

**Symons Gay & Leland LLP**  
**91a South Street, Romford , RM1 1PA**  
**Recognised body**  
**533496**

[Fined Date: 27 March 2024](#)

## **Decision - Fined**

Outcome: Fine

Outcome date: 27 March 2024

Published date: 6 August 2024

## **Firm details**

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

Name: Symons Gay & Leland LLP

Address(es): 91a South Street, Romford, RM1 1PA

Firm ID: 533496

## **Outcome details**

This outcome was reached by SRA decision.

### **Decision details**

### **Who does this disciplinary decision relate to?**

Symons Gay & Leland LLP (the firm), is a recognised body whose offices are at 91a South Street Romford RM1 1PA

## **Summary of Decision**

The firm was fined £12,636 for:

1. failing to have in place a fully compliant firm wide risk assessment, and/or fully compliant policies controls and procedures to prevent activities relating to money laundering and terrorist financing as required by the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (the MLRs 2017).



2. Failing to undertake proper client/matter risk assessments on five client files.

### **Facts of the misconduct**

In 2021/2022, the SRA conducted a desk-based review of the firm's compliance with the MLRs 2017. On 18 July 2022, the SRA told the firm that it had identified issues in its FWRA and PCPs, as well as some alleged non-compliance on specific files.

Following the conclusion of the desk-based review, the firm took steps to remedy the non-compliance.

It was found that:

#### **Allegation One (a)**

Between 26 June 2017 and December 2022, the firm had a firm wide risk assessment (FWRA) that did not comply with the requirements of Regulation 18 of the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (MLRs 2017).

#### **Allegation One (b)**

Between 26 June 2017 and July 2023, the firm had policies, controls and procedures (PCPs) in place that did not comply with the requirements of Regulation 19 of the MLRs 2017.

#### **Allegation One (a) and (b)**

In so far as this conduct occurred prior to 25 November 2019, the firm breached:

- Outcome 7.5 of the SRA Code of Conduct 2011 and
- Principles 6 and 8 of the SRA Principles 2011.

In so far as the conduct occurred after 25 November 2019, the firm breached:

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

#### **Allegation Two**

On five client files, the firm failed to conduct an adequate client and matter risk assessment (CMRA) process, as required by Regulations 28(12)(a)(ii) and 28(13) of the MLRs 2017. In doing so, the firm breached:



- Paragraph 2.1 (a) of the Code of Conduct for Firms 2019 and
- Principle 2 of the SRA Principles 2019.

### **Decision on sanction**

The firm was directed to pay a financial penalty of £12,636 and ordered to pay costs of £1,350.

This was because the firm's conduct was serious by reference to the following factors in the SRA Enforcement Strategy:

1. The findings relate to breaches of the MLRs 2017, which protect the public from the serious consequences of money laundering, and improper withdrawals of client money.
2. Its conduct was a breach of its regulatory obligations which formed a pattern of misconduct.
3. The firm was responsible for its own conduct which was serious and had the potential to cause harm to the public interest and to public confidence in the legal profession.

In view of the above, the firm's conduct was placed in conduct band C which has a financial penalty of 1.6% to 3.2% of annual domestic turnover. The firm's conduct was placed in the lower range of this band at C2 (2.0% of annual domestic turnover).

In placing the conduct at the lower end of the band, the following mitigating factors were considered:

1. The firm's FWRA and PCPs had been brought into compliance in 2022 and 2023 respectively.
2. The breaches, which were not intentional, had been remedied.
3. The firm had shown some insight and made partial admissions.

### **SRA Standards and Regulations 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 act in a way that upholds public trust and confidence in the solicitors' profession and in legal services provided by authorised persons.

**SRA Code of Conduct 2011**

Outcome 7.5 You comply with legislation applicable to your business, including anti-money laundering and data protection legislation.

**SRA Code of Conduct for Firms 2019**

Paragraph 2.1(a) You have effective governance structures, arrangements, systems and controls in place that ensure you comply with all the SRA's regulatory arrangements, as well as with other regulatory and legislative requirements, which apply to you

Paragraph 3.1 You keep up to date with and follow the law and regulation governing the way you work.

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