

Case No:

**BEFORE THE SOLICITORS DISCIPLINARY TRIBUNAL**

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

**AND IN THE MATTER OF:**

**SOLICITORS REGULATION AUTHORITY LIMITED**

Applicant

and

**DARREN SHAW**

Respondent

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

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I, **DELME GRIFFITHS** am a Solicitor and Partner at Blake Morgan LLP of One Central Square, Cardiff, CF10 1FS.

I make this Statement on behalf of the Applicant, the Solicitors Regulation Authority Limited ("the SRA").

**The allegations**

1. The allegation against the Respondent, Mr Darren Shaw, made by the SRA is that he has been guilty of conduct of such a nature that, in the opinion of the SRA, it would be undesirable for him to be involved in a legal practice in that, on 6-7 October 2022, whilst an employee and/or manager of Keller Postman UK Limited ("the Firm") and during the course of an event held by the Firm and post-event drinks in Manchester:
  - 1.1 In relation to Colleague A, he behaved inappropriately, in that, with reference to a raffle prize of a 'Virgin Experience Day', said, on one or more occasion, a comment that referenced spending "*a night*" with Colleague A.

- 1.2 Inappropriately coerced or attempted to coerce Colleague C and/or Colleague E to dance with him.
- 1.3 In relation to Colleague B, he behaved inappropriately and/or engaged in conduct which he knew or ought to have known was unwanted and/or uninvited, in that he said words to the effect of:
  - 1.3.1 *“Come on [Colleague B], you’ve got a great face, you’ve got a great name, are those your eyes”*, having adjusted Colleague B’s headwear; and/or
  - 1.3.2 *“Has anyone ever told you you’re beautiful, gorgeous, really attractive”*.
- 1.4 In relation to Colleague C, he instigated physical contact which was inappropriate and/or unwanted and/or uninvited, in that he:
  - 1.4.1 Placed his hands on Colleague C’s waist and attempted to prevent her from moving away from him; and/or
  - 1.4.2 Moved his hand to the front of Colleague C’s stomach and/or the top of her leg.
- 1.5 In relation to Colleague D, he behaved inappropriately and/or engaged in conduct which he knew or ought to have known was unwanted and/or uninvited, which included any or all of:
  - 1.5.1 Instigating physical contact, in that he:
    - a) Put his arm around Colleague D; and/or
    - b) Put his hand on Colleague D’s waist.
  - 1.5.2 Made comments to the effect of:
    - a) Suggesting Colleague D should accompany him on her own to a bar; and/or
    - b) Commenting on how Colleague D smelt; and/or
    - c) Asking about Colleague D’s relationship status and/or that she was too pretty to be single; and/or
    - d) Commenting on Colleague D’s eyes, describing them as nice and/or beautiful; and/or

- e) Referencing what he would do to/for Colleague D's eyes.

By his conduct in allegations 1.1 to 1.5, the Respondent committed an act or acts of such a nature that, in the opinion of the SRA, it would be undesirable for him to be involved in a legal practice in accordance with section 43(1) of Act.

The facts and matters relied upon in support of allegation 1 are set out in paragraphs 17 to 66 below.

### **Sexual nature/sexual motivation**

2. The Respondent's conduct in allegations 1.3 and/or 1.4 and/or 1.5 was sexual in nature and/or in relation to allegations 1.3.2 and/or 1.5.1 and/or 1.5.2(b) to (e) was sexually motivated (see paragraphs 52 to 54). This is alleged as an aggravating feature of the Respondent's conduct but it is not an essential feature in proving the allegations.

### **Abuse of position**

3. The Respondent's conduct in allegations 1.1 and/or 1.2 and/or 1.3 and/or 1.4 and/or 1.5 was an abuse of his position (see paragraphs 55 to 56). This is alleged as an aggravating feature of the Respondent's conduct but it is not an essential feature in proving the allegations.

### **Harassment**

4. The Respondent's conduct in allegations 1.2 and/or 1.3 and/or 1.4 and/or 1.5 was tantamount to harassment (see paragraphs 57 to 62). This is alleged as an aggravating feature of the Respondent's conduct but it is not an essential feature in proving the allegations.

### **Appendix and Documents**

5. I attach to this Statement as an appendix an Anonymisation Schedule.
6. I also attach a bundle of documents, marked "**Exhibit DG1**", to which I refer in this statement.
7. Unless otherwise stated, page references in this statement relate to documents contained in that bundle, using the format [**DG1, pp**].
8. Exhibit **DG1** is divided into the following sections:

Section A: Witness evidence.

Section B: Other relevant documentation.

Section C: Documents relating to the SRA's referral to the Tribunal.

### **Professional Details**

9. The Respondent is a Chartered Legal Executive regulated and authorised by the Chartered Institute of Legal Executives.
10. He was, at the relevant time, an employee of the Firm, a Recognised Body, as its Head of Financial Products.
11. The Respondent's present employment circumstances are unknown.

### **Jurisdiction**

12. Throughout the relevant time, the Respondent was employed by and/or was a manager of a recognised body, such that the Tribunal may impose an order pursuant to section 43 of the Act ("**a s.43 Order**").
13. Section 43 of the Act ("**section 43**") is the statutory source of power or jurisdiction of the SRA and the Tribunal to exercise such control over all persons listed in section 43(1A) of the Act, who are or were at the time of the allegations "*involved in a legal practice*" but are not solicitors.
14. Section 43(1A) of the Act states that a person is involved in a legal practice for the purposes of this section if the person:
  - (a) is employed or remunerated by a solicitor in connection with the solicitor's practice;
  - (b) is undertaking work in the name of, or under the direction or supervision of, a solicitor;
  - (c) is employed or remunerated by a recognised body;
  - (d) is employed or remunerated by a manager or employee of a recognised body in connection with that body's business;
  - (e) is a manager of a recognised body;

- (f) has or intends to acquire an interest in such a body.
15. The Respondent, who is not a solicitor, was involved in a legal practice for the purpose of section 43 in that he was: a) employed or remunerated by the Firm; and/or b) a manager of the Firm.
16. Pursuant to section 43(1)(b) and in relation to a person who is or was involved in a legal practice but is not a solicitor, the SRA or the Tribunal (if the matter is before it) may impose a s.43 Order restricting their employment in a regulated firm if they have been involved in conduct which makes it undesirable for them to be involved in a legal practice without the SRA's prior approval.

### **The facts and matters relied upon in support of the allegations**

#### **Background**

17. On 11 November 2022, the SRA received a report from the Firm confirming that a situation had arisen during and after its annual conference in October 2022 ("the Conference") [DG1, 215].
18. It was alleged that the Respondent had conducted himself in an inappropriate way towards female members of staff at the Firm during and after the Conference. It was confirmed that the Firm had engaged an independent law firm to investigate these matters.
19. The firm appointed was Gowling WLG ("Gowling").
20. On 17 and 18 October 2022, Gowling interviewed a number of staff members of the Firm who had attended the Conference and witnessed the Respondent's alleged behaviour [DG1, 104].
21. On 20 October 2022, the Respondent was interviewed by Gowling.
22. At the conclusion of its investigation, Gowling produced a report ("the Report") [DG1, 101-154].
23. On 21 November 2022, on the basis of the findings made within the Report, the Firm notified the Respondent that it had decided to proceed with a formal disciplinary process [DG1, 219].
24. On 23 November 2022, the Firm held a disciplinary hearing, which was attended by the Respondent [DG1, 220-222].

25. At the conclusion of the hearing, the Firm found, on the balance of probabilities that the Respondent's acts, as found proved, constituted (individually and/or collectively) **[DG1, 216]**:
- 25.1. Inappropriate behaviour towards junior female employees by a senior manager;
  - 25.2. Potential acts of harassment as defined by the Firm's Dignity at Work policy and in breach of its Equal Opportunities Policy;
  - 25.3. Potential acts of unlawful discrimination or harassment; and
  - 25.4. Amounted to misconduct under the Firm's Disciplinary Procedure Policy ("the DPP").
26. As a consequence, the Firm decided to impose a first (and final) written warning under the DPP. It also imposed conditions on the Respondent, namely **[DG1, 216]**:
- 26.1. No alcohol consumption by the Respondent at work/at work events;
  - 26.2. No physical attendance at the Firm's offices and/or events outside of Manchester without prior written approval; and
  - 26.3. Functional and hierarchical isolation from female staff in offices other than Manchester.
27. On 30 April 2024, the SRA was notified that the Respondent no longer worked at the Firm.
28. The SRA subsequently contacted Colleague B, Colleague C, Colleague D and Colleague E, who have all provided signed witness statements.
29. In summary, it is alleged that the Respondent engaged in inappropriate and unwanted behaviours towards Colleagues A to E at and following the Conference. Each of Colleagues A to E were junior members of staff at the Firm, whereas the Respondent was manager of the Manchester Office and Head of Product at the Firm. In particular:
- 29.1. Colleague B was a legal assistant, under the age of 25 at the relevant time, who worked from the Firm's London Office, with no professional or personal relationship with the Respondent, who did not know her name prior to the Conference **[DG1, 2 at para 3 and 11]**.

29.2. Colleague C was a case handler at the Firm, having re-joined it in May 2021 and based in London. She had no interactions with the Respondent prior to the Conference [DG1, 80].

29.3. Colleague D was a paralegal at the Firm, having joined in May 2022 and based in its Birmingham office. She had no prior interactions with the Respondent [DG1, 49 at para 3].

29.4. Colleague E was a paralegal who had only commenced work at the Firm in or around July 2022. She had no prior interactions with the Respondent [DG1, 23 para 3].

### The Conference

30. The Conference was a firm-wide, all day event held at the Midland Hotel, Manchester, encompassing a drinks reception and dinner in the evening, with approximately 60 to 80 attendees. After the drinks reception, attendees were seated at tables, receiving speeches and presentations before and during the dinner [DG1, 3 paras. 5-6].

31. The Respondent had a role in the presentations and speeches during the course of the day [see, for example, DG1, 3 para. 7, 50-51, paras. 6 and 8 and 175].

32. The evening included a raffle, for which attendees were invited to purchase tickets.

33. One of the raffle prizes was a 'Virgin Experience Day' [DG1, 4 para. 10].

34. When this prize was announced, the Respondent made a comment referencing spending and/or winning a night with Person A [DG1, 4, para. 10 and 176]<sup>1</sup>. Person A comments that [DG1, 4 para. 10]:

*"[Colleague A] is a colleague, who was sat on my table near to where [the Respondent] was standing. I understood that Mr Shaw was implying that [Colleague A] was a Virgin, and the winner of the prize could take her virginity. He said this comment as if he was now very interested in the prize, and his tone suggested he meant it as a joke. He said it loud enough for people to hear, as if he intended for people to laugh at the comment.*

...

*Within only a couple of minutes [the Respondent] then repeated the comment "I DIDN'T REALISE YOU COULD WIN A NIGHT WITH [PERSON A]."*<sup>2</sup>

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<sup>1</sup> Allegation 1.1

<sup>2</sup> Allegation 1.1

35. Following the dinner, attendees socialised and there was a band and a DJ, resulting in attendees mingling within some danced [DG1, 4 para. 12].
36. That included the Respondent. Colleague E asserts that the Respondent [DG1, 25 para 14]
- 36.1. Was present on the dancefloor, pulling female members in to dance with him.
- 36.2. Would take hold of their hands or pull them by their waist.
- 36.3. Danced with numerous female staff members of the Firm, some of whom looked uncomfortable and attempted to pull away from him<sup>3</sup>.
37. Later in the evening, the Respondent approached Colleague E when she was seated in her wheelchair with colleagues and [DG1, 25 paras. 16-17]:
- 37.1. Took hold of her hands when this was uninvited.
- 37.2. Proceeded to attempt to pull/move Colleague E onto the dancefloor.
- 37.3. As the edge of the dancefloor was sloped, the Respondent moved Colleague E onto the dancefloor by the wheels of her wheelchair, placing his hands either side of her and utilising the push rims of her wheels, in doing so removing Colleague E's autonomy by controlling her wheelchair in circumstances where she was unable to move away<sup>4</sup>.
38. This incident was witnessed by Colleague D, who perceived that Colleague E was uncomfortable [DG1, 52 para. 13].
39. The Respondent subsequently approached Colleague E for a second time when she had returned to the dancefloor with colleagues, when he held her hands once again and attempted to move her in her wheelchair. In response, Colleague E told the Respondent that she did not want to dance and repeatedly said, 'no', to which the Respondent replied with words to the effect of, "*oh stop, you're teasing me*", continuing to hold her hands throughout [DG1, 26 para 20]<sup>5</sup>.
40. At another point during the evening, Person B was wearing a hat when she was approached by the Respondent, at which point Person B states the Respondent [DG1, 4-5 para. 13]

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<sup>3</sup> See also DG1, 157 and 182

<sup>4</sup> Allegation 1.2

<sup>5</sup> Allegation 1.2

“... adjusted my hat, so that you could see more of my face. He said, “COME ON, COME ON [PERSON B]” adjusted the rim of the hat and continued, “YOU SHOULD WEAR IT LIKE THIS.” He said, “YOU’VE GOT A GREAT FACE, YOU’VE GOT A GREAT NAME” and then he said, “ARE THOSE YOUR EYES?” To this I responded, “NO I BORROWED THEM”. I consciously did not look at him and moved away ...”<sup>6</sup>

41. During the course of the event, the Respondent also approached Colleague D “uninvited and out of nowhere”, leaned in with his mouth close to her ear and said words to the effect of, “do you want to come to the bar alone with me”. This was said in a way that only Colleague D could hear [DG1, 53 at para. 16]<sup>7</sup>.

### Events following the Conference

42. The evening aspect of the Conference finished at approximately midnight, at which point approximately 10 to 15 of the attendees went to the Albert Schloss Bar in Manchester, including the Respondent [DG1, 5 para 14].
43. Following their arrival, the Respondent approached Colleague A and, when this was uninvited and/or unwanted, leaned in towards her to speak and said words to the effect of “has anyone ever told you you’re beautiful, gorgeous, really attractive” [DG1, 5 para 16]<sup>8</sup>.
44. The Respondent also approached Colleague D. Whilst sat a table with colleagues, the Respondent came to their table and moved closer towards her. He proceeded to put his right arm around her back and his hand on or near her waist, without being invited to do so [DG1, 54 para. 20]<sup>9</sup>.
45. The Respondent then said to Colleague D words to the effect of, “you smell like coconuts” and “are you married or single?”, commenting in response to Colleague D’s answer that she was “too pretty to be single”<sup>10</sup>. At the time, the Respondent was sufficiently close to Colleague D that she felt he was “violating her private space” [DG1, 54 para. 20 and 66].
46. The Respondent subsequently commented further on Colleague D’s appearance, saying words to the effect of, “you have really nice eyes” and “oh what I’d do to you with those eyes”<sup>11</sup>. Colleague D understood this comment to be sexual in nature and intimate [DG1, 54 para. 20].

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<sup>6</sup> Allegation 1.3.1

<sup>7</sup> Allegation 1.5.2(a)

<sup>8</sup> Allegation 1.3.2

<sup>9</sup> Allegation 1.5.1

<sup>10</sup> Allegations 1.5.2(b) and (c)

<sup>11</sup> Allegations 1.5.2(d) and (e)

47. As Colleague D moved away from the Respondent, she felt his hand on her waist area dropping down on or near her lower back, for a few seconds, in a movement that was described as “*like a stroke motion*” [DG1, 54 para. 21]<sup>12</sup>.
48. Whilst in the same bar, the Respondent also approached Colleague C to dance with him. Whilst Colleague C initially agreed to dance with the Respondent, she attempted to walk away from him, at which point he sought to continue the interaction and held Colleague C, which had the effect of preventing her from leaving [DG1, 84, 89 and 91]<sup>13</sup>.
49. The Respondent put his hand(s) on Colleague C’s waist and pulled her to him, at which point he whispered to her, words to the effect of, “*I haven’t finished yet, I’m just taking a sip of my drink*” [DG1, 84-85 and 91]<sup>14</sup>.
50. In the course of the physical contact, the Respondent moved his hand to the front of Colleague C’s stomach area and/or the top of her leg, in a motion akin to ‘rubbing’ [DG1, 85]<sup>15</sup>.
51. This prompted the intervention of a colleague, who pulled Colleague C away from the Respondent [DG1, 85 and 92-93].

#### **Sexual nature/sexual motivation**

52. Some or all of the Respondent’s conduct as particularised in allegations 1.3, 1.4 and/or 1.5 was, by its nature, sexual, or was, because of the circumstances and the nature of the Respondent’s actions, sexual<sup>16</sup>.
53. In *Basson v GMC*<sup>17</sup>, sexual motivation was defined as conduct which is done either in pursuit of sexual gratification or in pursuit of a future sexual relationship.
54. Having regard to the nature and circumstances of the Respondent’s conduct, in relation to allegations 1.3.2 and/or 1.4 and/or 1.5.1 and/or 1.5.2(b) to (e), it is alleged that it is reasonable and appropriate to infer that he was seeking a future, sexual relationship with Colleague B and/or Colleague C and/or Colleague D, for instance having regard to:

54.1. The nature of the Respondent’s actions in making physical contact with Colleague C and/or Colleague D.

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<sup>12</sup> Allegation 1.5.1(b)

<sup>13</sup> Allegation 1.2

<sup>14</sup> Allegation 1.4.1

<sup>15</sup> Allegation 1.4.2

<sup>16</sup> As per section 78 of the Sexual Offences Act 2003

<sup>17</sup> [2018] EWHC 505 (Admin)

54.2. Making comments regarding Colleague B's and/or Colleague D's physical attributes, appearance, attractiveness and/or relationship status.

54.3. The context to his behaviour, whereby his actions amounted to propositions, overtures or advances seeking to elicit positive responses of a romantic and/or sexual nature from Colleague B and/or Colleague C and/or Colleague D.

### **Abuse of position**

55. By acting in the way alleged in allegations 1.1 and/or 1.2 and/or 1.3 and/or 1.4 and/or 1.5, the Respondent abused his position.

56. The Respondent knew or ought to have known that he held a position of seniority and authority in respect of these colleagues and, as such, that he was required to behave professionally and maintain appropriate professional boundaries at all times. Instead, the Respondent used his position to engage in behaviour and pursue a course of conduct that was highly inappropriate.

### **Harassment**

57. Pursuant to section 26 of the Equality Act 2010, harassment occurs where:

57.1. A person engages in unwanted conduct related to a relevant protected characteristic, which includes sex and/or disability; and

57.2. The conduct has the purpose or effect of either violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

58. The conduct alleged in allegations 1.2 and/or 1.3 and/or 1.4 and/or 1.5 was unwanted, related to gender and/or disability and had the effect of either violating the dignity of the colleagues in question or creating an intimidating, hostile, degrading, humiliating or offensive environment for them, whether or not that was the Respondent's purpose.

59. The conduct alleged in allegations 1.3 and/or 1.4 and/or 1.5 also amounted to sexual harassment for the purposes of the section 26.2 of the Equality Act 2010 on the basis that it was unwanted conduct of a sexual nature, in relation to which paragraphs 52 to 54 are repeated.

60. Equality and Human Rights Commission guidance advises that the word

‘unwanted’ means the same, essentially, as ‘unwelcome’ or ‘uninvited’ and it does not mean that express objection is made to the conduct before it is deemed to be unwanted<sup>18</sup>.

61. The conduct alleged had the effect of violating the colleagues’ dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them, having particular regard to the following:

61.1. The circumstances of the situations in question, in relation to which paragraphs 63.1 to 63.4 in particular are repeated.

61.2. How the unwanted behaviour was viewed, in relation to which paragraph 63.5 in particular is repeated. The individuals in question were acting reasonably in perceiving the behaviour in that manner.

62. The Respondent did not treat Colleagues B to E with respect and his actions were tantamount to harassment.

### **Why the conduct makes it undesirable for the Respondent to be involved in a Legal Practice**

63. The Respondent’s conduct as alleged in allegations 1.1 to 1.5 fell below the standard expected of an individual involved in legal practice, for the following reasons:

63.1. The Respondent was a senior individual within the Firm at the time of the alleged conduct. He was in a position of authority, seniority, importance and influence, with a prominent role at the Conference befitting his status at the Firm. Each of Colleague A to Colleague E were connected to him solely by virtue of their status as junior employees of the Firm, in relation to which paragraph 29 is repeated. As such, there was a power imbalance between them.

63.2. There is a clear and direct link between the alleged misconduct and the Respondent’s work as a manager and his professional practice. The conduct involved and directly affected junior work colleagues and took place during and after a work event. The impact extended beyond the events at and subsequent to the Conference, including in terms of the individuals’ reflections and emotions in the aftermath, the consideration of whether to make a formal complaint and ultimately participation in the Firm’s investigation.

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<sup>18</sup> <https://www.equalityhumanrights.com/guidance/sexual-harassment-and-harassment-work-technical-guidance#meaningofunwantedconduct>

63.3. The Respondent utilised his position to initiate contact in circumstances where Colleagues B to E were placed in a difficult position in terms of seeking him to desist and/or where he refused to do so. For example:

63.3.1. In relation to allegation 1.2, Colleague E stated that on the second occasion the Respondent attempted to move her in her chair, the Respondent repeatedly told him to stop [DG1, 26 para 20]. She also commented that “*he’s a partner within the Manchester team, so I was like I don’t want to essentially put myself in a bad position career wise in a company that I’ve just joined*” [DG1, 41].

63.3.2. In relation to allegation 1.4, Colleague C asserts that she did not speak up in the moment given the Respondent’s role in senior management and the potential for her to work with him in the future [DG1, 95-96].

63.4. In relation to Colleague C and/or Colleague D, the Respondent engaged in unwanted and/or uninvited physical contact that was inappropriate in the context of their professional relationships.

63.5. The Respondent’s actions presented a risk of his colleagues feeling offended and/or embarrassed and/or made them uncomfortable. For example:

63.5.1. In relation to allegation 1.1, the comment alluded to Colleague A’s sex life, had sexual connotations and was a potentially demeaning and embarrassing comment to be made about Colleague A in front of her colleagues, who were also at risk of feeling embarrassed by it.

63.5.2. Colleague B confirms that, in relation to the comment which is the subject of allegation 1.1, she “*felt incredibly uncomfortable with the situation*” [DG1, 4 para. 10].

63.5.3. Mr Shaw’s conduct impacted on Colleague B. She states in relation to allegation 1.3.1 that “*I did not want to engage with him in any way, because I was cautious and felt uncomfortable around him*” [DG1, 5 para. 13]. In relation to allegation 1.3.2, Colleague B asserts that the Respondent’s conduct “*shocked*” her and made her feel like she “*wanted to cry because I just did not understand why an older senior colleague would be*

*talking to me in this way in a club* [DG1, 5 para. 16]. She walked away from him and felt *“very, very uncomfortable”* [DG1, 12].

- 63.5.4. In relation to allegation 1.4, Colleague C was made to feel *“violated”* [DG1, 86] and *“uncomfortable”* [DG1, 96].
- 63.5.5. In relation to the comment particularised in allegation 1.5.2(a) towards Colleague D, this made her feel *“awkward”*, caused *“frustration and disgust”* and was perceived as an *“inappropriate comment deriving from a person of power”*. She felt *“disgusted by the comment, and [she] felt like he was abusing his senior position at the Firm”* [DG1, 53 para. 16].
- 63.5.6. Colleague D was also made to feel uncomfortable when the Respondent placed his hand upon her [DG1, 54 para. 21].
- 63.5.7. In relation to the comments particularised in allegations 1.5.2(b) to (e), Colleague D asserts that the Respondent’s conduct was *“weird and unprofessional”*, that he had been *“violating [her] personal space”*, made her *“angry”*, *“uncomfortable and uneasy”*, *“vulnerable”* and such that the Respondent was *“showing no respect to [her], as a woman and colleague”* [DG1, 54 para. 20]. In relation to the impact of the Respondent’s actions her, she states she now understands first-hand that *“sexual verbal communication is enough to trigger emotions of anger, disgust, and vulnerability”* [DG1, 55 para. 26].
- 63.5.8. In relation to allegation 1.2, Colleague E, who is a wheelchair user, describes feeling uncomfortable as the Respondent had effectively removed autonomy by controlling her wheelchair and feeling in a vulnerable position, unable to move away [DG1, 25-26 at para 16].
- 63.6. The Respondent did not maintain appropriate professional boundaries in relation to a number of individuals in distinct respects.
- 63.7. For the reasons set out above, the Respondent’s conduct was of a sexual nature and/or was sexually motivated and/or amounted to an abuse of position and/or was tantamount to harassment and in relation to more than one individual, thereby demonstrating a pattern of behaviour. It constitutes sexual misconduct for the purposes of applicable guidance published

shortly before these events<sup>19</sup>. The SRA's Enforcement Strategy<sup>20</sup> states that it considers certain types of allegations as inherently more serious than others and that it will always take seriously allegations of sexual misconduct.

64. A manager or other individual acting appropriately would not behave in such a way with junior members of staff, such as to completely cross professional boundaries, especially when asked by colleagues to stop or change their behaviour. A manager or other individual acting appropriately would treat colleagues with respect.
65. Moreover, employees within regulated firms should be able to feel safe and respected when interacting with colleagues; they should not feel offended, uncomfortable, vulnerable or intimidated by a colleague's behaviour towards them.
66. It is therefore alleged that the Respondent engaged in conduct, considering the allegations individually but particularly cumulatively, which means it is undesirable for him to be involved in a legal practice without the SRA's prior approval.

### **Referral to the Tribunal**

67. On 3 February 2025, the SRA sent a Notice recommending referral of conduct to the Tribunal for consideration of whether to impose a section 43 Order [DG1, [224-255], requesting a response from the Respondent by 18 February 2025.
68. On that same date, the Respondent's representative sought an extension of time to respond, to 4 March 2025 [DG1, 256].
69. Whilst this was agreed [DG1, 257], the response was not forthcoming on or after 4 March 2025.
70. On 5 March 2025, the SRA wrote to the Respondent's representative to confirm that, in the absence of a response, the Notice and accompanying documents would be passed to an Authorised Decision Maker ("ADM") [DG1, 258-259].
71. On 31 March 2025, an ADM of the SRA decided to refer the Respondent to the Tribunal [DG1, 260-264].

<sup>19</sup> [www.sra.org.uk/solicitors/guidance/sexual-misconduct/](http://www.sra.org.uk/solicitors/guidance/sexual-misconduct/)

<sup>20</sup> See: <https://www.sra.org.uk/sra/corporate-strategy/sra-enforcement-strategy/>

**Statement of Truth**

I believe the contents of this statement are true.

Signed: 

Delme Griffiths

Dated: 16 July 2025