

Ronald Dewar Hogan

Solicitor

115478

[Fined Date: 25 April 2024](#)

Decision - Fined

Outcome: Fine

Outcome date: 25 April 2024

Published date: 23 May 2024

Firm details

Firm or organisation at date of publication and at time of matters giving rise to outcome

Name: Dewar Hogan

Address(es): 70 Pall Mall, London, SW1Y 5ES

Firm ID: 74291

Outcome details

This outcome was reached by SRA decision.

Decision details

Who does this disciplinary decision relate to?

Ronald Hogan is a solicitor and owner of Dewar Hogan a recognised body, whose office is at 70 Pall Mall, London, SW1Y 5ES (the firm).

Facts of the misconduct

In March 2022, the SRA began an investigation into the firm.

The investigation identified three ledgers in the name of a partner and his family member where the firm had allowed multiple payments to be made in and out of the firm's client account where there was no underlying legal transaction, or a service forming part of the normal regulated activities of solicitors. That conduct had continued over a prolonged period.

It was found that Mr Hogan:



Allegation one

Between 11 October 2012 and 8 April 2022, caused or allowed his firm's client account to be used as a banking facility in the absence of an underlying legal transaction and/or a service forming part of his normal regulated activities.

- i. In doing so, to the extent the conduct took place before 25 November 2019, he breached Rule 14.5 of the SRA Accounts Rules 2011 and Principle 6 of the SRA Principles 2011.
- ii. In doing so, to the extent the conduct took place on or after 25 November 2019, he breached Rule 3.3 of the SRA Accounts Rules and Principle 2 of the SRA Principles.

Decision on sanction

Mr Hogan was directed to pay a financial penalty of £14,528 and to pay £1,350 in relation to the SRA's costs of investigating this matter.

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

1. The misuse of client account is inherently serious and diminishes trust in the legal profession. The conduct was repeated over multiple ledgers and over a significant period.
2. Mr Hogan is an experienced solicitor, and he was fully responsible for his conduct. His conduct was reckless.
3. He has shown only limited insight into his conduct.
4. Mr Hogan received no financial benefit from the conduct. However, by allowing the account to be used as a banking facility, he did receive a benefit of sorts, because he was able to use the client account as a bank account for a prolonged period of time, rather than payments being made out of their own personal bank accounts and transactions being subject to the normal checks and balances of a private bank account.
5. There was no evidence of any actual harm caused to any individual, or company.
6. The level of culpability, the potential for significant harm, the fact that these were not simply minor breaches of the rules, and the need to protect the public and the reputation of the legal profession means this matter requires a greater sanction.

In view of the above, Mr Hogan's conduct was placed in conduct band C which has a financial penalty of 16-49% of his gross income. Mr Hogan's conduct was placed towards the lower range of this bracket.

The following mitigating factors were considered resulting in a fine of £14,528.

1. Mr Hogan has cooperated with the SRA.

SRA Principles 2011

Principle 6 You must behave in a way that maintains the trust the public places in you and in the provision of legal services.

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 Accounts Rules 2011

Rule 14.5 You must not provide banking facilities through a client account. Payments into, and transfers or withdrawals from, a client account must be in respect of instructions relating to an underlying transaction (and the funds arising there from) or to a service forming part of your normal regulated activities.

SRA Accounts Rules 2019

Rule 3.3 You must not use a client account to provide banking facilities to clients or third parties. Payments into, and transfers or withdrawals from a client account must be in respect of the delivery by you of regulated services.

[Search again \[https://www.sra.org.uk/consumers/solicitor-check/\]](https://www.sra.org.uk/consumers/solicitor-check/)