

Richard Botting

Employee

637134

[Employee-related decision Date: 25 June 2025](#)

Decision - Employee-related decision

Outcome: Control of non-qualified staff (Section 43 / Section 99 order)

Outcome date: 25 June 2025

Published date: 8 July 2025

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: One Legal Services (trading as One Legal) Limited

Address(es): 12 Eaton Avenue, Buckshaw Village, Euxton, PR7 7NA

Firm ID: 598712

Outcome details

This outcome was reached by SRA decision.

Decision details

Who does this decision relate to?

Richard Botting, who is not a solicitor, was the HOFA of One Legal Services (trading as One Legal) Limited (the firm) from 6 April 2017 until 5 December 2019.

Summary of decision

Mr Botting was made subject to a disqualification order under section 99 of the Legal Services Act 2007.

The SRA has disqualified Mr Botting from holding any of the following roles in law firms regulated by the SRA:

- Head of Legal Practice
- Head of Finance and Administration
- A manager
- An employee

The facts of the case

The firm mainly undertook legal aid work and held a contract for criminal work with the Legal Aid Agency (LAA). It had offices in the northwest of England and in London.

The firm ceased trading and went into administration on 5 December 2019. An administrator was appointed on 3 January 2020.

Between 11 December 2019 and 19 May 2020, the SRA received complaints alleging that the firm had failed to pay invoices submitted by expert witnesses for reports provided for the firm's clients in criminal proceedings.

The SRA commenced a forensic investigation at the firm. In the forensic investigation report dated 12 August 2022, the forensic investigation officer identified that there was a minimum client account shortage at the firm of £53,913.85 as of 25 November 2019.

This was caused by the firm having received £53,913.85 from the LAA between 5 March 2018 and 11 November 2019 in respect of 36 professional disbursements for expert fees incurred on legally aided criminal matters. The money was not used to pay the experts' fees or transferred to the firm's client bank account and was paid into the firm's business bank account.

On 10 December 2019, the firm transferred £77,000 to the administrator from its business bank account.

It was found that:

Allegation 1

Between 1 March 2018 and 11 November 2019, Mr Botting caused or allowed monies received by the firm for unpaid professional disbursements to be retained in the firm's office account longer than allowed under Rule 19.1(b) of the SRA Accounts Rules 2011.

Allegation 2

Having received monies for the purpose of discharging professional disbursements, he failed to pay or cause to pay those disbursements to the appropriate recipients and/or in the absence of such payments transfer the monies from the firm's office account to its client account.

In doing so he breached:

- i. Principles 6, 8 and 10 of the SRA Principles 2011 (the Principles)
- ii. Rules 14.1, 17.1(b) and 19.1(b) of the SRA Accounts Rules 2011 (the Accounts Rules).



Allegation 3

Between 1 March 2018 and 11 November 2019, he caused and/or allowed minimum cash shortages in the sum of up to £53,913.85 to have existed on the firm's client account.

And in doing so he breached:

- i. Principles 6, 8 and 10 of the Principles
- ii. Rules 7.1 of the Accounts Rules.

Allegation 4

Between at least 1 March 2018 and 11 November 2019, as HOFA at the firm, Mr Botting failed to run the business with effective systems and controls to ensure compliance with the SRA's regulatory arrangements which were in force at the time and/or in accordance with sound financial and risk management principles.

And in doing so he breached:

- i. Principles 6 and 8 of the Principles
- ii. Rule 8.5(e) of the SRA Authorisation Rules 2011

Reasons/basis

Our decision on sanction

Mr Botting's conduct breached relevant duties that applied to him as HOFA of the firm, namely the SRA Accounts Rules 2011, the SRA Principles 2011 and rule 8.5(e) of the SRA Authorisation Rules 2011.

It was found that it would be undesirable for Mr Botting to act as a Head of Legal Practice, Head of Finance and Administration, a manager or an employee of a body licensed in accordance with section 99 of the Legal Services Act 2007.

Mr Botting was disqualified from holding any of these roles.

He was also directed to pay costs of £1,350.

Other information

SRA Principles 2011

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

SRA Principle 8: You 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 Principle 10: You protect client money and assets.

SRA Accounts Rules 2011

Rule 7.1: Any breach of the rules must be remedied promptly upon discovery. This includes the replacement of any money improperly withheld or withdrawn from a client account.

Rule 14.1: Client money must without delay be paid into a client account, and must be held in a client account, except when the rules provide to the contrary (see rules 8, 9, 15, 16, 17 and 19).

Rule 17.1(b): When you receive money paid in full or part settlement of your bill (or other notification of costs) you must follow one of the following five options:

- a. determine the composition of the payment without delay, and deal with the money accordingly:
 - i. if the sum comprises office money and/or out of scope money only, it must be placed in an office account;
 - ii. if the sum comprises only client money, the entire sum must be placed in client account;
 - iii. if the sum includes both office money and client money, or client money and out-of-scope money, or client money, out-of-scope money and office money, you must follow rule 18 (receipt of mixed payments); or
- b. ascertain that the payment comprises only office money and/or out-of-scope money, and/or client money in the form of professional disbursements incurred but not yet paid, and deal with the payment as follows:
 - i. place the entire sum in an office account at a bank or building society branch (or head office) in England and Wales; and
 - ii. by the end of the second working day following receipt, either pay any unpaid professional disbursement, or transfer a sum for its settlement to a client account; or
- c. pay the entire sum into a client account (regardless of its composition), and transfer any office money and/or out-of-scope money out of the client account within 14 days of receipt; or
- d. on receipt of costs from the Legal Aid Agency, follow the option in rule 19.1(b); or
- e. in relation to a cheque paid into client account under rule 14.2(e), transfer the costs element out of the client account within 14 days of receipt.

Rule 19.1(b): Two special dispensations apply to payments (other than regular payments) from the Legal Aid Agency:



- a. An advance payment, which may include client money, may be placed in an office account, provided the Legal Aid Agency instructs in writing that this may be done.
- b. A payment for costs (interim and/or final) may be paid into an office account at a bank or building society branch (or head office) in England and Wales, regardless of whether it consists wholly of office money, or is mixed with client money in the form of:
 - i. advance payments for fees or disbursements; or
 - ii. money for unpaid professional disbursements;

provided all money for payment of disbursements is transferred to a client account (or the disbursements paid) within 14 days of receipt.

SRA Authorisation Rules 2011

Rule 8.5(e): The HOFA of an authorised body must:

- i. take all reasonable steps to:
 - a. ensure that the body and its managers or the sole practitioner, and its employees comply with any obligations imposed upon them under the SRA Accounts Rules;
 - b. record any failure so to comply and make such records available to the SRA on request; and
- ii. in the case of a licensed body, as soon as reasonably practicable, report to the SRA any failure so to comply, provided that:
 - a. in the case of non-material failures, these shall be taken to have been reported as soon as reasonably practicable if they are reported to the SRA together with any such other information as the SRA may require in accordance with Rule 8.7(a); and
 - b. a failure may be material either taken on its own or as part of a pattern of failures to comply.

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