

Interventions – frequently asked questions



Why are you writing to me?

You will be contacted following an intervention by the Solicitors Regulation Authority (SRA) if a file uplifted from the offices of the intervened firm was located in your name and categorised as 'live'.

The power of intervention was granted to the SRA by Parliament, to close down firms of solicitors in certain circumstances. The SRA take possession of all papers and money from the intervened firm.

Lester Aldridge LLP of Russell House, Oxford Road, Bournemouth BH8 8EX is one of the SRA's Intervention Agents. The Intervention Agents are appointed to assist the SRA with the closure of an intervened firm.

What happens now?

Once an intervention occurs the intervened firm is closed and no longer able to act for you. You may receive more letters from the SRA detailing further files and papers belonging to you which have been found and asking you to provide instructions on where you now wish those files and papers to be sent.

If you receive a letter from the SRA informing you that a file is held for you, you should complete the File Request Form which is available on request or by downloading it from our website at:

www.lesteraldridge.com/individuals/sra-interventions/what-happens-to-my-papers/

The File Request Form should then be returned to the Intervention Agent as soon as possible.

How long to I have to reply?

If the Agent does not hear from you within 4 weeks of the initial letter from the SRA being sent to you, they will assume that you do not want your file and it will remain with the SRA. It is therefore important that you contact the Agent within the 4 weeks. If you do not request your file it may eventually be destroyed although that will not happen for some years.

Why do I need my file?

The Agent is not acting on your behalf and there may be outstanding work on the file even though you thought all the work had been completed.

If your file relates to a property matter it may be that post completion formalities are outstanding. For example, the registration of your property may not have been completed which would mean that the property would not yet be registered in your name.

There are various matters e.g. dispute or personal injury cases where your file may be subject to important time limits. By obtaining your file, your new solicitor can ensure that any applicable time limits are not missed as this may affect your claim or prevent you from pursuing it in the future.

If you are concerned that there may be any outstanding matters on your file or if you have any concerns with the way in which your matter was dealt with you may wish to have your file sent direct to a new solicitor so that this can be checked.

Do I need anyone else's consent before my papers can be released?

If you have a mortgage on your property then the Intervention Agent may also need consent from your lender before your file can be released.

If your documents are in someone else's name as well as your own then the Intervention Agent will need to have signed consent and copy identification from everyone the closed firm was acting for.

If you are requesting the release of a Will or other documents for someone who has died where you have been named as an Executor, then before these documents can be sent to you or your new solicitor, it will be necessary for all named Executors to provide signed authority and copy identification. In these circumstances a copy of the deceased's Death Certificate will also be needed.

Why do I need to send identification?

Copy identification is requested to ensure that documents are sent to the correct parties. For example, it may be that the closed firm had more than one client with the same name and by providing your copy identification the SRA and the Intervention Agent are able to ensure that the documents are being released correctly.

Will I have to pay for the file to be released?

You will not have to pay to have your files and documents to be sent either to you or to a new solicitor.

Files will be sent to you by First Class post.

Tel: 01202 786341 | Email: interventions@LA-law.com | www.lesteraldridge.com



All Wills and Deeds will be sent by Special Delivery.

All documents being sent direct to your new solicitor will, whenever possible, be sent by DX delivery. This is the delivery service between member firms and organisations. If your new solicitor is not a member of the DX then your documents will be sent out as shown above.

How do I find a new solicitor?

You have freedom of choice as to which solicitors you now wish to use. If you do not know another solicitor who can take over your file then your local Citizens Advice Bureau may be able to help you with this. If you have access to the internet you can also search for solicitors in your area by visiting The Law Society's website at www.lawsociety.org.uk/choosingandusing/findasolicitor.

If you have public funding to support your matter e.g. Legal Aid you will need to appoint a new solicitor who is authorised to carry out such work. Please ask your new solicitor to confirm that they are authorised to conduct such work when contacting the Agent to request your file.

What if I am owed money by the closed firm?

The SRA will take possession of all money held by the intervened firm. The SRA will appoint the Intervention Agent to examine the accounts records to try to establish how much money is held on behalf of each client. If you believe that you are owed money you will need to complete and return a Claim Form at www.sra.org.uk/consumers/problems/solicitor-owes-money.page to the Claims Management Department of the SRA, the address of which is on the front of the Claim Form.

If you submit a claim form, this does not mean you or your company are automatically entitled to a payment as this will depend on the evidence available in support of your claim. The time it takes to deal with

your claim will depend on the evidence available and the complexity of the claim. The Compensation Fund or the Intervention Agent may contact you during the process for further information and will provide you with guidance as to what they will need from you to prove your claim.

More information can be obtained at www.sra.org.uk/claim or by contacting the Claims Management Unit on 0121 329 6830 or at claims.management@sra.org.uk

What if I owe money to the closed firm?

If you owe money to the intervened firm, then this should be paid to the Intervention Agent and not to the intervened firm. You can contact the Intervention Agent direct to discuss this.

How do I make a complaint about the service provided by the closed firm?

If you want to make a complaint about the service you received from the closed firm you can contact the Legal Ombudsman on 0300 555 0333. There are time limits for making such complaints and further information is available at www.legalombudsman.org.uk.

Any other queries

There is more information regarding interventions on the SRA's website at: www.sra.org.uk/help

If you have any queries about anything that has not been covered in this information sheet please contact the Intervention Agent.

Identification required for file request forms and/or claim forms

In order for the SRA or the Intervention Agent to be able to release your document(s) or pay monies to you, you must provide a form of identification.

Acceptable proof of identity includes, but is not limited to, a photocopy of:

One of the following (List A):

- Current valid full passport
- Current United Kingdom, EU, Isle of Man, Channel Islands photo card driving licence (not a provisional licence)
- Current identity card issued by the UK Identity and Passport Service to a non-UK national resident in the UK

OR

Two of the following (List B) but no more than one of each type:

- Cheque guarantee card or credit card bearing the Mastercard or Visa logo, an American Express or Diners Club card, supported by an original account statement less than three months old*
- Utility bill less than three months old*
- Council tax bill for the current year
- Council rent book showing the rent paid for the last three months
- Mortgage statement for the mortgage accounting year just ended*

* **These must be postal statements bearing your name and full address; they must not be statements sent electronically.**

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