



GJ Templeman Solicitors Limited

Templeman House, 16 College
Avenue, Harrow, Middlesex , HA3
6HB
Recognised body
537379

Fined Date: 13 November 2023

Decision - Fined

Outcome: Fine

Outcome date: 13 November 2023

Published date: 16 November 2023

Firm details

No detail provided:

Outcome details

This outcome was reached by SRA decision.

Decision details

Who does this disciplinary decision relate to?

GJ Templeman Solicitors Limited which is a recognised body whose address is Templeman House, 16 College Avenue, Harrow, Middlesex HA3 6HB (the firm).

Short summary of decision

We have fined the firm £3,800 and ordered it to pay costs of £1,350.

The reason is that from 26 June 2017 to 16 February 2023, the firm at various times breached some of the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017, did not pay enough regard to the SRA's warning notice on firm-wide risks assessments under those regulations, and it failed to provide the SRA accurate information when asked to do so. It has accepted these failings and has agreed the financial penalty and costs order.

Facts of the misconduct

The firm:

- failed to have in place a fully compliant firm-wide risk assessment since 26 June 2017 as required by Regulations 18(1) and 18(4) of the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (MLR)
- failed to have sufficient regard for the SRA's warning notice on the firm-wide risk assessments dated 7 May 2019 (updated 25 November 2019)
- provided the SRA with inaccurate information on 9 January 2020, by making a declaration that its firm wide risk assessment was compliant with the requirements of Regulation 18 MLR, when it was not.

And thus, to the extent the conduct took place up to 25 November 2019, the firm has:

- breached Principles 6 and 8 of the SRA Principles 2011 and
- failed to achieve Outcome 7.5 of the SRA Code of Conduct 2011

And also, to the extent the conduct took place after 25 November 2019, the firm has breached:

- Principle 2 of the SRA Principles 2019 and
- Paragraphs 2.1, 3.1 and 3.3(a) of the SRA Code of Conduct for Firms 2019.

The firm also:

- failed to document client/matter risk assessments as required by Regulation 28(12) MLR
- failed to carry out adequate customer due diligence (CDD), to include source of funds (SoF) checks as required by Regulation 28 MLR
- failed to carry out enhanced due diligence (EDD) as required by Regulation 33 MLR.

And thus, the firm has breached:

- Principle 2 of the SRA Principles 2019 and
- Paragraphs 2.1 and 3.1 of the SRA Code of Conduct for Firms 2019.

Decision on sanction

The firm was directed to pay a financial penalty of £3,800 and ordered to pay costs of £1,350.

It was decided that a financial penalty was an appropriate and proportionate sanction. The firm agreed.

This was because its conduct was 'more serious' with 'medium' impact by reference to the following factors in the SRA Enforcement Strategy:

- the seriousness of money laundering as a risk
- the vulnerability of conveyancing to criminal abuse, including money laundering
- the fact that 55% of the firm's work was conveyancing
- yet there was no evidence of the misconduct causing harm.

In view of the above, the firm's conduct was placed in penalty bracket C which has a financial penalty band of between 1.6% and 3.2% of the firm's annual turnover. This conduct was placed in the bottom of this bracket given there is no evidence of harm being directly caused by the firm's misconduct, there are no aggravating factors and the firm has not financially benefitted from its misconduct.

SRA Principles breached

SRA Principles 2011

Principle 6. You must behave in a way that maintains the trust the public places in you and in the provision of legal services.

Principle 8. You must run your business or carry out your role in the business effectively and in accordance with proper governance and sound financial and risk management principles.

SRA Principles 2019

Principle 2: You must act in a way that upholds public trust and confidence in the solicitors' profession and in legal services provided by authorised persons.

SRA Outcome 2011 breached

Outcome 7.5 of the SRA Code of Conduct 2011 stated that a solicitor must comply with legislation applicable to his business, including anti-money laundering and data protection legislation.

SRA Code of Conduct for Firms 2019 breached

Paragraphs 2.1, 3.1, and 3.3(a) provide that solicitors must :

- have effective governance structures, arrangements, systems and controls in place to ensure regulatory and legislative requirements are met, and compliance officers are able to discharge their duties
- keep up to date with and follow the law and regulation governing the way they work

- respond promptly to the SRA and provide full and accurate explanations, information and documentation in response to any requests or requirements.

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