



## **Dene McClean**

### **Employee**

### **538267**

**[Employee-related decision Date: 26 July 2024](#)**

### **Decision - Employee-related decision**

Outcome: Approval of employment (section 43)

Outcome date: 26 July 2024

Published date: 18 October 2024

### **Firm details**

#### **Firm or organisation at date of publication**

Name: Saunders Solicitors Ltd

Address(es): 6 Snow Hill, London EC1A 2AY

Firm ID: 622221

### **Outcome details**

This outcome was reached by SRA decision.

#### **Decision details**

Saunders Solicitors Limited have been granted approval under section 43 of the Solicitors Act 1974 to employ Dene McClean as a consultant paralegal, subject to the following conditions:

- i. Mr McClean's employment at the firm is limited to that outlined in the firm's application of 28 March 2024, including the attached job description and letter dated 24 March 2024.
- ii. Mr McClean's supervision is as per the details provided to us in the firm's application of 28 March 2024, including the attached job description and letter dated 24 March 2024, and the firm's supplementary email of 24 July 2024. This includes his work being directly supervised by Mr Callum Haddow and, in Mr Haddow's absence, by Mr Gary Bromelow.
- iii. Mr McClean does not have access to any office or client account, is not a signatory to any office or client account and does not have any responsibility for the firm's accounting functions.
- iv. Mr McClean will not be responsible for supervising any other member of staff.



- v. Mr McClean will not have direct contact with clients, save for in the capacity, and with the supervisory arrangements outlined in the firm's application of 28 March 2024, including the attached job description and letter dated 24 March 2024.
- vi. Any proposed variation to Mr McClean's job description or supervision arrangements are notified to the SRA in advance of the change taking place. The variation must not take place until permission is granted by the SRA.
- vii. This approval will lapse if Mr McClean's employment with the firm is terminated.
- viii. This approval and the conditions attached to it are subject to review at the discretion of the SRA.

#### **Reasons/basis**

Mr McClean was made subject to an order under section 43 of the Solicitors Act 1974 on 25 May 2021. In accordance with section 43 of the Solicitors Act 1974, any solicitor wishing to employ or remunerate him in connection with their practise as a solicitor must obtain our approval. The SRA is satisfied that the above employment will not put public confidence in the administration of justice and the provision of legal services or the interests of clients at risk.

**[Employee-related decision Date: 25 May 2021](#)**

#### **Decision - Employee-related decision**

Outcome: Control of non-qualified staff (Section 43 / Section 99 order)

Outcome date: 25 May 2021

Published date: 28 May 2021

#### **Firm details**

##### **Firm or organisation at time of matters giving rise to outcome**

Name: CarsonKaye Limited / SperrinLaw Limited

Address(es): 154-160 Fleet Street, London, EC4A 2DQ / Tallis House, 2 Tallis Street, London, EC4Y 0AB

Firm ID: 612599 / 627652

#### **Outcome details**

This outcome was reached by SRA decision.

#### **Decision details**



## **1. Agreed outcome**

1.1 Mr Dene McClean, a former police station representative and consultant at CarsonKaye Limited, agrees to the following outcome to the investigation of his conduct by the Solicitors Regulation Authority (SRA):

- a. to the SRA making an order under section 43 of the Solicitors Act 1974 (a section 43 order) in relation to him that, from the date of this agreement:
  - i. no solicitor shall employ or remunerate him in connection with his practice as a solicitor
  - ii. no employee of a solicitor shall employ or remunerate him in connection with the solicitor's practice
  - iii. no recognised body shall employ or remunerate him
  - iv. no manager or employee of a recognised body shall employ or remunerate him in connection with the business of that body
  - v. no recognised body or manager or employee of such a body shall permit him to be a manager of the body
  - vi. no recognised body or manager or employee of such body shall permit him to have an interest in the body except in accordance with the SRA's prior permission
- 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 21 September 2020 at Southwark Crown Court, Mr McClean entered guilty pleas to two counts of the following:

Without authority he transmitted/caused transmission of an image/sound from inside a prison for simultaneous reception outside, contrary to section 40D(1)(b) of the Prison Act 1952.

2.2 On 22 December 2020 he was sentenced to a period of 42 weeks immediate custody.

2.3 Mr McClean's conviction relates to prison attendances in connection with his previous role at CarsonKaye Limited during the period 23 September 2016 to 28 September 2017. At the time of his conviction, he worked as a consultant at Sperrin Law Limited.

## **3. Admissions**

3.1 Mr McClean makes the following admission which the SRA accepts:

- a. That his conviction for the offences listed at paragraph 2.1 above means that it is undesirable for him to be involved in a legal practice.



#### **4. Why a section 43 order is appropriate**

4.1 The SRA's Enforcement Strategy and its guidance on how it regulates non-authorised persons, sets out its approach to using section 43 orders to control where a non-authorised person can work.

4.2 When considering whether a section 43 order is appropriate in this matter, the SRA has taken into account the admissions made by Mr McClean and the following mitigation which he has put forward:

- a. He reported his arrest and subsequent charge to the SRA.
- b. He has fully co-operated with the SRA's investigation.

4.3 The SRA and Mr McClean agree that a section 43 order is appropriate because:

- a. Mr McClean is not a solicitor
- b. Mr McClean was undertaking work for CarsonKaye Limited (at the time of the conduct that resulted in his conviction) and Sperrin Law Limited (at the time he was convicted) in the name of, or under the direction and supervision of a solicitor. This means that he was involved in a legal practice.
- c. Mr McClean has been convicted of an offence which makes it undesirable for him to be involved in a legal practice.

4.4 The offence makes it undesirable for Mr McClean to be involved in a legal practice because the public expects people who conduct work for law firms by attending clients in custody to comply with the laws relating to communications with them. By communicating with a prisoner client by mobile phone, Mr McClean has not acted lawfully, and his actions have undermined trust in the provision of legal services and the solicitors' profession.

#### **5. Publication**

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

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

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

#### **7. Costs**

7.1 Mr McClean 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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