



John Hayward **Solicitor** **120973**

[Agreement Date: 15 August 2024](#)

Decision - Agreement

Outcome: Regulatory settlement agreement

Outcome date: 15 August 2024

Published date: 30 August 2024

Firm details

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

Name: Acute Conveyancing Ltd

Address(es): 7 Wembley Road, Mossley Hill, Liverpool, L18 2DP

Firm ID: 661741

Outcome details

This outcome was reached by agreement.

Decision details

1. Agreed outcome.

1.1 Mr John Weston Hayward (Mr Hayward), a solicitor and director of Acute Conveyancing Ltd (the Firm), agrees to the following outcome to the investigation of his conduct by the Solicitors Regulation Authority (SRA):

- a. he is rebuked.
- b. to the publication of this agreement
- c. he will pay the costs of the investigation of £300.

2. Summary of Facts

2.1 On 15 September 2023, the SRA received a self-report from Mr Hayward advising that on 21 March 2023 he was convicted of driving whilst unfit through excess alcohol, contrary to section 5(1)(a) of the



Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988.

2.2 On 2 March 2023 Mr Hayward drove a motor vehicle to pick up his wife at the train station. He was pulled over by police officers as he approached the station due to his MOT being out of date.

2.3 He was arrested on suspicion of drink driving and blew 112 microgrammes of alcohol in 100 millilitres of breath at custody. The legal limit is 35 microgrammes of alcohol per 100 millilitres of breath.

2.4 On 21 March 2023 he pleaded guilty and was convicted at Telford Magistrates' Court of driving with excess alcohol. He was sentenced to:

- i. A 27-month driving disqualification (reduced by 27 weeks if he completed a course by 13 October 2024).
- ii. He was ordered to pay a fine in the sum of £1057.
- iii. He was also ordered to pay a surcharge of £423 and costs of £135.

3. Admissions

3.1 Mr Hayward admits, which the SRA accepts, that by driving whilst under the influence of excess alcohol, for which he was convicted, that he breached Principle 2 of the SRA Principles which says:

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

4. Why a written rebuke is an appropriate outcome.

4.1 The SRA's Enforcement Strategy sets out its approach to the use of its enforcement powers where there has been a failure to meet its standards or requirements.

4.2 When considering the appropriate sanctions and controls in this matter, the SRA has taken into account the admissions made by Mr Hayward and the following mitigation which he has put forward:

- a. The offence took place outside of working hours.
- b. It was an isolated incident and out of character.
- c. It is not linked to his legal practice.
- d. No harm was caused to person or property.
- e. There was nobody else in the vehicle at the time.
- f. He co-operated fully with the police during their investigation.
- g. He pleaded guilty at the first opportunity.
- h. He is remorseful.
- i. He successfully completed the Road Traffic Offenders Act 1988 Course for Drink-Drive Offenders on 19 January 2024.



4.3 The SRA considers that a written rebuke is the appropriate outcome because:

- a. Mr Hayward was directly responsible for his conduct.
- b. The conduct was reckless and disregarded the risk, or potential risk, of harm to others.
- c. Mr Hayward provided a level of alcohol in his breath that was more than three times over the legal limit for which he received a high sentence.

4.4 A rebuke is appropriate to uphold public confidence in the solicitors' profession and in legal services provided by authorised persons.

4.5 A rebuke is also intended to deter the individual and others from similar behaviour in the future. Any lesser sanction would not provide a credible deterrent to Mr Hayward and others. A rebuke therefore meets the requirements of rule 4.4 of the Regulatory and Disciplinary Procedure Rules.

5. Publication

5.1 The SRA considers it appropriate that this agreement is published in the interests of transparency in the regulatory and disciplinary process. Mr Hayward agrees to the publication of this agreement.

6. Acting in a way which is inconsistent with this agreement.

6.1 Mr Hayward agrees that he will not deny the admissions made in this agreement or act in any way which is inconsistent with it.

6.2 If Mr Hayward 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.

6.3 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 and paragraph 7.3 of the Code of Conduct for Solicitors, RELs and RFLs.

7. Costs

7.1 Mr Hayward agrees to pay the costs of the SRA's investigation in the sum of £300. Such costs are due within 28 days of a statement of costs due being issued by the SRA.

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