

Andrew Egerton

Solicitor

360393

Agreement Date: 14 March 2023

Decision - Agreement

Outcome: Regulatory settlement agreement

Outcome date: 14 March 2023

Published date: 21 March 2023

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: DDE Law Limited

Address(es): 17 Boundary Street, Liverpool

Firm ID: 515999

Firm or organisation at date of publication

Name: Cobleys Solicitors Ltd

Address(es): 19-23 Sir Thomas Street, Liverpool, L1 6BW

Firm ID: 633045

Outcome details

This outcome was reached by agreement.

Decision details

1. Agreed outcome

1.1 Andrew Egerton a director of DDE Law Limited (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 The Firm was authorised by the SRA from 5 August 2011 until it ceased trading on 31 October 2022.

2.2 On 25 January 2021 the SRA commenced an inspection of the Firm's books of account and found a client account shortage of £24,902.50. The shortage had been ongoing since June 2017. The Firm had also failed to properly maintain client ledgers.

2.3 The client account shortage was caused by:

- payments being made from client ledgers when there were insufficient funds to cover those payments; and
- the Firm failing to record transfers that were made from the client to office bank account. As these transfers were not properly recorded, the Firm later made duplicate transfers.

2.4 After the SRA made the Firm aware of the client account shortage, the Firm replaced the shortage promptly.

2.5 From March 2021 until the Firm closed, the Firm demonstrated to the SRA that it was properly maintaining its books of account and carrying out client account reconciliations at least every five weeks.

3. Admissions

3.1 Mr Egerton makes the following admissions which the SRA accepts:

- a. by failing to ensure that the Firm accurately maintained client ledgers, Mr Egerton has failed to comply with Principle 6 of the SRA Principles 2011 (the 2011 Principles), Rules 1.2(e), 1.2(f) and 29.1 of the SRA Accounts Rules 2011 (the 2011 Rules), Principle 2 of the SRA Principles 2019 (the 2019 Principles) and Rule 8.1 of the SRA Accounts Rules 2019 (the 2019 Rules)
- b. by failing to prevent the Firm from making duplicate payments, which led to a client account shortage, Mr Egerton has failed to comply with Principle 6 of the 2011 Principles, Rules 20.01 and 20.6 of the 2011 Rules, Principle 2 of the 2019 Principles and Rules 2.4 and 5.3 of the 2019 Rules.

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 Egerton and

the following mitigation which he has put forward:

- a. no clients suffered any loss
- b. after the SRA made the Firm aware of the client account shortage, the Firm and Mr Egerton ensured that the client account shortage was replaced promptly and the breaches were rectified
- c. Mr Egerton took steps to ensure the Firm was complying with the accounts rules prior to it ceasing to trade
- d. Mr Egerton has cooperated with the SRA's investigation.

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

- a. the misconduct had the potential to cause harm
- b. Mr Egerton has shown insight by taking action to remedy the breaches
- c. while the Firm and Mr Egerton remedied the breaches, the misconduct continued for longer than reasonable.

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 Egerton agrees to the publication of this agreement.

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

6.1 Mr Egerton 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 Egerton 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 Egerton 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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