

# Rebecca Claire Heseltine

## Employee

### 7007408

*Fined Date: 27 April 2023*

#### *Decision - Fined*

Outcome: Fine

Outcome date: 27 April 2023

Published date: 13 June 2023

#### *Firm details*

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

Name: Mason Baggott & Garton

Address(es): 13-19 Wells Street Scunthorpe DN15 6HN

Firm ID: 52881

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

Name: Mason Baggott and Garton Solicitors Limited

Address(es): 13-19 Wells Street Scunthorpe DN15 6HN

Firm ID: 824667

#### *Outcome details*

This outcome was reached by SRA decision.

#### *Decision details*

Rebecca Claire Heseltine, who is not a solicitor, and is employed by Mason Baggott & Garton (the firm), a recognised body, which is located at 13-19 Wells Street, Scunthorpe DN15 6HN.

#### *Summary of decision*

The SRA has fined Mrs Heseltine £3,500 for failing to follow the firm's internal anti-money laundering (AML) policies, controls and procedures requiring her to adequately investigate source of funds when acting for clients in two residential conveyancing transactions.

#### *Facts of the misconduct*

It was found that:

1. In June and July 2021, Mrs Heseltine acted for clients of the firm in two separate residential conveyancing matters. She failed to adequately investigate the clients' source of funds for their property purchases.
2. In doing so she failed to follow the firm's internal AML policies, controls and procedures in place which required her to adequately investigate source of funds as part of the firm's ongoing monitoring obligations under Regulation 28(11)(a) of the Money Laundering, Terrorist Financing (Information on the Payer) Regulations 2017.
3. In doing so she breached Principle 2 of the SRA Principles 2019.

Principle 2 of the SRA Principles 2019 requires her to act in a way that upholds public trust and confidence in the solicitors' profession and in legal services provided by authorised persons.

Mrs Heseltine's conduct was serious by reference to the following factors in the SRA Enforcement Strategy: it showed a wilful disregard of her regulatory obligations, she had direct responsibility for the breaches, and her conduct had the potential to cause harm to others.

#### *Decision on sanction*

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

In determining the financial penalty, regard was had to the following factors set out in the SRA's guidance on the approach to financial penalties published on 7 February 2019 and updated on 20 July 2022:

- a. Mrs Heseltine was directly responsible for her conduct, which was intentional.
- b. Her conduct had the potential to cause significant harm.
- c. It was such an amount as to deter future misconduct by Mrs Heseltine and by others who may be engaged in similar conduct.

In view of the above, Mrs Heseltine's conduct was placed in conduct band B which has a financial penalty bracket of between £1,001 and £5,000.

Her conduct was placed at the mid part of this bracket because of the risk of harm caused by her conduct. Carrying out adequate source of funds checks is a key measure for limiting opportunities for criminal to use criminal property. It protects the public from the risk of firms being used to

conduct transactions involving money laundering. Mrs Heseltine also showed no remorse or insight into her conduct.

The following mitigating factors were considered:

- The two incidents were isolated and not evidence of a pattern of behaviour
- Mrs Heseltine has cooperated with the SRA
- There were no similar issues before or since
- Mrs Heseltine has attended refresher training on the firm's Anti-Money Laundering policies and procedures.

*Financial penalty and costs*

Mrs Heseltine was ordered to pay a £3,500 financial penalty and costs of £1,350.

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