noted that she did show remorse for her former clients because of the impact that the denial of cover (by the insurer) would have on them.

1.1.5 There is no evidence of repetition or that this is a pattern of misconduct.

In view of the above, Emma Allchurch’s conduct was placed in conduct band C which has a financial penalty bracket of between 16% and 49%. Her conduct was placed in the top end of this bracket at C5 given:

- a. Aggravating factors
  - The conduct had potential to cause moderate harm because clients were at risk of losing, and likely did lose, protections afforded by way of Professional Indemnity Insurance
  - There was a reckless disregard for her legal and regulatory obligations.
- b. Mitigating/other factors
  - No relevant factors were identified.

### **SRA Principles breached**

#### **SRA Principles 2011**

Principle 2. You must act with integrity.

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