

**Bull & Co. Solicitors LLP**  
**Suite 09, Basepoint Business & Innovation Centre,**  
**Caxton Close, Andover , SP10 3FG**  
**Recognised body**  
**622474**

[Agreement Date: 16 October 2024](#)

## **Decision - Agreement**

Outcome: Regulatory settlement agreement

Outcome date: 16 October 2024

Published date: 29 October 2024

## **Firm details**

No detail provided:

## **Outcome details**

This outcome was reached by agreement.

### **Decision details**

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

1.1 Bull & Co. Solicitors LLP (the firm), a recognised body, authorised and regulated by the Solicitors Regulation Authority (SRA) agrees to the following outcome to the investigation:

- a. Bull & Co. Solicitors LLP will pay a financial penalty in the sum of £7,577, under Rule 3.1 (b) of the SRA Regulatory and Disciplinary Procedures Rules,
- b. to the publication of this agreement, under Rule 9.2 of the SRA Regulatory and Disciplinary Procedures rules; and
- c. Bull & Co. Solicitors LLP will pay the costs of the investigation of £600, under Rule 10.1 and Schedule 1 of the SRA Regulatory and Disciplinary Rules.

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

2.1 We carried out an investigation into the firm following a desk-based review by our AML Proactive Supervision team.

2.2 Our desk-based review identified areas of concern in relation to the firm's compliance with the Money Laundering, Terrorist Financing (Information on the Payer) Regulations 2017 (MLRs 2017), the SRA Principles 2011, the SRA Code of Conduct 2011, the SRA Principles 2019 and the SRA Code of Conduct for Firms 2019.

### **Customer due diligence measures and Client and Matter risk assessment**

2.3 Between 19 June 2015 and 25 June 2017, the firm failed to determine the extent of customer due diligence measures on a risk-sensitive basis, or be able to demonstrate to its supervisory authority that the extent of the measures is appropriate in view of the risks of money laundering and terrorist financing, pursuant to Regulation 7(3) of the MLRs 2007, and

2.4 Between 26 June 2017 and 1 May 2024, the firm failed to conduct client and matter risk assessments (CMRAs), pursuant to Regulation 28(12)(a)(ii) and Regulation 28(13) of the MLRs 2017.

2.5 The files reviewed at the desk-based review, AH3148, JW3287, JW3340 and JW3380 did not have a documented CMRA in place. Files AH.2706 and CA3101, did have a CMRA form, however, they were not completed fully.

### **3. Admissions**

3.1 The firm admits, and the SRA accepts, that by failing to comply with the MLRs 2017, it has breached:

From 19 June 2015 to 25 November 2019 (when the SRA Handbook 2011 was in force) the firm breached:

- a. Principle 6 of the SRA Principles 2011 – which states you must behave in a way that maintains the trust the public places in you and in the provisions of legal services.
- b. Principle 8 of the SRA Principles 2011 – which states you must run in your business or carry out your role in the business effectively and in accordance with proper governance and sound financial risk management principles.

And the firm failed to achieve:

- c. Outcome 7.5 of the SRA Code of Conduct 2011 – which states you comply with legislation applicable to your business, including anti-money laundering and data protection legislation.

And from 25 November 2019 (when the SRA Standards and Regulations came into force) until May 2024, the firm breached:

- d. Principle 2 of the SRA Principles 2019 – which states you act in a way that upholds public trust and confidence in the solicitors'



- profession and in legal services provided by authorised persons.
- e. Paragraph 2.1(a) of the SRA Code of Conduct for Firms 2019 – which states 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.
  - f. Paragraph 3.1 of the SRA Code of Conduct for Firms 2019 – which states that you keep up to date with and follow the law and regulation governing the way you work.

#### **4. Why a fine is an appropriate outcome**

4.1 The conduct showed a disregard for statutory and regulatory obligations and had the potential to cause harm, by facilitating dubious transactions that could have led to money laundering (and/or terrorist financing). This could have been avoided had the firm conducted appropriate risk assessments on its clients and files on in-scope matters.

4.2 It was incumbent on the firm to meet the requirements set out in the MLRs 2017. The firm failed to do so. The public would expect a firm of solicitors to comply with its legal and regulatory obligations, to protect against these risks as a bare minimum.

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

- a. The agreed outcome is a proportionate outcome in the public interest because it creates a credible deterrent to others and the issuing of such a sanction signifies the risk to the public, and the legal sector, that arises when solicitors do not comply with anti-money laundering legislation and their professional regulatory rules.
- b. There has been no evidence of harm to consumers or third parties and there is a low risk of repetition.
- c. The firm has assisted the SRA throughout the investigation and has shown remorse for its actions.
- d. The firm did not financially benefit from the misconduct.
- e. Rule 4.1 of the Regulatory and Disciplinary Procedure Rules states that a financial penalty may be appropriate to maintain professional standards and uphold public confidence in the solicitors' profession and in legal services provided by authorised persons. There is nothing within this Agreement which conflicts with Rule 4.1 of the Regulatory and Disciplinary Rules and on that basis, a financial penalty is appropriate.

#### **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, we and the firm agree the nature of the misconduct was more serious (score of three). This is because the firm failed to determine the extent of customer due diligence measures on a risk-sensitive basis on its clients and files between 19 June 2015 and 25 June 2017, in breach of Regulation 7(3) of the MLRs 2007. Thereafter, it failed to conduct CMRAs on files from 26 June 2017 until May 2024 in breach of Regulation 28 of the MLRs 2017. The firm only became compliant with the MLRs 2017 following the SRA's AML desk-based review and the guidance we have provided. The breach had arisen as a result of recklessness and a failure to pay sufficient regard to money laundering regulations and published guidance.

5.3 The firm has failed to ensure that it was fully compliant with its statutory obligations until May 2024, a period of over six years since the MLRs 2017 came into effect (notwithstanding the MLRs 2007 being in force since 15 December 2007, during a time when Bull & Co was trading, prior to becoming an LLP in 2015).

5.4 The impact of the harm or risk of harm is assessed as being medium (score of four). This is because the nature of conveyancing is considered high-risk, owing to the risk of abuse of the system by criminals. Our records indicate the firm carries out a high percentage of work in-scope of the money laundering regulations, with the majority of it coming from residential conveyancing (75%), commercial conveyancing (15%) and probate (4%). This puts it at a greater risk of being used to launder money. Furthermore, the firm's failure to conduct appropriate risk assessments, on its in-scope clients and files, has continued over a significant period of years, which left it vulnerable and exposed to the risks of money laundering. There is no evidence of there being any direct loss to clients or actual harm caused as result of the firm's failure to ensure it had proper documentation in place.

5.5 The 'nature' of the conduct and the 'impact of harm or risk of harm' added together give a score of seven. This places the penalty in Band 'C', as directed by the Guidance.

5.6 We and the firm agree the financial penalty to be in Band C2, which determines a basic penalty of 2.0% of annual domestic turnover (firms).

5.7 The latest declared annual domestic turnover, to be used in the calculation of the financial penalty, is £420,995.

5.8 The basic penalty is therefore £8,419 ( $£420,995 \times 2.0/100$ ).

5.9 We have also considered mitigating factors and consider that the basic penalty should be discounted by ten percent. This is to take account of the following factors as indicated by the Guidance:

- a. Remedying harm - the firm took steps to rectify its failings and started documenting appropriate CMRAs on files and, in doing

so, is now fully compliant with the MLRs 2017.

- b. Cooperating with the investigation - the firm has cooperated with the SRA's AML Proactive Supervision and AML Investigation teams.

5.10 The adjusted penalty is therefore £7,577.

5.11 The firm does not appear to have made any financial gain or received any other benefit as a result of its conduct. Therefore, no adjustment is necessary and the financial penalty is £7,577.

## **6. Publication**

6.1 Rule 9.2 of the SRA Regulatory and Disciplinary Procedure Rules states that any decision under Rule 3.1 or 3.2, including a Financial Penalty, shall be published unless the particular circumstances outweigh the public interest in publication.

6.2 The SRA considers it appropriate that this agreement is published as there are no circumstances that outweigh the public interest in publication and it is in the interest of transparency in the regulatory and disciplinary process.

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

7.1 The firm agrees that it will not act in any way which is inconsistent with this agreement, such as by denying responsibility for the conduct referred to above. This may result in a further disciplinary sanction.

7.2 Acting in a way which is inconsistent with this agreement may also constitute a separate breach of Principles 1, 2 and 5 of the Principles and paragraph 3.2 of the Code of Conduct for Firms.

## **8. Costs**

8.1 The firm agrees to pay the costs of the SRA's investigation in the sum of £600. Such costs are due within 28 days of a statement of costs due being issued by the SRA.

The date of this Agreement is 16 October 2024

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