

BEFORE THE SOLICITORS DISCIPLINARY TRIBUNAL

Case No: TBC

IN THE MATTER OF THE SOLICITORS ACT 1974 (as amended)

AND IN THE MATTER OF:

SOLICITORS REGULATION AUTHORITY LIMITED

Applicant

and

VIPUL KAPOOR

Respondent

**STATEMENT PURSUANT TO RULE 12 (2) OF THE SOLICITORS (DISCIPLINARY
PROCEEDINGS RULES) 2019**

I, Samantha Thomas-Rees, am a Solicitor employed by the Solicitors Regulation Authority Limited of The Cube, 199 Wharfside Street, Birmingham, B1 1RN. I make this Statement on behalf of the Applicant, the Solicitors Regulation Authority Limited ('SRA').

The allegations

1. The allegations made by the SRA against the Respondent, Vipul Kapoor, a solicitor, are that:
 - 1.1. On 4 February 2017, drove a motor vehicle after consuming alcohol in excess of the legal limit contrary to Section 5(1) (a) of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988.
 - 1.2. Failed to promptly report to the SRA his conviction for the offence committed on 4 February 2017.

In doing so, the Respondent breached any or all of Principles 6 and 7 of the SRA Principles 2011 and Outcome 10.3 of the SRA Code of Conduct 2011.

- 1.3. On 24 December 2019, drove a motor vehicle after consuming alcohol in excess of the legal limit contrary to Section 5 (1) (a) of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988.
- 1.4. Failed to promptly report to the SRA his conviction for the offence committed on 24 December 2019.

In doing so, the Respondent breached any or all of Principle 1, 2 and 5 of the SRA Principles 2019 and Paragraph 7. (6)(a) SRA Code of Conduct of Solicitors, RELs and RFLs.

- 1.5. On 19 December 2020:
 - 1.5.1. Drove a motor vehicle after consuming alcohol in excess of the legal limit contrary to Section 5 (1) (a) of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988.
 - 1.5.2. Drove a vehicle whilst disqualified from holding or obtaining a license contrary to section 103 (1) (b) of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988.
 - 1.5.3. Drove a motor vehicle without a certificate of insurance in place for such use, contrary to section 143 of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988.
 - 1.5.4. Was found to be in possession of cocaine, a controlled drug of class A in contravention of section 5(1) of the Misuse of Drugs Act 1971 contrary to section 5(2) of and Schedule 4 to the Misuse of Drugs Act 1971.
- 1.6. Failed to promptly report to the SRA his conviction for the offences committed on 19 December 2020.

In doing so, the Respondent breached any or all of Principle 1, 2 and 5 of the SRA Principles 2019 and Paragraph 7. (6)(a) SRA Code of Conduct of Solicitors, RELs and RFLs.

- 1.7. On 12 December 2023, was drunk and disorderly in a public place contrary to section 91(1) of the Criminal Justice Act 1967.

In doing so, the Respondent breached Principle 2 of the SRA Principles 2019.

2. The Applicant relies on the Respondent's convictions, dated 20 February 2017, 13 January 2020 and 4 February 2021 respectively, for the offences outlined at allegations 1.1, 1.3 and 1.5 above as evidence that the Respondent was guilty of

each offence and relies upon the findings of fact upon which those convictions were based as proof of those facts. The Certificate of Convictions are dated 18 January 2024 and 21 March 2024 respectively.

3. The Applicant relies on the Respondent's Adult Conditional Caution dated 12 December 2023 for the offence outlined at allegation 1.7 above as evidence that the Respondent was guilty of that offence and relies upon the admission and acceptance of the caution as proof of the facts.
4. The facts and matters relied upon in support of each allegation are set out in paragraphs 13 – 26 below.

Appendices and Documents

5. I attach to this Statement the following appendices:
 - 5.1. Appendix 1: Relevant Rules and Regulations
6. I attach to this statement a bundle of documents, marked STR/1 to which I refer in this statement. Unless otherwise stated, the page references referred to are contained within STR/1.

Professional Details

7. The Respondent, who was born on [REDACTED] 1982, is a solicitor having been admitted to the Roll on 15 October 2009. His SRA ID number is: 390868.
8. At the time of the Respondent's arrest by the police in relation to the first conviction matter (4 February 2017) and the conviction on 20 February 2017, he was employed and practising as a solicitor with Olswang LLP, holding a Practising Certificate free from conditions.
9. At the time of the Respondent's arrest by the police in relation to the second conviction matter (24 December 2019) and the conviction on 13 January 2020, he was employed and practising as a solicitor with TLT LLP, holding a Practising Certificate free from conditions.
10. At the time of the Respondent's arrest by the police in relation to the third, fourth, fifth and sixth conviction matters (19 December 2020) and the convictions on 4 February 2021, he was employed and practising as a solicitor with Naylor Solicitors LLP, holding a Practising Certificate free from conditions.

11. At the time of the Respondent's arrest by the police in relation to the Adult Conditional Caution administered on 12 December 2023, he was a solicitor not in employment, holding a Practising Certificate free from conditions.
12. The Respondent remains on the Roll of Solicitors, holding a Practising Certificate free from conditions and is currently employed as a solicitor with Mezzle Limited (Licensed Body) and Gotelee Solicitors LLP (Recognised Body).

The facts and matters relied upon in support of the allegations

Background

Allegation 1.1

13. On 4 February 2017, Thames Valley Police received a report from a third party regarding an intoxicated male entering a vehicle. Police attended the scene and identified the Respondent to be intoxicated. Police advised the Respondent not to drive and to walk away from the vehicle. Police subsequently received a call from a CCTV operator advising that the Respondent had returned to his vehicle and was driving. The Respondent's vehicle was stopped and he was arrested. The Respondent was conveyed to police custody whereby he was required to provide an evidential breath sample. The evidential breath sample given was 95 mg in 100 ml of breath (legal limit is 35mg). The evidential breath sample was therefore nearly three-times the legal limit.
14. The Applicant relies upon the criminal law witness statement of Police Staff Lindstrom-Bond, dated 22 February 2024, to prove the facts of this offence as outlined in paragraph 10. The statement can be located at page 78 of the bundle.
15. The Respondent was convicted on 20 February 2017 before the Magistrates' Court following a plea of guilty and sentenced on the same date. He received a financial penalty of £2,080.00, prosecution costs were awarded in the sum of £85.00 and a victim surcharge of £170.00. He was disqualified for a period of 24 months with the opportunity of this being reduced on successful completion of a drink drive rehabilitation course.
16. A certified copy of the Certificate of Conviction appears in the bundle at pages 76 and 77. It proves that the Respondent was convicted of the offence in question by virtue of rule 32(1) of the Solicitors (Disciplinary Proceedings) Rules 2019.

Allegation 1.3

17. On 24 December 2019, Thames Valley Police received a report of a road traffic collision where a red BMW had been seen driving erratically and crashed into another vehicle. The Respondent attempted to flee the scene but was detained. The Respondent was asked to provide a specimen of breath which was completed and provided a positive sample. The Respondent was arrested and conveyed to police custody whereby he was required to provide an evidential breath sample. The evidential breath sample given was 75mg in 100 ml of breath. The legal limit is 35mg. The evidential breath sample was therefore over two-times the legal limit.
18. The Applicant relies upon the statement of Police Staff Lindstrom-Bond, dated 22 February 2024, to prove the facts of this offence as outlined in paragraph 14. The statement can be located at page 78 of the bundle.
19. The Respondent was convicted of this offence before the Magistrates' Court on 13 January 2020 following a plea of guilty. The Respondent was then bailed unconditionally by the Magistrates' Court for sentence and an interim driving disqualification was imposed. The Respondent was sentenced on 3 March 2020 to a Community Order for 12 months with an unpaid work requirement and a rehabilitation activity requirement. An order for prosecution costs was made in the sum of £85.00 and a victim surcharge of £90.00. He was disqualified for a period of 36 months with the opportunity of this being reduced on successful completion of a drink drive rehabilitation course.
20. A certified copy of the Certificate of Conviction appears in the bundle at pages 74 and 75. It proves that the Respondent was convicted of the offence in question by virtue of rule 32(1) of the Solicitors (Disciplinary Proceedings) Rules 2019.

Allegation 1.5

21. On 19 December 2020, the Metropolitan Police received a report of an accident whereby damage was caused to another vehicle. On arrival, police noted the Respondent was intoxicated and asked to provide a roadside sample of breath which was positive. The Respondent was subsequently arrested and conveyed to police custody. At the police station, The Respondent was required to give an evidential breath sample. He gave an evidential breath sample with a reading of 92mg in 100ml of breath. The legal limit is 35mg. The evidential breath sample was therefore nearly three-times the legal limit. The Respondent was also driving the vehicle whilst disqualified as the Respondent had been driving during the currency of a driving disqualification. This also meant that the Respondent was driving without insurance. Further, the vehicle belonged to his partner and the Respondent was not a named driver on the policy of insurance. The Respondent was arrested

for these initial matters and was conveyed to police custody. Upon arriving at police custody, the Respondent was searched by police.

When he was searched, a small 'snap bag' containing white powder was found in the Respondent's right sock. The Respondent was arrested for that matter as well. An EDIT test of the powder, conducted by the police, returned a positive result for cocaine, a controlled drug of Class A. The Respondent was interviewed under caution whereby he made full admissions to the offences alleged at the time.

22. The Applicant relies upon the police report (MG5 document) and criminal law witness statement of PC Bullivant, dated 19 December 2020, to prove the facts of this offence as outlined in paragraph 14. The statement can be located at page 89 of the bundle. The MG5 can be found at pages 83 to 88.
23. The Respondent was convicted of four offences before the Magistrates' Court, following pleas of guilty on 4 February 2021. The Respondent was sentenced on 5 March 2021 to a suspended sentence order, with a total term of 4 weeks imprisonment suspended for 12 months. He was also ordered to pay prosecution costs of £85.00 and a victim surcharge of £128.00. He was disqualified from driving for a period of 36 months. The Certificate of Conviction indicates that the Magistrates' Court considered the Respondent's offending to be 'so serious'. The Magistrates' Court ordered forfeiture and destruction of the cocaine found to be in the Respondent's possession.
24. A certified copy of the Certificate of Conviction appears in the bundle at pages 80 and 81. It proves that the Respondent was convicted of the offence in question by virtue of rule 32(1) of the Solicitors (Disciplinary Proceedings) Rules 2019.

Allegation 1.7

25. On 12 December 2023, the Respondent was arrested in Birmingham for drunk and disorderly behaviour arising out of his attempts to gain entry to a local bar following refusal. He accepted an Adult Conditional Caution administered by West Midlands Police on the same day which included the requirement for the Respondent to attend and complete an alcohol misuse treatment course by 12 March 2024. An Adult Conditional Caution is an out-of-court disposal where an offender agrees to comply with specific conditions as an alternative to prosecution. These conditions can be rehabilitative, reparative, or include a financial penalty. The decision to offer an Adult Conditional Caution is made after considering the seriousness of the offence and whether it is in the public interest to prosecute. Further, the offender must make a clear and unambiguous admission to committing the offence in question before it can be administered.

26. The Applicant relies upon the Respondent's previous convictions and caution record (PNC) (pages 66 to 71) and the Adult Conditional Caution form, dated 12 December 2023 (page 72 and 73), together with the Respondents admissions (page 64 and 65) to prove the conduct.

Allegations 1.2, 1.4 and 1.6

27. The Respondent failed to promptly report any of the six convictions to the SRA between the period of 20 February 2017 until the report to the SRA on 3 November 2023. The Respondent's conduct came to the attention of the SRA from a report via his legal representative at the time, Mr David Barton, on 3 November 2023 (page 62 and 63).

28. It is self-evident from the report made to the SRA on 3 November 2023, that the convictions from 2017, 2020 and 2021 were not reported promptly to the SRA as per the regulatory obligations imposed upon the Respondent.

Breach of Principles

Allegation 1.1 and 1.2 - On 4 February 2017, the Respondent drove a motor vehicle after consuming alcohol in excess of the legal limit contrary to Section 5(1) (a) of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988. In addition, he failed to promptly report to the SRA his conviction for the offence committed on 4 February 2017.

He thereby breached any or all of Principles 6 and 7 of the SRA Principles 2011 and Outcome 10.3 of the SRA Code of Conduct 2011

29. The Applicant reiterates that it relies upon the Respondent's conviction, dated 20 February 2017, as evidence that the Respondent was guilty of the offence and relies upon the findings of fact upon which the conviction was based as proof of those facts. The Certificate of Conviction is conclusive proof of the fact.

Principle 6

30. Principle 6 of the SRA Principles 2011 states you must behave in a way that maintains the trust the public places in you and in the provision of legal service. Whilst the Respondent's offending occurred outside of practice, his conduct still demonstrates a failure to meet the higher standards expected of him due to this realistically touching upon his practice of the profession, in accordance with the case of *Beckwith v SRA* [2020] EWHC 3231 (Admin). Given the key role the Respondent holds as a solicitor in upholding the administration of justice, being

convicted of an offence which shows a complete disregard for the administration of justice can be said to realistically touch on his practise of the profession.

31. The Respondent pleaded guilty to and was convicted of a criminal offence. He has therefore failed to behave in a way that maintains the trust the public places in him and of the legal service.
32. The SRA guidance on Driving with excess alcohol convictions in place at the time of this conviction states *'Driving with excess alcohol presents a risk of serious harm or death to individuals. Where a regulated individual has a conviction for an offence of this nature, this demonstrates conduct that would tend to diminish public trust and confidence in the profession.'* (page 168).
33. In the course of this investigation, the Respondent was advised by police to walk home and not drive. The Respondent returned to his motor vehicle and drove whilst over the drink drive limit. This is also a clear example of ignoring the request of a public authority.

Principle 7 and Outcome 10.3

34. Principle 7 of the SRA Principles 2011 says you comply with your legal and regulatory obligations and deal with your regulators and ombudsmen in an open, timely and co-operative manner.
35. Outcome 10.3 of the SRA Code of Conduct 2011 says you notify the SRA promptly of any material changes to relevant information about you including serious financial difficulty, action taken against you by another regulator and serious failure to comply with or achieve the Principles, rules, outcomes and other requirements of the Handbook.
36. The requirement to notify the SRA under Principle 7 and section 10.3 would have been triggered as the time of the conviction on 20 February 2017.
37. This conviction was firstly reported to the SRA on 3 November 2023, nearly seven years after the date of conviction. This is a significant delay and cannot reasonably be considered as a prompt notification. This is therefore a clear breach of Principle 7 and failure to achieve Outcome 10.3
38. The Respondent was employed by Olswang LLP at the time of this offence, conviction and sentence. The Respondent did not inform his employer at the time of the conviction or before he left the firm on 30 April 2017.

Allegation 1.3 and 1.4 - On 24 December 2019 drove a motor vehicle after consuming alcohol in excess of the legal limit contrary to Section 5 (1) (a) of the

Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988. In addition, failed to promptly report to the SRA his conviction for the offences committed on 24 December 2019.

Allegation 1.5 and 1.6 – On 19 December 2020 drove a motor vehicle after consuming alcohol in excess of the legal limit contrary to Section 5 (1) (a) of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988. Drove a vehicle whilst disqualified from holding or obtaining a license contrary to section 103 (1) (b) of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988. Drove a motor vehicle without a certificate of insurance in place for such use, contrary to section 143 of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988. Was found to be in possession of cocaine, a controlled drug of class A in contravention of section 5(1) of the Misuse of Drugs Act 1971 contrary to section 5(2) of and Schedule 4 to the Misuse of Drugs Act 1971. In addition, failed to promptly report to the SRA his conviction for the offences committed on 19 December 2020.

He thereby breached any or all of Principles 1, 2 and 5 of the SRA Principles 2019 and Paragraph 7(6)(a) of the SRA Code of Conduct 2019.

Principle 1

39. Principle 1 of the SRA Principles 2019 says you act in a way that upholds the constitutional principle of the rule of law, and the proper administration of justice.
40. The Respondent pleaded guilty to and was convicted of a criminal offence of driving with excess alcohol on 30 January 2020. He has therefore failed to uphold the constitutional principle of the rule of law, and the proper administration of justice.
41. The Respondent also pleaded guilty to and was convicted of another similar criminal offence of driving with excess alcohol on 4 February 2021. Again, failing to uphold the constitutional principle of the rule of law, and the proper administration of justice. The Respondent committed this offence only 9 months after the imposition of a community order imposed for the previous like offence. Whilst the Respondent's offending occurred outside of practice, his conduct still demonstrates a failure to meet the higher standards expected of him due to this realistically touching upon his practice of the profession, in accordance with the case of *Beckwith v SRA* [2020] EWHC 3231 (Admin). Given the key role the Respondent holds as a solicitor in upholding the administration of justice, being convicted of an offence which shows a complete disregard for the administration of justice can be said to realistically touch on his practise of the profession.

42. The SRA Topic guide: '*A Guide to the application of Principle 1*', issued 7 February 2019 (page 171) states '*Any behaviour which indicates a serious disregard for the principle that the law applies equally to all, is likely to be a breach of Principle 1. For example...Repeated convictions for the same offence*'. This is a second and third like offence of drink driving and therefore committed in clear breach of Principle 1.

Principle 2

43. Principle 2 of the SRA Principles 2019 says you act in a way that upholds public trust and confidence in the solicitors' profession and in legal service provided by authorised persons.
44. The commission of three drink drive offences within a three-year period, together with the high evidential breath sample readings of twice the legal limit, attempting to leave the scene and being in possession of Class A drugs would almost certainly reduce the trust and confidence the public hold in the solicitors' profession.
45. Lord Donaldson remarked in *No 11 of 1990* (unreported): '*If this was the sort of case where, even if the back history was known (that is whatever explanation and mitigation available to explain why the solicitor committed the original offence), and without the explanation as to what has happened subsequently, the members of the public would say "that does not shake my faith in solicitors as a whole*'. Members of the public and other members of the profession would not expect a solicitor to commit an offence of driving with excess alcohol, let alone have subsequent convictions after appearing in court and receiving a sentence for the first like offence. Offences of this type present a risk of serious harm or death to other members of the public. The nature of the Respondent's offending and the repetition of offending behaviour has the capability of shaking the faith in solicitors as a whole.
46. Members of the public and other members of the profession would not expect a solicitor to drive a motor vehicle in breach of a court order, whilst over the drink drive legal limit or to be in possession of a controlled drug of Class A. The Respondent has therefore breached Principle 2.

Principle 5

47. Principle 5 of the SRA Principles says you act with integrity.
48. The Respondent's actions amounted to a failure to act with integrity (i.e. with moral soundness, rectitude and steady adherence to an ethical code) in breach of Principle 5 of the SRA Principles. In *Wingate v Solicitors Regulation Authority v Malins [2018] EWCA Civ 366*, it was said that integrity connotes adherence to the

ethical standards of one's own profession. The Respondent failed to act with integrity in that:

- 48.1. He has committed three offences of driving with excess alcohol within a three-year period, placing members of the public at significant risk of serious injury or death. The evidence demonstrates the Respondent being involved in road traffic collisions as part of the offending behaviour.
 - 48.2. The readings of alcohol in breath were more than twice the legal limit, in respect of each offence.
 - 48.3. The offence on 19 December 2020 was committed in breach of two court orders imposed by the court on 3 March 2020 which were a community order and an order disqualifying the Respondent from driving.
 - 48.4. The first and second offence involved an attempt to evade justice. The first offence involved the Respondent ignoring a police officer's request not to drive the motor vehicle. The second offence involved the Respondent attempting to remove himself from the scene before police detained him.
 - 48.5. As part of the offending concerned with convictions relating to convictions three, four, five and six, involved the Respondent being in possession of controlled drug, cocaine, (Class A), in addition to the consumption of alcohol which led to the court considering, in line with other like offences, that the matter was 'so serious' to justify passing a sentence of suspended imprisonment.
 - 48.6. He failed to notify the SRA, as per his regulatory obligations, of any of his convictions in a prompt manner and for nearly a period of seven years. The report was made to the SRA on 3 November 2023, some nearly seven years after the commission of the first offence and conviction.
 - 48.7. He did not report any of the offences, convictions or sentences received directly to his employers at the relevant period and whilst in the relevant employment.
49. The SRA updated guidance on 'Convictions for driving with excess alcohol – Our approach to enforcement' makes reference to referral to the Solicitors Disciplinary Tribunal *where 'aggravating factors are so serious that a rebuke is not appropriate, we will refer the matter to the Solicitors Disciplinary Tribunal (SDT) to consider whether the individual should be suspended or removed from practise, in order to uphold public trust and confidence in the profession and in legal services. For example, cases which suggest persistent offending, or in which the circumstances demonstrate a lack of honesty or integrity'*. (page 184).

Paragraph 7.(6)(a)

50. The guidance is clear on a referral to the SDT where 'he was issued with a custodial sentence' and take seriously '*any failure to co-operate with the criminal process or to comply with any duty to report*'. The Respondent has failed to report all three convictions until 3 November 2023 which cannot reasonably be considered prompt and failed to comply with the criminal process by breaching court orders. (page 84).

Allegation 1.7 - On 12 December 2023, was drunk and disorderly in a public place on contrary to section 91(1) of the Criminal Justice Act 1967.

He thereby breached Principle 2 of the SRA Principles 2019.

51. Principle 2 of the SRA Principles 2019 says you act in a way that upholds public trust and confidence in the solicitors' profession and in legal service provided by authorised persons.

52. The Respondent committed this offence after consuming alcohol, a long running theme in his offending history. His behaviour escalated to such an extent that the police were called to remove him from outside a bar which resulted in the Respondent accepting an Adult Conditional Caution as an alternative method of disposal other than a prosecution through the criminal courts.

53. This offence was committed just one month after his previous conduct was reported to the SRA and his dismissal from his previous employer, Naylor Solicitors LLP. Whilst the Respondent's offending occurred outside of practice, his conduct still demonstrates a failure to meet the higher standards expected of him due to this realistically touching upon his practice of the profession, in accordance with the case of *Beckwith v SRA* [2020] EWHC 3231 (Admin). Given the key role the Respondent holds as a solicitor in upholding the administration of justice, being convicted of an offence which shows a complete disregard for the administration of justice can be said to realistically touch on his practise of the profession.

54. Lord Donaldson remarked in *No 11 of 1990* (unreported): '*If this was the sort of case where, even if the back history was known (that is whatever explanation and mitigation available to explain why the solicitor committed the original offence), and without the explanation as to what has happened subsequently, the members of the public would say "that does not shake my faith in solicitors as a whole"*'. The Respondent's behaviour on 12 December 2023 would almost certainly breach the trust and confidence in the solicitors' profession and in legal services provided by authorised persons, most certainly when considered together with his previous offending history. The offending behaviour is capable of shaking the faith in solicitors as a whole.

The SRA's Investigation

55. The Applicant has taken the following steps to investigate the allegations it makes against the Respondent.
56. On 14 December 2023, the Respondent is provided with a letter from the Investigation Officer to advise that an investigation is now underway into his conduct. This is actioned following the self-report via the Respondent solicitors on 3 November 2023.
57. On 19 December 2023, the SRA wrote to Naylor Solicitors LLP, The Respondent's employer at the time, seeking full details of the Respondent's employment history with the firm. The request included details of the Respondent's application and recruitment process.
58. Between 14 December 2023 and 24 February 2025, the Investigation Officer had made requests to the court and CPS for information about each conviction and the caution and for memorandums of conviction.
59. On 12 January 2024, a further self-report was made to the SRA by Geoffrey Williams KC, the Respondent's legal representative. This contained details of the drunk and disorderly offence from 11 December 2023 and confirmation of the Respondent accepting an Adult Conditional Caution with the conditions to attend an online course being completed soon thereafter.
60. On 24 February 2025 a Notice recommending referral to the SDT is sent to the Respondent.
61. On 10 March 2025, representations are made against referring the matter to the SDT by Geoffrey Williams KC, on behalf of the Respondent. A copy of these submissions can be found at pages 44 to 51 of the bundle, and can be summarised as follows:
- 61.1. The Respondent admits the convictions recoded against him and the penalties imposed.
 - 61.2. The Respondent accepts the allegations of breaching the relevant Principles and Codes save for the lack of integrity, which is denied.
 - 61.3. The Respondent accepts there was a delay in self-reporting but refers to the medical report of Dr Wilkes dated 22 April 2024 (pages 27 to 43) to explain his state of health at the time of the convictions stating his alcohol dependency impacted upon his mental health.

61.4. The Respondent was alcohol dependant at the time the offences were committed but is now alcohol free.

61.5. The respondent was co-operative with the police and courts and has shown remorse into his offending to date.

61.6. A request is made on the Respondent's behalf for the SRA to consider dealing with the matter by way of a financial penalty as an alternative to a referral to the SDT.

62. On 13 April 2025 a decision to refer to the SDT is made by the Authorised Decision Maker after consideration of the evidence bundle, Respondent representations and the medical evidence as referred to in paragraph 61.3 above.

63. I believe that the facts and matters stated in this statement are true.

Dated this 5th day of June 2025

Signed..... *S Thomas-Rees*

Samantha Thomas-Rees

Solicitor, Legal Adviser
for and on behalf of the Solicitors Regulation Authority
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BEFORE THE SOLICITORS DISCIPLINARY TRIBUNAL

Case No: TBC

IN THE MATTER OF THE SOLICITORS ACT 1974 (as amended)

AND IN THE MATTER OF:

SOLICITORS REGULATION AUTHORITY

Applicant

and

VIPUL KAPOOR

Respondent

**APPENDIX 1 TO STATEMENT PURSUANT TO RULE 12 (2) SOLICITORS
(DISCIPLINARY PROCEEDINGS RULES) 2019**

Relevant Rules and Regulations

Allegations 1.1 and 1.2

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 service. |
| Principle 7 | You comply with your legal and regulatory obligations and deal with your regulators and ombudsmen in an open, timely and co-operative manner; |

SRA Code of Conduct 2011

- | | |
|--------------|---|
| Outcome 10.3 | You must achieve these outcomes: O (10.3) you notify the SRA promptly of any material changes to relevant information about you including serious financial difficulty, action taken against you by another regulator and serious failure to comply with or achieve the Principles, rules, outcomes and other requirements of the Handbook; |
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Allegations 1.3 and 1.4SRA Principles 2019

- Principle 1 You act in a way that upholds the constitutional principle of the rule of law, and the proper administration of justice.
- Principle 2 You act in a way that upholds public trust and confidence in the solicitors' profession and in legal service provided by authorised persons.
- Principle 5 You act with integrity.

SRA Code of Conduct of Solicitors, RELs and RFLs

- Paragraph 7.6(a) You notify the SRA promptly if:
 (a) You are the subject to any criminal charge, conviction or caution, subject to the Rehabilitation of Offenders Act 1974.

Allegations 1.5 and 1.6SRA Principles 2019

- Principle 1 You act in a way that upholds the constitutional principle of the rule of law, and the proper administration of justice.
- Principle 2 You act in a way that upholds public trust and confidence in the solicitors' profession and in legal service provided by authorised persons.
- Principle 5 You act with integrity.

SRA Code of Conduct of Solicitors, RELs and RFLs

- Paragraph 7.6(a) You notify the SRA promptly if:
 (b) You are the subject to any criminal charge, conviction or caution, subject to the Rehabilitation of Offenders Act 1974.

Allegation 1.7SRA Principles 2019

- Principle 2 You act in a way that upholds public trust and confidence in the solicitors' profession and in legal service provided by authorised persons.

Solicitors (Disciplinary Proceedings) Rules 2019

Rule 32(1)

A conviction for a criminal offence in the United Kingdom may be proved by the production of a certified copy of the certificate of conviction relating to the offence and proof of a conviction will constitute evidence that the person in question was guilty of the offence. The findings of fact upon which that conviction was based will be admissible as conclusive proof of those facts save in exceptional circumstances.