

JERSEY / JUDGMENT

AG v Harrigan [2022]

JRC 064 (10 March 2022)

[2022] JRC 064

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[2022] JRC 64 [New search] [Help] Fraudulent conversion - application by the Attorney General for an order that the Respondent is struck from the roll of solicitors of this Court.

[2022]JRC064 Royal Court (Samedi) 10 March 2022 Before : T. J. Le Cocq , Esq. , Bailiff, and Jurats Ronge, Averty and Hughes. Between Her Majesty's Attorney General Representor And Julie Ann Harrigan Respondent REPRESENTATION OF HER MAJESTY'S ATTORNEY GENERAL IN THE MATTER OF JULIE ANN HARRIGAN Her Majesty's Attorney General - Representor Advocate R. C. L. Morley-Kirk for the Respondent. ex tempore judgment the bailiff: 1. This is an application by the Attorney General for an order that Julie Ann Harrigan is struck from the roll of solicitors of this Court. Miss Harrigan is serving a sentence of imprisonment having pleaded guilty on 15 th November 2021, to one count of fraudulent conversion. She appropriated the sum £28,250 for her own purposes from the account of a vulnerable lady who she was looking after as a client of the firm and in respect of whom she was curator. She tried to cover her action up, in part by transferring money from the account of a deceased client into the interdict's account, but that did not stop this matter coming to light. 2. It is difficult for the Court to identify a more egregious breach of fiduciary duty and trust than a breach not only of the oath of office of solicitor of this Court but of the oath of curator. Members of the public must be able to trust members of the legal profession totally to act with honesty and probity. 3. The Attorney General has drawn to our attention the case of AG v Michel

[2012] (1) JLR 415 which adopts, in explaining its approach to striking off, the decision in the case of Bolton v The Law Society

[1994] 1WLR at 518 in which Master of the Rolls, Lord Bingham, gave a full explanation as to the importance of trust in the legal profession. Amongst the section quoted he says this:- "The second purpose is the most fundamental of all: to maintain the reputation of the solicitors'

profession as one in which every member, of whatever standing, may be trusted to the ends of the earth. To maintain this reputation and sustain public confidence in the integrity of the profession it is often necessary that those guilty of serious lapses are not only expelled but denied re-admission. If a member of the public sells his house, very often his largest asset, and entrusts the proceeds to his solicitor, pending reinvestment in another house, he is ordinarily entitled to expect that the solicitor will be a person whose trustworthiness is not, and never has been, seriously in question. Otherwise, the whole profession, and the public as a whole, is injured. A profession's most valuable asset is its collective reputation and the confidence which that inspires." 4. That quote and other parts of the Bolton judgment were approved expressly in the case of Michel and were echoed in the case of the AG v Manning

[2019] JRC171 and we, in this judgment, echo them as well. We are not deaf to the explanation and mitigation that was advanced before the Royal Court at sentencing and we know that Miss Harrigan was undergoing very difficult personal circumstances. It is accepted by her, as indeed as it must be accepted, that those circumstances cumulatively could provide no excuse either to the criminal offence or to the application made by the Attorney General today. 5. Accordingly, this Court accedes to the request of the Attorney General and strikes Julie Ann Harrigan from the roll of the solicitors of this Court. Authorities AG v Michel

[2012] (1) JLR 415. Bolton v The Law Society [1994] 1WLR at 518. AG -v- Manning

[2019] JRC 171 . Page Last Updated: 13 Apr 2022 BAILII: Copyright Policy | Disclaimers | Privacy Policy | Feedback | Donate to BAILII URL: https://www.bailii.org/je/cases/UR/2022/2022_064.html

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