

Paul Duncan Leslie Carpenter

Solicitor

018862

Agreement Date: 21 September 2021

Decision - Agreement

Outcome: Regulatory settlement agreement

Outcome date: 21 September 2021

Published date: 24 September 2021

Firm details

Firm or organisation at date of publication

Name: Carpenter Singh Solicitors

Address(es): 5 Station Road Llanelli SA15 1AF

Firm ID: 59068

Outcome details

This outcome was reached by agreement.

Reasons/basis

1. Agreed outcome

1.1 Paul Duncan Leslie Carpenter (Mr Carpenter), a solicitor and partner of Carpenter Singh Solicitors, 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 £600.

2. Summary of Facts

2.1 By a Will dated 29 April 2010, Mr Carpenter was appointed one of the executors of the estate of Client A.

2.2 Client A died on 30 June 2015 and Mr Carpenter began to conduct the administration of her estate.

2.3 Mr B (father of the residuary beneficiaries to the estate and one of the Trustees of the will) complained to Mr Carpenter about the slow progress of

the administration on 20 February 2017.

2.4 As a result of continued delays, Mr B then reported the matter to the Legal Ombudsman in September 2018.

2.5 The Ombudsman closed its investigation in May 2019 on Mr Carpenter's agreement that he would complete the administration of the estate in a timely manner.

2.6 At the date of this agreement, the administration of the estate of Client A has still not been completed.

3. Admissions

3.1 Mr Carpenter makes the following admissions which the SRA accepts: That by virtue of the unreasonable delays in administration of Client A's estate, and his failure to comply fully with the ombudsman's decision, he has breached the following:

- i. In respect of conduct prior to 25 November 2019, Principle 6 of the SRA Principles 2011
- ii. In respect of conduct on and after 25 November 2019, Principle 2 of the SRA Principles 2019.

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 Carpenter and the following mitigation which he has put forward:

- a. The conduct was not intentional.
- b. It is an isolated incident with a low risk of repetition.
- c. There has been no financial benefit as a result of the misconduct.
- d. Mr Carpenter has shown insight into his conduct and expressed his regret at not acting more pro-actively.

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

- a. Mr Carpenter is a very experienced solicitor and a senior member of the firm. He was Compliance Officer for Legal Practice during most of the period of misconduct.
- b. He had direct control over administration of the estate.
- c. The misconduct persisted.

- d. The conduct was reckless as to risk of harm and to his regulatory obligations.
- e. The misconduct is moderately serious and requires some public sanction to uphold public confidence in the delivery of legal services and act as a credible deterrent.

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 Carpenter agrees to the publication of this agreement.

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

6.1 Mr Carpenter 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 Carpenter 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 of the Principles and paragraph 7.3 of the Code of Conduct for Solicitors, RELs and RFLs.

7. Costs

7.1 Mr Carpenter agrees to pay the costs of the SRA's investigation in the sum of £600. Such costs are due within 28 days of a statement of costs due being issued by the SRA.

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