

Sensitivity: General

Case No: [            ]

**BEFORE THE SOLICITORS DISCIPLINARY TRIBUNAL**

**IN THE MATTER OF THE SOLICITORS ACT 1974 (as amended)**

**AND IN THE MATTER OF:**

**SOLICITORS REGULATION AUTHORITY LIMITED**

Applicant

and

**MR JOE MORGAN**

Respondent

---

---

**STATEMENT PURSUANT TO RULE 12 (2) OF THE SOLICITORS (DISCIPLINARY  
PROCEEDINGS RULES) 2019**

---

---

I, Michael James Colledge am a Solicitor employed by Blake Morgan LLP, New King's Court, Tollgate, Chandler's Ford, Eastleigh SO53 3LG and instructed by the Solicitors Regulation Authority Limited of The Cube, 199 Wharfside Street, Birmingham, B1 1RN. I make this Statement on behalf of the Applicant, the Solicitors Regulation Authority Limited ("SRA").

**The allegations**

1. The allegations against the Respondent, made by the SRA are that, while in practice as a Solicitor at DocumentCertifier Ltd, a non-SRA Regulated Firm (the Company<sup>1</sup>) at Office One, 1 Coldbath Square, London, EC1R 5HL:

- 1.1 From at least 25 June 2021 to 18 August 2022 the Respondent certified documents as being true copy of originals seen by him. By certifying copies of uploaded and/or scanned documents provided to him through the website, documentcertifier.com (the Website), when he had not seen the original documents. In doing he breached Principle 2 of the SRA Principles ("the Principles").

---

<sup>1</sup> Company registration number 13922189

## Sensitivity: General

The facts and matters relied upon in support of this allegation are set out in paragraphs 26 to 30 below.

- 1.2 From 18 August 2022 to the present day the Respondent has breached the terms of a Regulatory Settlement Agreement he entered into with the SRA on 18 August 2022 ("the RSA") and by doing so the Respondent breached any or all of:

- 1.2.1 Principle 2 of the SRA Principles
- 1.2.2 Principle 5 of the SRA Principles
- 1.1.1 breached Paragraphs 1.4, 7.2 and 7.3 of the SRA Code of Conduct for Solicitors, RELs and RFLs ("the Code for Solicitors")

The facts and matters relied upon in support of this allegation are set out in paragraphs 31 to 43 below.

- 1.3 After 18 August 2022 the Respondent continued to advertise a certification service on the Website in that he continued to certify documents as being a true copy of originals seen by him. By certifying copies of uploaded and/or scanned documents provided to him through the website, documentcertifier.com (the Website), when he had not seen the original documents and by doing so the Respondent breached any or all of:

- 1.3.1 Principle 2 of the SRA Principles; and
- 1.3.2 Principle 5 of the SRA Principles.

The facts and matters relied upon in support of this allegation are set out in paragraphs 44 to 47 below.

### **Appendices and Documents**

2. I attach to this Statement the following appendices:

Appendix 1: Relevant Rules and Regulations

3. Also, I attach to this statement two bundles of documents, marked **MJC1** and **MJC2** to which I refer in this statement. Unless otherwise stated, the page references ("**MJC# p#**") in this statement relate to documents contained in those bundles.

4. The bundle **MJC1** is divided into the following sections:

## Sensitivity: General

Section A: Correspondence between the SRA and its representatives and the Respondent.

Section B: Documents and other correspondence.

Section C: Extracts of the Website.

5. The Bundle **MJC2** comprises a further Confidential Bundle containing copies of the Certifications.

**Professional Details****The Respondent**

6. The Respondent, who was born on 12 June 1989, is a solicitor having been admitted to the Roll on 16 September 2019. He is the sole director of the Company, which trades through the Website with a trading name "DocumentCertifier".
7. The Company is a non-SRA regulated entity.
8. The Respondent has a current Practising Certificate with no conditions (as to the Respondent's regulatory history, see paragraphs 15 to 17 below).

**The facts and matters relied upon in support of the allegations****Background**

9. The conduct in this matter came to the attention of the SRA on 25 June 2021 when a member of the public reported that she had used the Website to obtain a certified copy of a document and an apostille and later discovered that the documents which had been issued were invalid [**MJC1 p374**].
10. On 15 July 2021 the Foreign and Commonwealth and Development Office ("the FCDO") informed the SRA of their concerns that the Respondent was offering apostille services.
11. The FCDO explained that apostilles are issued under the Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents (HCCH 1961 Apostille Convention). They confirm the signature and/or seal on a

## Sensitivity: General

document as authentic, and allow the document to be presented for use overseas. Only Competent Authorities are able to issue apostilles, and in the UK that Competent Authority is the Foreign, Commonwealth and Development Office. Apostilles are required for a variety of uses – to repatriate deceased bodies, to register births in the UK overseas, to apply for visas, to obtain citizenship, to complete a variety of business transactions, and for medical certificates. Any issues or errors with an apostille can have severe implications. The FCDO also reported that the Respondent described himself as a Notary despite not being qualified as a notary public and is not approved by the Master of the Faculties to provide notarial services.

12. The Respondent was not listed as a Notary Public on the Faculty Office register at <https://www.facultyoffice.org.uk/notaries/find-a-notary/>.
13. The SRA commenced an investigation in 2021 and on 21 January 2022 the Respondent attended a regulatory interview with an Investigation Officer and Intelligence Officer at the SRA [MJC1 p53]. Within that interview he explained that he had ceased providing Notarial and Apostille services once he had been made aware that he was not allowed to do so [MJC1 p57-58].
14. The FCDO however identified 25 occasions in which the Respondent offered Apostille services following their notification to him that he was not permitted to do so [MJC1 p81/383].
15. On 18 August 2022, the Respondent entered the RSA with the SRA in which he agreed to a published rebuke [MJC1 p80]. Within the RSA the Respondent admitted that he:
  - 15.1. provided notarial services to members of the public when he was not authorised by the Faculty Office to practise as a Notary.
  - 15.2. issued Apostille certificates to members of the public when he had no authority to do so.
  - 15.3. certified documents as being a true copy of the originals as seen by him, by placing reliance on having seen the uploaded documents through The Website, when he had not seen the original documents.

16. The Respondent agreed in the RSA that he would not deny the admissions made or act in any way which was inconsistent with the RSA. The RSA stated that:

*“If [the Respondent] 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.”*

17. The RSA also stated that:

*“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.”*

18. Following the RSA, the SRA identified evidence on-line that the Respondent was continuing to operate the Website to provide document certification services [**MJC1 p84**]. The Respondent is no longer providing Apostille or Notarial services.

19. The certification service involved him certifying documents as being a true copy of the originals as seen by him, by placing reliance on having seen scans of the documents submitted through this Website. By letter of 14 October 2022 the SRA informed the Respondent that they were investigating concerns that he was acting in breach of the RSA [**MJC1 p85**].

20. The Respondent has provided certifications from which the only reasonable inference drawn by others in the circumstances would be that he had seen the original document in its physical paper form and that the copy was an accurate representation of the original physical paper document.

21. Copies of certifications produced by the Respondent are found at [**MJC2** (although numbered the entirety of MJC2 comprises copy certifications)].

## Sensitivity: General

22. The Witness Statement of a desk-based investigator employed by the SRA and dated 31 September 2022 [MJC1 p384-385] exhibits the following:
- 22.1. Copy of the website [www.documentcertifier.com](http://www.documentcertifier.com), copied on 12 September 2022, with copies of the statistics showing how many documents have been certified [MJC1 p386-417].
  - 22.2. Copy of Document Certifier social media pages, Facebook, Instagram, LinkedIn and Twitter, copied on 12 September 2022 [MJC1 p418-425].
  - 22.3. Copy of review pages, Trustpilot and Google reviews, showing reviews from customers who have used Document Certifier, copied on 12 September 2022 [MJC1 p426-438].
23. An updated copy of the Website is found at [MJC1 p481 to p582] including examples of Certifications provided by the Respondent.
24. The alleged conduct commenced from at least 25 June 2021 and continues to date.

**Allegation 1.1 – failing to act in a way that upholds public trust and confidence**

25. The SRA relies upon paragraphs 9 to 24 above. Additionally, the SRA relies upon the following facts and matters.
26. The Respondent adopts a process of certification which is entirely online (the Respondent's explanation is at [MJC1 p89 and p329]). The original document is in the possession of the document holder who creates a scan which is provided electronically provided to the Respondent. The Respondent then certifies the electronic copy. The Respondent, on his own explanation, has no previous dealings with the original document nor has he had possession or sight of the original document.
27. Accordingly, the certified documents produced by the Respondent are certified copies of an electronic scan. The usual process of certification is to compare a copy (the scan) against the original document to ensure it is a 'true' copy. The Respondent asserts that he verifies the contents of the document by other means. However, the certification on the copy is clearly worded that it "*is a true copy of..., as seen by me*", not that the details have been verified by the solicitor by some other means. Both customers of the Respondent and recipients relying on the certified copy would place reliance on the solicitor's certification that it is a true copy of the original physical document which the solicitor had seen.

28. The certifications provided by the Respondent are such that they assert that the copy documents are a 'true' copy of the original.
29. The Respondent relies on a The Law Society Q&A [**MJC1 p101 to 106 and the guidance at 458 to 463**] and asserts that this supports his process. However, the Law Society Q&A (and the Government Guidance referred to in that Q&A), is clear that the certification that it is a true copy requires the certifier to check that the copy is "*an exact reproduction of the original*". Anyone receiving a copy document certified by the Respondent, would infer from the words "*as seen by me*" that he had seen a physical hard copy of the original document. The certification as produced by the Respondent does not comply with the Law Society Q&A and is untrue on the proper interpretation of the words of the certification irrespective of any guidance.

Principle 2 (maintaining public trust)

30. The conduct alleged amounted to a breach by the Respondent of the requirement to behave in a way which upholds the public trust and confidence in the solicitors' profession and in legal services provided by authorised persons. The public confidence in the Respondent, in solicitors and in the provision of legal services is likely to be undermined by an untrue or even incorrect certification. The public rely on solicitors (and a limited number of other professionals) to provide certification services which produce certified documents which can be relied upon. The Respondent therefore breached Principle 2 of the SRA Principles.

**Allegation 1.2 – Breach of the RSA**

31. The SRA relies upon paragraphs 9 to 24 and 26 to 29 (allegation 1.1) above. Additionally, the SRA relies upon the following facts and matters.
32. As set out in paragraph 15 above, on 18 August 2022, the Respondent entered the RSA in which the Respondent admitted, *inter alia*, that he certified documents as being a true copy of the originals as seen by him, by placing reliance on having seen the uploaded documents through The Website, when he had not seen the original documents.
33. However, the Respondent continues to offer that certification service.
34. The Respondent suggests that the certification services subject to the RSA are interconnected with the Notarial and Apostille services he was providing prior to the RSA [**MJC1 p315 para 13**] and that the RSA does not apply to certification services which standalone from or are independent of Notarial or Apostille services.

35. The RSA is a public document at <https://www.sra.org.uk/consumers/solicitor-check/642677/> reproduced at [MJC1 p80]. Each admission within the RSA stands alone and the public and customers of the Respondent would interpret the continued provision of certification services as confirmation that the Respondent now provides compliant certifications.
36. On the Respondent's own explanation [MJC1 p313] he does not provide certification services compliant with the terms of the RSA.

Principle 5 (Integrity)

37. The Respondent's actions amount to a failure to act with integrity (i.e. with moral soundness, rectitude and steady adherence to an ethical code) in breach of Principle 5 of the SRA Principles.
38. In *Wingate v Solicitors Regulation Authority v Malins* [2018] EWCA Civ 366, it was said that integrity connotes adherence to the ethical standards of one's own profession. The Respondent failed to act with integrity in that:
- 38.1. He is aware of the terms of the RSA
  - 38.2. He has not changed the method of certification or the wording of the certificates provided following the RSA
  - 38.3. He has drawn an improper distinction between the terms of the RSA and the certification process he has adopted.
  - 38.4. He has relied upon a Law Society Q&A drawing an improper interpretation as to the meaning of the Q&A, such that the Respondent's interpretation suits his method of certification.
  - 38.5. He failed to confirm with the SRA that his continued certification services were in compliance with the RSA.

Principle 2 (maintaining public trust)

39. The conduct alleged also amounted to a breach by the Respondent of the requirement to behave in a way which upholds the public trust and confidence in the solicitors' profession and in legal services provided by authorised persons
40. Paragraph 30 is repeated. Moreover, a member of the public would expect a solicitor to ensure that he acted in accordance with a formal regulatory agreement that he had entered into with his regulator. The Respondent therefore breached Principle 2 of the SRA Principles.



Paragraph 1.4 of the Code for Solicitors

41. In breaching the RSA and continuing to offer certification services in the way set out in paragraph 26, and in adopting certification wording which refers to the original document (and omits reference to having seen only a scan/uploaded copy of the original) the respondent is in breach of Paragraph 1.4 of the Code for Solicitors.

Paragraph 7.2 of the Code for Solicitors

42. In breaching the RSA and continuing to offer certification services in the way set out in paragraph 26, and in failing to adequately explain the breach of the RSA the Respondent has failed to justify his decisions and actions in order to demonstrate compliance with his obligations under the SRA's regulatory arrangements and in breach of Paragraph 7.2 of the Code for Solicitors.

Paragraph 7.3 of the Code for Solicitors

43. In addition, in breaching the RSA and continuing to offer certification services in the way set out in paragraph 26, the Respondent has failed to cooperate with the SRA in relation to their concerns regarding the delivery of legal services as to the provision of document certifications.

**Allegation 1.3 – Continued provision of certification services**

44. The SRA relies upon paragraphs 9 to 24, 26 to 29 (allegation 1.1), and 32 to 43 (allegation 1.2) above. Additionally, the SRA relies upon the following facts and matters.
45. Since the date of the initial investigation and the Witness Statement referred to in paragraph 22 above, the Respondent has certified approximately 6000 additional pages of documents under the same process as set out in paragraph 26 above [MJC1 p464 to p465].

Principle 5 (Integrity)

46. The Respondent's actions amount to a failure to act with integrity (i.e. with moral soundness, rectitude and steady adherence to an ethical code) in breach of Principle 5 of the SRA Principles. In *Wingate v Solicitors Regulation Authority v Malins* [2018] EWCA Civ 366, it was said that integrity connotes adherence to the ethical standards of one's own profession. The Respondent failed to act with integrity in that he has certified approximately 14834 pages of documents in circumstances where he has not required sight of the original document from the document holders. The certification of those documents is worded such that the Respondent is representing that he has seen the original document when he knew

that he had not done so. This has the potential to mislead the recipient of a document certified in that manner.

Principle 2 (maintaining public trust)

47. The conduct alleged also amounted to a breach by the Respondent of the requirement to behave in a way which upholds the public trust and confidence in the solicitors' profession and in legal services provided by authorised persons. Paragraph 30 is repeated. The Respondent therefore breached Principle 2 of the SRA Principles.

**The SRA's investigation**

48. The SRA has taken the following steps to investigate the allegations which it makes against the Respondent:

- 48.1. The SRA has written to the Respondent on 14 October 2022 [MJC1 p85] raising its concerns.
- 48.2. Subsequently, the SRA has considered the Respondent's representations [MJC1 p89] and the SRA has engaged in further correspondence with the Respondent [MJC1 p96 to p369].
- 48.3. On 4 September 2023 an Investigation Officer employed by the SRA sent a Notice to the Respondent [MJC1 p96]
- 48.4. On 25 September 2023 a response was received [MJC1 p98].
- 48.5. On 4 December 2023 the SRA wrote to the Respondent stating that it had considered his representations [MJC1 p311].
- 48.6. On 10 January 2024, the Respondent provided further representations considered below [MJC1 p313].
- 48.7. A copy of the Website as at 5 April 2025 is exhibited at [MJC1 p481 to p582] which confirms that the Respondent continues to offer certification services.

49. The Respondent's position is set out in detail in his email to the SRA dated 10 January 2024 [MJC1 p313], in which the Respondent raises two main defences:

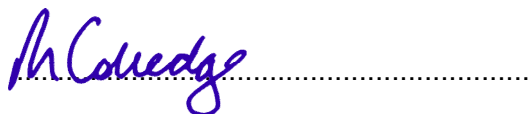
- 49.1. Reliance on a briefing note by the Law Society and subsequent correspondence with the representational body; and
- 49.2. A distinction between his previous RSA and the current circumstances in which he is not providing Notarial and Apostille services.

Sensitivity: General

50. The Respondent has not addressed the nuances in the language of the response from the Law Society [MJC1 p458]. Whilst there are no prescriptive rules on the certification of the documents, a certification is a statement of fact used to provide comfort to the recipient that a document is genuine. The precise words of a certification are clear and no guidance is necessary; whilst there can be no guarantee that the original document is genuine a certification records that it is a true copy of the original. The most only interpretation of the words used by the Respondent is that the original has been seen by the person certifying the document.

51. On 13 December 2023 an Authorised Officer of the SRA decided to refer the conduct of the Respondent to the Tribunal

I believe the contents of this statement are true.



Michael James Colledge

Dated this 5<sup>th</sup> day of April 2024