

Paul Stephen Hirst

Solicitor

135463

[Sanction Date: 29 July 2024](#)

Decision - Sanction

Outcome: Rebuke

Outcome date: 29 July 2024

Published date: 10 September 2024

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: HBW Law Limited

Address(es): 29 Church Street, Barnsley, S70 2AL

Firm ID: 645460

Outcome details

This outcome was reached by SRA decision.

Decision details

1. To rebuke Mr Hirst.
2. To publish the rebuke.
3. Mr Hirst is ordered to pay the sum of £1,350 in relation to the SRA's costs of investigating this matter.

Reasons/basis

Who does this disciplinary decision relate to?

Mr Hirst is a solicitor who at the time of the misconduct was employed by HBW Law Limited of 29 Church Street, Barnsley S70 2AL, a regulated body. His employment ended on 4 April 2023.

Short summary of decision

We have issued Mr Hirst with a rebuke for failing to ensure that money received from clients was paid promptly into the client account.



Facts of the misconduct

It was found that on 10 March 2023 Mr Hirst accepted £300 in cash from clients on account of disbursements and failed to ensure that this sum was paid promptly into the client account. In doing so, Mr Hirst acted in breach of Rule 2.3 of the Accounts Rules 2019 and Principle 2 of the SRA Principles 2019.

Decision on sanction

It was decided that a rebuke was an appropriate and proportionate sanction. Mr Hirst was issued with a written rebuke and ordered to pay costs of £1,350. This was because Mr Hirst's conduct was serious by reference to the following factors in the SRA Enforcement Strategy:

- Mr Hirst was an experienced solicitor and had direct responsibility for his conduct.

He failed to prioritise paying in client money over a number of weeks, during which period the client account was deficient.

- Some public sanction is required to maintain standards and to acknowledge there has been a breach of regulatory requirements.
- A lower sanction is not appropriate given Mr Hirst's lack of regard for the sanctity of client money and his apparent lack of insight into the impropriety of his conduct.

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

- Mr Hirst made the firm aware of the cash payment after his dismissal and sent a cheque to account for the money thereafter.
- There is no allegation that this formed a pattern of behaviour. The risk of repetition is low. Mr Hirst is no longer employed by the firm.
- There has been no lasting significant harm to the client caused by Mr Hirst's conduct. The firm notified the client of the matter and credited their account with the money Mr Hirst paid in by cheque. The breach was therefore rectified, albeit belatedly.

SRA Principles breached

Accounts Rules 2019

Rule 2.3 You ensure that client money is paid promptly into a client account.

SRA Principles 2019

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

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