

## **Conflict of Interest Record**

### **Matter Details**

Matter Number:	JAE0001\2
Fee Earner:	Alex Hiscutt
Supervising Fee Earner:	
Client Name(s):	Ms J Test
Matter Description:	conflict of interest
Matter Type:	CNFLCT

### **Conflict of Interest Checks**

Was the System Conflict Check Complete? <i>Please ensure a copy of the system check is saved to the matter.</i>	Yes
Own Interest Conflict Check Complete	Yes
Do we have instructions which affect two or more current clients?	Yes
Does the matter relate to the grant of a mortgage of land?	Yes
Conflict Exists	Yes
Able to Act	No
Reason for Decision to act	abcde

### **Conflict of Interest – 2 or More Clients**

Do Exceptions Apply	Yes
Is there a substantial common interest?	Yes
Are the clients competing for the same objective?	Yes

### **Conflict of Interest – Common Interest**

Substantially Common Interest Details	
Is it reasonable to act for all the clients?	No
Is acting in the best interests of all the clients?	No
Do the benefits of acting outweigh the risks to the clients?	No
Have the relevant risks and issues been explained to the clients?	No
Do the clients understand the relevant issues and risks?	No
Has written informed consent to acting been received from all affected clients?	No

### **Conflict of Interest – Same Objective**

Same Objective Details	
Is it reasonable to act for all the clients?	No
Is acting in the best interests of all the clients?	No
Do the benefits, to the clients, of acting, outweigh the risks?	No
Have the relevant risks and issues been explained to the clients?	No
Do the clients understand the relevant issues and risks?	No
Are the clients aware that we act of may act for others competing for the same objective?	No
Has written informed consent to acting been received from all affected clients?	No
Are all of the clients sophisticated users of legal services?	No

#### **Conflict of Interest – Conflict Assessment**

Assessment of the effect of any difference in clients' interests	Not Appropriate to Act
Assessment of the extent to which there will need to be negotiations between the clients. The more serious any unresolved issues are, then the less it is likely to be reasonable for you to act	Not Appropriate to Act
Assessment of the effect any client vulnerability	Not Appropriate to Act
Assessment of any fettering of our ability to give independent advice	Not Appropriate to Act
Assessment of the effect of any imbalance in clients' bargaining power	Not Appropriate to Act
Assessment of clients legal knowledge	Not Appropriate to Act
Assessment of benefits to the clients (eg speed, convenience, cost) from you acting for both	Not Appropriate to Act

#### **Conflict of Interest – Own Interest Conflict**

Assessment of the effect of any financial interest	Client Interest is Not Impaired
Assessment of the effect of any personal relationship	Client Interest is Not Impaired
Assessment of the effect of any commercial relationships	Client Interest is Not Impaired
Assessment of the effect of any appointment to public office of fee earner / member of firm / family	Client Interest is Not Impaired
Assessment of the effect the employment of the fee earner / member of firm / family	Client Interest is Not Impaired
Is There an Own Interest Conflict	Yes
Details of Own Interest Conflict	dddddd

#### **Conflict of Interest – Grant of Mortgage**

Are Borrower and Lender Clients?	Yes

Property to be Borrowers Private Residence?	No
In Best Interest of both borrower and lender?	No
Reasonable to act for both borrower and lender?	No
Mortgage is a Standard Mortgage	No
Is the Certificate of Title required by the lender in the form approved by the Law Society and the Council of Mortgage Lenders?	No

#### **Conflict of Interest – Confidentiality and Disclosure**

Assessed Conflict with Duty of Confidentiality?	Yes
Does a conflict with our duty of confidentiality arise?	No
Is Client 1's interest adverse to Client 2's?	Yes
Do you hold confidential information for one client which is material to the other?	Yes
Does Client 1 Understand the Relevant Issues	Please Select
Client 1 Given Informed Consent	No
Client 2 Given Informed Consent	No
Has client 2 agreed the safeguards put in place to protect their information?	No
Are effective safeguards in place?	No
Is it reasonable in all the circumstances to act for client 1?	No
Able to Identify/Mitigate Risks to Confidentiality?	No

#### **Conflict of Interest – Outsourced Services**

Will any services be outsourced to an external service provider?	Yes
Has the provider taken all appropriate steps to ensure protection of the client's confidential information?	No