

Peter Gaywood
Employee
7155764

[Sanction Date: 8 January 2024](#)

Decision - Sanction

Outcome: Rebuke

Outcome date: 8 January 2024

Published date: 12 January 2024

Firm details

Firm or organisation at date of publication and at time of matters giving rise to outcome

Name: Dunn & Baker LLP

Address(es): 21 Southernhay East, Exeter, EX1 1QQ, England

Firm ID: 605696

Outcome details

This outcome was reached by SRA decision.

Decision details

1. Agreed outcome

1.1 Mr Peter Gaywood, an employee of Dunn and Baker LLP (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 Mr Gaywood is employed by Dunn and Baker LLP (the firm) as a Chartered Legal Executive, also registered with the Chartered Institute of Legal Executives. He has been employed at the firm since 26 May 2021.



2.2 On 24 July 2023, we received a report from the firm. The report stated that Mr Gaywood had failed to complete the relevant client identification checks when acting for his client.

2.3 In April 2022, Mr Gaywood was instructed by Client A who he understood to be an existing client of the firm. Client A attended the offices without appointment and was introduced by the receptionist as a pre-existing client to another fee earner at the firm. Client A confirmed that he had previously received support in relation to the same property. Mr Gaywood therefore assumed that as the firm had acted for him before, that the relevant client identification checks had already been conducted on a previous occasion. He states he made a mental note to complete these at a later date, however did not do so.

2.4 Client A wished for his property to be transferred into the names of his four children.

2.5 In June 2023, Mr Gaywood received an email from an individual requesting a copy of the new title. This had been sent from Person B. Mr Gaywood therefore replied to the request stating he could only take instruction from Client A. This is when Mr Gaywood realised that Person B was the owner of the property, and Client A had been a family member providing documents to the firm on Person B's behalf. He had not undertaken client identification checks on Client A.

2.6 On 29 June 2023, Mr Gaywood received an email from another firm of solicitors on behalf of their clients; the children and Person B. They were requesting a copy of the transfer application to the Land Registry and the date it was submitted. Mr Gaywood informed the firm he had failed to undertake the appropriate client identification checks.

3. Admissions

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

- a. That he failed to undertake the relevant client identification checks in relation to Client A
- b. And therefore failed to act in the best interests of each client, breaching Principle 7

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 Gaywood and the following mitigation which he has put forward:



- a. Mr Gaywood was experiencing personal difficulties at the time the conduct took place.

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

- a. There has been no significant harm to consumers or third parties. It transpired that Person B was the father of Client A. There was no foul play involved.
- b. Mr Gaywood's conduct was reckless as to the risk of harm and his regulatory obligations.
- c. There is a low risk of repetition. Mr Gaywood has no regulatory history and was experiencing extenuating circumstances in his personal life which impacted on his efficiency. He has been forthcoming with information and cooperative with the investigation. There are no other concerns about his conduct.
- d. Mr Gaywood took remedial action. He informed his employer as soon as he realised what had occurred and has self-reported to CILEX. He has complied with all requirements of him made by the firm following the misconduct, including further training on anti-money laundering.
- e. It is necessary for some public sanction to uphold public confidence in the delivery of legal services. Although Mr Gaywood's actions have not resulted in any damage, it is important that we highlight how possible it was that the outcome could have been extremely different.

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 Gaywood agrees to the publication of this agreement.

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

6.1 Mr Gaywood 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 Gaywood 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 Gaywood 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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