

# Kwasi Boakye Yiadom

## Solicitor

### 293052

*Control of practice Date: 19 December 2023*

#### *Decision - Control of practice*

Outcome: Condition

Outcome date: 19 December 2023

Published date: 22 January 2024

#### *Firm details*

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

Name: Dolphine Solicitors

Address(es): Unit 150, Camberwell Business Centre, 99-103 Lomond Grove, London, SE5 7HN

Firm ID: 470956

#### *Outcome details*

This outcome was reached by SRA decision.

#### *Decision details*

Mr Boakye Yiadom's practising certificate for 2023/2024 is subject to the following conditions:

- I. Mr Boakye Yiadom is not a manager or owner of an authorised body.
- II. Mr Boakye Yiadom may not practise on his own account under regulation 10.2(a) or (b) of the SRA Authorisation of Individuals Regulations.
- III. Mr Boakye Yiadom shall immediately inform any actual or prospective employer of these conditions and the reasons for their imposition.

In these conditions the terms are as defined in the SRA Glossary.

#### *Reasons/basis*

The above conditions are necessary in the public interest. They are reasonable and proportionate having regard to the purposes set out in regulation 7 of the SRA Authorisation of Individuals Regulations, and the regulatory objectives and principles governing regulatory activities as contained in section 28 of the Legal Services Act 2007.

*Control of practice* Date: 6 April 2023

### ***Decision - Control of practice***

Outcome: Condition

Outcome date: 6 April 2023

Published date: 25 August 2023

### ***Firm details***

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

Name: Dolphine Solicitors

Address(es): Unit 150, Camberwell Business Centre, 99-103 Lomond Grove, London, SE5 7HN

Firm ID: 470956

### ***Outcome details***

This outcome was reached by SRA decision.

#### ***Decision details***

Kwasi Boakye Yiadom's practising certificate for 2022/2023 has been granted subject to the following conditions:

1. Mr Boakye Yiadom is not a manager or owner of an authorised body.
2. Mr Boakye Yiadom may not practise on his own account under Regulation 10.2(a) or (b) of the SRA Authorisation of Individuals Regulations.
3. Mr Boakye Yiadom shall immediately inform any actual or prospective employer of these conditions and the reasons for their imposition.

In these conditions the terms are as defined in the SRA Glossary.

### ***Reasons/basis***

The above conditions are necessary in the public interest and reasonable and proportionate having regard to the purposes set out in regulation 7 of the SRA Authorisation of Individuals Regulations, and the regulatory objectives and principles governing regulatory activities as contained in section 28 of the Legal Services Act 2007.

*Agreement Date: 3 June 2021*

### ***Decision - Agreement***

Outcome: Regulatory issue agreement

Outcome date: 3 June 2021

Published date: 10 June 2021

### ***Firm details***

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

Name: SLA Solicitors

Address(es): Suite 5, 99-103 Lomond Grove, London, SE5 7HN

Firm ID: 626779

### ***Outcome details***

This outcome was reached by agreement.

#### ***Reasons/basis***

##### ***1. Agreed outcome***

1.1 Mr Kwasi Boakye Yiadom, a solicitor and previous partner of SLA Solicitors (the Firm), agrees to the following outcome to the investigation of his conduct by the Solicitors Regulation Authority (SRA):

- a. he is fined £1,800
- b. to the publication of this agreement
- c. he will pay the costs of the investigation of £600.

##### ***2. Summary of Facts***

2.1 Mr Boakye Yiadom was a manager at the Firm from 23 May 2016 until 20 April 2020. During that time, he had responsibility and accountability for the supervision of staff employed at the firm, he also had oversight and accountability for the Firm's Money Laundering Policies.

2.2 The SRA received several reports concerning the conduct of solicitors at the Firm, this resulted in an on-site forensic investigation being initiated,

which commenced on 21 August 2018. The following issues were identified during that investigation.

*Failure to supervise staff*

2.3 Mr Boakye Yiadom was a supervisor for fee-earners at the Firm. He was responsible for conducting file reviews and ensuring that caseworkers complied with relevant regulatory requirements, including Money Laundering Regulations.

2.4 On 22 December 2017, the Firm began work for a client in relation to a probate matter. Neither the firm nor any of its employees had any substantial experience of probate work.

2.5 In relation to this probate matter, the Firm received a total of £57,908.50 of client monies without the Firm operating a client account.

2.6 Mr Boakye Yiadom was the supervising partner of the fee-earners who dealt with this probate work. Mr Boakye Yiadom failed to effectively carry out his supervisory responsibilities in relation to this probate matter. He also failed to comply with the Firm's Money Laundering Policy.

2.7 The Firm failed to carry out client due diligence (CDD), with client monies being accepted by the Firm before the client's identity had been verified.

2.8 The debts of the estate totalled £6,050.94. These debts were not satisfied prior to the estate monies being distributed to beneficiaries.

2.9 Mr Boakye Yiadom had left the Firm for extended periods of time between February and August 2018. Mr Boakye Yiadom accepts that while work had commenced on this client matter, he was rarely in the UK or attending the Firm's office.

*Failure to adhere to Anti-Money Laundering Policies*

2.10 Mr Boakye Yiadom was the manager at the Firm responsible for the Firm's Money Laundering policies.

2.11 The Firm's Anti-Money Laundering policies and procedures were not compliant with Money Laundering Regulations 2017.

2.12 Mr Boakye Yiadom oversaw the Firm receiving £57,908.50 of client money into its office account in relation to the probate matter detailed above.

2.13 Money from that estate was paid to third parties including medical bills and cash payments totalling £15,200 paid to a beneficiary. The Firm were unable to explain why these payments had been made and why the Firm's office account had been used to make these payments.

### 3. Admissions

3.1 Mr Boakye Yiadom makes the following admissions which the SRA accepts.

3.2 Mr Boakye Yiadom admits that he breached Principle 8 of the SRA Principles 2011 as a result of:

- a. his failure to supervise the work of his staff adequately or to ensure the work carried out was in an area the Firm had expertise in
- b. his failure to produce or maintain adequate Anti-Money Laundering policies for the Firm.

3.3 Mr Boakye Yiadom admits that by overseeing work in which client monies were held by the Firm without a client account, he has breached rule 13.1 and 14.1 of the SRA Accounts Rules 2011.

### 4. *Why a fine 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 Boakye Yiadom and the following mitigation:

- a. Mr Boakye Yiadom has co-operated with the SRA investigation.
- b. Mr Boakye Yiadom has admitted at the earliest instance that the Money Laundering Policies produced for the Firm were inadequate.
- c. Mr Boakye Yiadom took steps to amend and update policies, to ensure compliance with the relevant regulations.
- d. Procedures for client money to be held by the Firm have been updated to ensure compliance.
- e. Mr Boakye Yiadom's current Practising Certificate is subject to several conditions.

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

- a. Mr Boakye Yiadom's behaviour showed a disregard for his regulatory obligation to exercise proper management over the Firm. The lack of control and oversight of his staff allowed for client monies to be held without the Firm having a client account.



- b. A financial penalty is appropriate to maintain professional standards because Mr Boakye Yiadom's conduct was serious, and any lesser sanction would not provide a credible deterrent to Mr Boakye Yiadom and others.

4.4 A fine is appropriate to uphold public confidence in the solicitors' profession and in legal services provided by authorised persons. A financial penalty therefore meets the requirements of rule 4.1 of the Regulatory and Disciplinary Procedure Rules.

#### *5. Amount of the fine*

5.1 The amount of the fine has been calculated in line with the SRA's published guidance on its approach to setting an appropriate financial penalty (the Guidance).

5.2 Having regard to the Guidance, the SRA and Mr Boakye Yiadom agree that the nature of the misconduct was medium, Mr Boakye Yiadom failed to properly supervise his staff and ensure correct procedure was followed. However, the conduct was unintentional, with Mr Boakye Yiadom not being directly responsible for the Firm undertaking work in areas of clear inexperience. He co-operated with the SRA investigation and Mr Boakye Yiadom subsequently improved the Firm's policies and procedures to mitigate against further occurrences in the future. The Guidance gives this type of misconduct a score of one.

5.3 The SRA considers that the impact of the misconduct was medium because there was a significant risk to client monies being held outside of a firm's client account. Mr Boakye Yiadom's failure to ensure client money was held in the correct place left the money and the Firm vulnerable to potential money laundering risks. The Guidance gives this level of impact a score of four.

5.4 The nature and impact scores add up to five. The Guidance indicates a broad penalty bracket of £1,001 to £5,000 is appropriate.

5.5 In deciding the level of fine within this bracket, the SRA has considered our Enforcement Strategy and the matters highlighted in the Guidance, including the culpability of Mr Boakye Yiadom.

5.6 The SRA considers a basic penalty of £3,000, which is just below the middle of the bracket, to be appropriate.

5.7 The SRA has gone on to consider the mitigation at paragraph 4.2 above. Considering that mitigation, the basic penalty should be reduced to £1,800. This reduction reflects the early admission made by Mr Boakye Yiadom to the SRA. Mr Boakye Yiadom has shown insight into his conduct, evidenced by him improving systems and procedures within his firm to mitigate risk of similar misconduct arising again.

## *6. Publication*

6.1 SRA considers it appropriate that this agreement is published in the interests of transparency in the regulatory and disciplinary process. Mr Boakye Yiadom agrees to the publication of this agreement.

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

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

7.2 If Mr Boakye Yiadom 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.

7.3 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.

*Control of practice* Date: 10 May 2021

## *Decision - Control of practice*

Outcome: Condition

Outcome date: 10 May 2021

Published date: 18 June 2021

## *Firm details*

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

Name: Dolphine Solicitors

Address(es): Unit 150, Camberwell Business Centre, 99-103 Lomond Grove, London SE5 7HN

Firm ID: 470956

## *Outcome details*

This outcome was reached by SRA decision.

## *Decision details*

Kwasi Boakye Yiadom's practising certificate for 2020/2021 has been granted subject to the following conditions:

1. Mr Boakye Yiadom is not a manager or owner of an authorised body.
2. Mr Boakye Yiadom may not practise on his own account under Regulation 10.2(a) or (b) of the SRA Authorisation of Individuals Regulations.
3. Mr Boakye Yiadom shall immediately inform any actual or prospective employer of these conditions and the reasons for their imposition.

In these conditions the definitions are as defined in the SRA Glossary.

*Reasons/basis*

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