

Gems Legal Services Limited

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Recognised body
642321

Sanction Date: 20 May 2026

Decision - Sanction

Outcome: Rebuke

Outcome date: 20 May 2026

Published date: 23 June 2026

Firm details

No detail provided:

Outcome details

This outcome was reached by SRA decision.

Decision details

We have issued the firm with a rebuke for failing to perform an undertaking.

Facts of the misconduct

On 21 September 2021, the firm was instructed to act in the sale of a property. On 11 August 2022, the firm contacted the purchaser's solicitors with official copies of the register of title which showed an interim charging order was registered against the firm's client's property. The firm contacted the creditor who bought the debt the subject of the interim charging order. However, it said it was unable to remove the interim charging order because it was imposed by the original creditor. The firm was unable to contact the original creditor to obtain the discharge of the interim charging order.

Despite not being able to contact the original creditor, on 20 December 2022, the firm gave the purchaser's solicitors an undertaking to discharge the interim charging order on completion. It also provided an undertaking that, upon receipt, it would send the purchaser's solicitors a copy of the form

confirming that notice of discharge of the interim charging order had been given to His Majesty's Land Registry (HMLR).

On 20 January 2023, the firm exchanged contracts with the purchaser's solicitors.

Completion took place on 24 January 2023. The firm failed to discharge the interim charging order on completion.

Thereafter, the purchaser's solicitors repeatedly contacted the firm to obtain confirmation that the interim charging order had been discharged from the property's title and for an explanation for the firm's failure to comply with the undertaking.

On 10 September 2024, in the absence of the requested confirmation or any satisfactory response, the purchaser's solicitors reported the firm's failure to perform the undertaking to the SRA.

On 12 November 2024, the firm told the SRA it had not failed to perform the undertaking. It said there had been an unforeseen delay which was due to the unusual circumstances of the matter.

The firm subsequently commenced court proceedings for an order to discharge the interim charging order having paid the amount necessary to settle the outstanding debt secured by the interim charging order. On 6 January 2025, the court discharged the interim charging order with immediate effect.

On 20 January 2025, the firm provided the purchaser's solicitors with a copy of the court order and evidence of its application to HMLR made on 17 January 2025 to discharge the interim charging order. On 29 January 2025, the interim charging order was discharged from the property's title.

It was found that:

The firm:

1. failed to perform an undertaking given to the purchaser's solicitors to discharge an interim charging order registered against its client's property, within the agreed timescale or within a reasonable amount of time.

In doing so the firm breached Paragraph 1.3 of the SRA Code of Conduct for Firms and Principle 2 of the SRA Principles.

Reasons/basis

It was decided that a rebuke was an appropriate and proportionate sanction.

The firm was issued with a written rebuke and ordered to pay costs of £1,350.

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

- The firm remedied its breach and performed the undertaking.

However, its delay in doing so was substantial, lasting significantly longer than it should have. It had a serious, detrimental impact on the purchasers of the property.

- The firm's conduct diminished public trust and confidence in the provision of legal services.
- Some level of public sanction was required to uphold public confidence in the delivery of legal services and to uphold professional standards.

A more serious sanction was not considered to be proportionate by reference to the following factors in the Enforcement Strategy:

- The firm's breach was an isolated incident; there is no evidence of a pattern of misconduct or any prior regulatory history.
- The firm co-operated with the SRA's investigation.

Other information

SRA Principles and Code of Conduct breached

SRA Principles 2019

Principle 2: You act in a way that upholds public trust and confidence in the solicitors' profession and in legal services provided by authorised persons.

SRA Code of Conduct for Firms.

Paragraph 1.3: You perform all undertakings given by you and do so within an agreed timescale or if no timescale has been agreed then within a reasonable amount of time.

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