

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12660-2024

BETWEEN:

SOLICITORS REGULATION AUTHORITY LTD.

Applicant

and

LEWIS BRADY

Respondent

Before:

Mr M.N. Millin (in the chair)

Mrs A. Sprawson

Mrs L. McMahon-Hathway

Date of Hearing: 31 March - 4 April 2025

Appearances

Louise Culleton, barrister, Capsticks Solicitors LLP, 1 St George's Road, London SW19 4DR,
for the Applicant.

Alex Mullen, barrister, QEB Hollis Whiteman Chambers, 1-2 Laurence Pountney Hill, London
EC4R 0EU instructed by McArthur Solicitors for the Respondent.

JUDGMENT

Allegations

1. The allegations against the Respondent, Lewis Brady, made by the Solicitors Regulation Authority are that, while in practice as a Solicitor at Orrick Herrington & Sutcliffe (UK) LLP (“the Firm”), he:
 - 1.1. Acted towards Person A, a Paralegal at the Firm, in a manner which was unwanted and/or inappropriate and/or sexually motivated as set out in Schedule A below and in doing so breached any or all of Principles 2 and 5 of the SRA Principles (“the Principles”) and Paragraph 1.2 of the SRA Code of Conduct for Solicitors, RELs and RFLs (“the Code for Solicitors”).

Schedule A

- 1.1.1 On or around 22 September 2021 when at The London Cocktail Club, following a social event at Hijingo Bingo organised for and attended by employees of the Firm, he touched Person A’s bottom and/or her left breast.

NOT PROVED

- 1.1.2 On or around 14 October 2021 when at The Juno Rooms for after work team drinks with colleagues from the Firm, he touched Person A’s right thigh.

NOT PROVED

- 1.1.3 On or around 20 October 2021 when at Beduin following a Firm organised wine tasting event for the Litigation Business Unit and an ‘Afterparty’ dinner at Apulia (and attendance at Karaoke Box), he touched Person A’s bottom one or more times.

PROVED

- 1.1.4 On or around 9 December 2021 when at the Firm’s Litigation Team’s Festive Drinks at Clays Bar, he touched Person A’s bottom one or more times.

NOT PROVED

- 1.1.5 On or around 10 December 2021 when at Beduin following the Firm’s Litigation Christmas Party, he touched Person A on her bottom.

NOT PROVED

- 1.1.6 On or around 16 December 2021 when at Person B’s house, following an Associates’ Christmas social event, he:
 - (i) Touched Person A’s thigh when they were sitting around Person B’s Dining table;

- (ii) Touched Person A's inside right thigh – rubbing and stroking along the top of her right thigh – whilst seated on a sofa with a blanket covering Person B and his laps.

NOT PROVED

1.1.7 On or around 17 December 2021 following the matters set out at 1.1.6 above, at the Respondent's home, he:

- (i) Pulled Person A onto his lap so that she was in a straddle position;
- (ii) Attempted to kiss her although Person A was trying to push his face away from hers in order to try to stop him from kissing her;
- (iii) Touched her upper body including her breasts;
- (iv) Put his hands down the back of her jeans.

NOT PROVED

1.2 Acted towards Person B, a Managing Associate at the Firm, in a manner which was unwanted and/or inappropriate and/or sexually motivated as set out in Schedule B (below) and in doing so breached any or all of Principles 2 and 5 of the Principles and Paragraph 1.2 of the Code for Solicitors.

Schedule B

1.2.1 On 14 - 15 October 2021, at Core, he attempted to kiss Person B.

NOT PROVED

1.2.2 On 24 - 25 March 2022, after a trainee handover dinner at Tayyabs Curry House and then having attended Blues Kitchen in Shoreditch, when sharing a taxi to get home, he:

- (i) Touched Person B's left breast underneath her clothing;
- (ii) Despite Person B saying words to the effect of "what do you think you're doing? No" and pulling his hand out and smacking away, he again put his hand into her bra and touched her breast including squeezing her nipple;
- (iii) Despite Person B again telling him not to and pushing him away, he touched her breast again.

PROVED

Executive Summary

2. The Respondent and both complainants were colleagues at the Firm who, after long working hours, regularly socialised at various bars and clubs in London following the end of the national lockdown in 2021.
3. Person A, a Paralegal from a different team, alleged that on seven occasions during social outings between September and December 2021—including the final instance at the Respondent's residence—the Respondent had touched her in an unwanted, inappropriate, and sexually motivated manner.
4. The Respondent and Person B, a married Associate lawyer from another team, developed a close personal friendship, which the Respondent conceded was 'confusing' for him. Person B alleged that, during an outing in October 2021, the Respondent attempted to kiss her. Later, in March 2022, during a shared taxi journey following a social gathering, he allegedly touched her breast under her clothing on three successive occasions. The touching was said to be unwanted, inappropriate, and sexually motivated.
5. The Respondent denied all allegations made by Person A, who he believed regarded their attraction to be mutual. He asserted that some encounters with Person A were consensual, while others did not occur as alleged. Regarding Person B, he denied attempting to kiss her and refuted her account of the taxi journey.
6. The Tribunal found only one allegation against the Respondent in relation to Person A, the non-consensual touching of her bottom, proved on the balance of probabilities. Additionally, it found the non-consensual touching of Person B during the taxi to be proved to the same standard.
7. It was argued on behalf of the Respondent that the conduct occurred outside the scope of legal practice, did not engage the relevant Principles or the Code for Solicitors, and therefore did not constitute a regulatory issue. However, the Tribunal reached a different conclusion based on the evidence before it. It determined that the Respondent's non-consensual touching of colleagues was sufficiently serious to damage the reputation of the profession. Having found breaches of Principles 2 and 5, the Tribunal concluded that a 12-month suspension was warranted.

Sanction

8. [The Respondent was suspended from practice for a period of 12 Months.](#)

Documents

9. The Tribunal considered all of the documents included in the electronic case bundle.

Preliminary Matters

10. [Application for Anonymisation and Special Measures by the Applicant](#)

- 10.1 The following applications were made by Ms Culleton with reference to the anonymisation schedule contained in the case electronic bundle:
- 10.1.1 An application for anonymisation for the person named as Person B. It was clarified that anonymity applications for Person A and Person D had already been granted at a previous CMH; however, the Memorandum of that Hearing did not confirm the grant for Person B;
 - 10.1.2 An Application for anonymisation for Persons C, E, F, J, K, L and M. These witnesses needed to be anonymised during the course of the proceedings to prevent jigsaw identification of Persons A and B who were complainants;
 - 10.1.3 Two teams within the Firm to be anonymised to prevent jigsaw identification. The application was for the teams to be referred to as Team A and Team B.
- 10.2 An application was also made for Person C to give oral evidence whilst screened from the Respondent. The reasons outlining the necessity for the application had been provided in the Further Submissions document provided to the Tribunal in advance of the hearing.
- 10.3 The Respondent did not oppose the applications.

The Decision of the Tribunal

- 10.4 The Tribunal granted the application recognising the need for anonymisation to prevent the identification of the Witnesses and the Teams within the Firm. The order for anonymisation was made in the following terms:

“The identities of Persons A, B, C, D, E, F, G, H, I, J, K, L, M and the identity of Team A and Team B will be known to all lawyers acting for the parties, to the Tribunal and to all factual witnesses. Save as aforesaid, the publication in connection with these proceedings by any person of Persons A, B, C, D, E, F, G, H, I, J, K, L, M and the identity of Team A and Team B or any matters personal to those individuals/the Firm or teams, which might lead to identification of the aforementioned is prohibited”

- 10.5 The Tribunal also granted the application for Person C to give oral evidence whilst screened from the Respondent.

Application by the Respondent for Admission of Evidence

- 10.6 Mr. Mullen applied for the admission of material that had not previously been filed with the Tribunal. This material was part of a larger set, comprising 2,300 pages of unused evidence, recently served upon the Respondent. The application, however, focused on just over forty pages.
- 10.7 Ms Culleton confirmed that the Applicant would not be opposing the application.

Decision of the Tribunal

- 10.8 The Tribunal determined that it was in the interests of justice to exercise its discretion to admit the evidence, considering the timing of its acquisition by the Respondent and the absence of opposition to the application by the Applicant.

Further Application by the Respondent for Admission of Whatsapp Messages Between the Respondent and Person A

- 10.9 After the commencement of the hearing, Mr Mullen applied for the admission into evidence of a Whatsapp exchange between the Respondent and Person A dated 17 December 2021. It was acknowledged that the application was late but the Respondent had sought to serve them immediately he became aware that he had not done so.
- 10.10 The messages were specifically relevant to allegation 1.1.7, as they revealed evidence of communication between the parties immediately following the alleged incident. Furthermore, the messages demonstrated the manner and tone of their interaction.

Response to the Application for the Admission of the Messages by the Applicant

- 10.11 Ms Culleton opposed the application pointing out that application was being made very late after the commencement of the hearing and shortly before Person A would be giving evidence remotely. It was submitted that to admit the evidence would be prejudicial and unfair.

The Decision of the Tribunal

- 10.12 The Tribunal granted the application.
- 10.13 It was determined that, despite the lateness of the application, there was no apparent unfairness to the Applicant. There was no indication that the messages had been selectively taken from a broader conversation that would require additional context. Given the relevance of the messages, it was deemed to be in the interests of justice to admit them.

Factual Background

11. The Respondent was born in April 1992 and is a solicitor having been admitted to the Roll on 15 March 2017.
12. The Respondent does not hold a current practising certificate and his last practising certificate ended on 8 December 2022.
13. The Respondent has an unblemished regulatory record.

Witnesses

14. The written and oral evidence of witnesses is quoted or summarised in the Findings of Fact and Law below. The evidence referred to will be that which was relevant to the

findings of the Tribunal, and to facts or issues in dispute between the parties. For the avoidance of doubt, the Tribunal read all of the documents in the case and made notes of the oral evidence of all witnesses. The absence of any reference to particular evidence should not be taken as an indication that the Tribunal did not read, hear or consider that evidence. The following witnesses gave oral evidence:

- Person A
- Person B
- Person C
- Person D
- The Respondent

Findings of Fact and Law

Jurisdiction

15. The Tribunal had due regard to whether it had jurisdiction over the matters, listening with care to the submissions made by the parties and reviewing the relevant caselaw, including *Beckwith v Solicitors Regulation Authority* [2020] EWHC 3231 at Para 54:

“..Principle 2 or Principle 6 may reach into private life only when conduct that is part of a person’s private life realistically touches on her practise of the profession (Principle 2) or the standing of the profession (Principle 6). Any such conduct must be qualitatively relevant. It must, in a way that is demonstrably relevant, engage one or other of the standards of behaviour which are set out in or necessarily implicit from the Handbook...”

16. Unlike *Beckwith*, where the Tribunal approached matters on the basis that sexual conduct for consideration was consensual, this case required the Tribunal to determine, in relation to certain allegations whether the conduct in question occurred at all. For other allegations, the Tribunal had to assess whether the admitted conduct was consensual.
17. While it was argued by the Respondent that the social context in which the allegations arose was distinct from legal practice, as they occurred outside the workplace setting and did not engage any of the standards of behaviour set out in the Principles or the Code and therefore did not raise a regulatory issue, the Tribunal reached a different conclusion. In making its determination, it conducted a careful review of the relevant case law presented to it, along with a consideration of the *SRA Guidance on Sexual Misconduct*, published on 1 September 2022. The Tribunal found that the allegations of non-consensual touching in this case, at a minimum, were capable of engaging the Principles of public confidence in the profession and integrity, if not the standards of behaviour implicit in the Principles and the Code for Solicitors.

Integrity

18. In relation to integrity, the Tribunal considered the matters set out at paragraphs 97-107 of *Wingate & Anor v The Solicitors Regulation Authority* [2018] EWCA Civ 366.

19. The Applicant was required by Rule 5 of The Solicitors (Disciplinary Proceedings) Rules 2019 to prove the allegations to the standard applicable in civil proceedings (on the balance of probabilities). The Tribunal had due regard to its statutory duty, under section 6 of the Human Rights Act 1998, to act in a manner which was compatible with the Respondent's rights to a fair trial and to respect for their private and family life under Articles 6 and 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

The Applicant's Case

20. Rule 12 Statement – [Click Here](#)

The Respondent's Case

21. In addition, in oral evidence, he denied all allegations made against him in respect of Person A and Person B and stated that he was “*heartbroken*” upon listening to the evidence presented by individuals he had considered close friends.
22. The Firm fostered a “*work hard, play hard*” culture, characterized by long working hours followed by social outings among a group of well-remunerated employees, of which he was a member. In the period following the post-COVID lockdown, this group frequently gathered at restaurants, bars, and nightclubs in London and its surrounding areas—often staying out late. Heavy drinking was a defining aspect of these gatherings.
23. The group did not socialize as work colleagues, but rather as friends who happened to work at the same Firm. Some members of the group did not work together professionally.
24. For the Respondent's Answer to the Applicant's Rule 12 Statement and Response to the individual allegations - [Click Here](#)

NOTE: While all the evidence was carefully considered the Tribunal does not refer to each and every piece of the evidence or submissions in its judgment and findings.

The Tribunal Findings

Allegation 1.1

Conduct Alleged Against Person A

25. **Acted towards Person A, a Paralegal at the Firm, in a manner which was unwanted and/or inappropriate and/or sexually motivated as set out in Schedule A below and in doing so breached any or all of Principles 2 and 5 of the SRA Principles (“the Principles”) and Paragraph 1.2 of the SRA Code of Conduct for Solicitors, RELs and RFLs (“the Code for Solicitors”).**

Allegation 1.1.1 [Not Proved]

25.1 **On or around 22 September 2021 when at The London Cocktail Club following a social event at Hijingo Bingo organised for and attended by employees of the Firm, he touched Person A's bottom and/or her left breast.**

25.2 The Tribunal reached the following findings on the balance of probabilities:

- (a) The Respondent did not touch the Respondent's left breast at any time whilst he was at the London Cocktail Club on 22 September 2021;
- (b) Whilst the Respondent had touched her waist and bottom area, this occurred in context of dancing closely together with Person A;
- (c) Any physical contact during this activity was not inappropriate given the environment they were in and the nature of their engagement.
- (d) There was no evidence to suggest that the Respondent's actions were sexually motivated. He reasonably believed that the interaction was part of a mutually acceptable activity.

Allegation 1.1.2 [Not Proved]

25.3 **On or around 14 October 2021 when at The Juno Rooms for after work team drinks with colleagues from the Firm, he touched Person A's right thigh.**

25.4 The Tribunal reached the following findings on the balance of probabilities:

- (a) The Respondent did not touch Person A's right thigh in the manner described;
- (b) The Respondent may have touched the Respondent's thigh however any such contact would have been accidental and not inappropriate or sexually motivated.

Allegation 1.1.3 [Proved in full]

25.5 **On or around 20 October 2021 when at Beduin following a Firm organised wine tasting event for the Litigation Business Unit and an 'Afterparty' dinner at Apulia (and attendance at Karaoke Box), he touched Person A's bottom one or more times.**

25.6 The Tribunal reached the following findings on the balance of probabilities:

- (a) At Apulia, the Respondent touched Person A's bottom while standing beside her at the bar, although no one witnessed the act. The touching occurred on more than one occasion;
- (b) The nature of the touching was unwanted by Person A, inappropriate and sexually motivated;

- (c) Person A was disturbed by the Respondent's actions and, during the course of the evening, shared her concerns with Person D;
- (d) The unusual nature of the event, combined with the time lapse between the incident and Person A's conversation with Person D, suggested that Person A's account was not fabricated.

Breaches [Proved]

25.7 **Principle 2 and 5 of the SRA Principles** (respectively failure to maintain public trust and confidence and lack of integrity) were proved to the requisite standard.

Breach [Not Proved]

25.8 **Paragraph 1.2 of the SRA Code for Solicitors** (taking advantage of abusing position by taking unfair advantage of clients or others).

25.9 The Tribunal found the following to the requisite standard:

- (a) Despite holding different roles within the Firm, the Respondent and Person A had a similar level of experience, making them peers in terms of capability and professional expertise in relation to each other;
- (b) As they worked in separate teams within the Firm, the Respondent had no direct authority or influence over Person A's position or responsibilities within the Firm;
- (a) Although the Respondent was an associate lawyer and Person A was a paralegal, there was no practical imbalance of power between them within the group of colleagues who socialised together;
- (b) The Respondent did not abuse his position, as an associate lawyer or take unfair advantage of the Respondent, in relation to his conduct towards Person A on the 20 October 2021.

Allegation 1.1.4 [Not Proved]

25.10 **On or around 9 December 2021 when at the Firm's Litigation Team's Festive Drinks at Clays Bar, he touched Person A's bottom one or more times.**

25.11 The Tribunal reached the following findings on the balance of probabilities:

- (a) At Clays bar, the Respondent did not touch Person A's bottom during that encounter;
- (b) Person D, who was aware of the events that had previously occurred on 20 October 2021 and described herself as being on "*high alert*", was specifically observing Person A. However, she did not witness any of the alleged occurrences.

Allegation 1.1.5 [Not Proved]

25.12 **On or around 10 December 2021 when at Beduin following the Firm's Litigation Christmas Party, he touched Person A on her bottom.**

25.13 The Tribunal reached the following findings on the balance of probabilities:

- (a) Beduin, where members of the group gathered after leaving Clays Bar was crowded during that outing, resulting in close contact between members of the group, particularly between the Respondent and Person A;
- (c) Despite their close proximity, whilst standing near the bar, none of their interactions amounted to the Respondent's deliberate touching of Person A's bottom;
- (d) Neither Person D nor any other member of the group witnessed any inappropriate touching of Person A by the Respondent.

Allegation 1.1.6 [Not Proved]

25.14 **On or around 16 December 2021 when at Person B's house following an Associates' Christmas social event, he:**

- (i) **Touched Person A's thigh when they were sitting around Person B's Dining table;**

25.15 The Tribunal reached the following findings on the balance of probabilities:

- (a) Following the Associates' Christmas social event, at Person B's house, the Respondent briefly touched Person A's thigh while they were seated in the dining room;
- (b) The contact was momentary and inadvertent occurring in the context of group members, sitting in close proximity, engaged in conversation and partaking in '*drinking games*' at the dining table;
- (c) The touching was not inappropriate, nor sexually motivated;
- (d) Touched Person A's inside right thigh – rubbing and stroking along the top of her right thigh – whilst seated on a sofa with a blanket covering Person B and his laps

25.16 The Tribunal reached the following findings to the requisite standard:

- (a) After leaving the dining area, Person A and other members of the group watched the film "*The Greatest Showman*" in Person B's lounge. They lay on a sofa bed under one of two blankets provided;
- (b) Person A and the Respondent lay beside each other under the same blanket;

- (c) By this stage both Person A and the Respondent had during the course of the evening consumed significant quantities of alcohol;
- (d) The Respondent fell asleep whilst he was watching the film with his head resting on Person A's shoulder;
- (e) Person A did not attempt to move the Respondent's head from her shoulder, nor did she reposition herself to create distance from him;
- (f) The Respondent did not rub or stroke the top of Person As's right thigh under the blanket;
- (g) For the duration that Person A and the Respondent lay beside each other, any contact between them was not inappropriate.

Allegation 1.1.7 [Not Proved]

25.17 **On or around 17 December 2021 following the matters set out at 1.1.6 above, at the Respondent's home, he:**

- a) Pulled Person A onto his lap so that she was in a straddle position;**
- b) Attempted to kiss her although Person A was trying to push his face away from hers in order to try to stop him from kissing her;**
- c) Touched her upper body including her breasts;**
- d) Put his hands down the back of her jeans.**

25.18 In respect of the above, the Tribunal reached the following findings on the balance of probabilities:

- (a) There was insufficient evidence to demonstrate that the Respondent pulled Person A onto his lap after they arrived at his flat;
- (b) Person A eventually found herself in a position atop the Respondent who was reclined on sofa;
- (c) While Person A was straddling the Respondent, she did not push the Respondent's face away from her during the encounter;
- (d) The Respondent did not attempt to kiss Person A in the manner described;
- (e) The Respondent did not touch Person A's breasts underneath her clothing;
- (f) Any touching of the Respondent's upper body, and over clothing, was believed by the Respondent to be consensual;
- (g) When Person A indicated that she wished to leave, the Respondent ceased further physical contact with her;

- (h) The Respondent did not put his hands down the back of Person A's Jeans;
- (i) Any touching of Person A's backside by the Respondent was limited to over her clothing.

Allegation 1.2

Conduct Alleged Against Person B

26. **Acted towards Person B, a Managing Associate at the Firm, in a manner which was unwanted and/or inappropriate and/or sexually motivated as set out in Schedule B (below) and in doing so breached any or all of Principles 2 and 5 of the Principles and Paragraph 1.2 of the Code for Solicitors.**

Allegation 1.2.1 [Not Proved]

- 26.1 **On 14 - 15 October 2021, at Juno, he attempted to kiss Person B.**

- 26.2 The Tribunal reached the following findings on the balance of probabilities:

- (a) Whilst at Juno Rooms and Core Bar, the Respondent and Person B consumed alcohol, and danced together,
- (b) The Respondent and Person B took a photograph (a 'selfie') at Core Bar, standing in close proximity, both were pouting in the image;
- (c) The Respondent did not attempt to kiss Person B, nor did he make any inappropriate or unwanted advances towards Person B at any point during the outing.

Allegation 1.2.2 [Proved]

- 26.3 **On 24 - 25 March 2022, after a trainee handover dinner at Tayyabs Curry House and then having attended Blues Kitchen in Shoreditch, when sharing a taxi to get home, he:**

- a) **Touched Person B's left breast underneath her clothing;**
- b) **Despite Person B saying words to the effect of "what do you think you're doing? No" and pulling his hand out and smacking it away, he again put his hand into her bra and touched her breast including squeezing her nipple.**
- c) **Despite Person B again telling him not to and pushing him away, he touched her breast again.**

- 26.4 The Tribunal reached the following findings in respect of Allegations 1.2.2 (i)–(iii) on the balance of probabilities:

- (a) The Respondent and Person B sat next to each other in the back seat of a Black cab on the journey to their respective homes after leaving the Blues Kitchen;

- (b) Both the Respondent and Person B were intoxicated;
- (c) During the initial part of the journey, while conversing, the Respondent put his arms around Person B on two occasions, neither of which initially caused her undue concern;
- (d) Approximately ten minutes into the journey, the Respondent placed his right hand under Person B's bra, touching her left breast. In response, Person B immediately pulled his hand away, smacked it back, and confronted him, saying, "*What do you think you are doing? No*";
- (d) Shortly afterwards, the Respondent again put his hand under Person B's bra, squeezing her nipple, to which Person B responded by pushing him away with her left arm;
- (e) During the journey, the Respondent touched Person B's breast a third time, prompting Person B to grab his right wrist and firmly tell him, "*No, you can't do that. Stop*", after which she released his wrist;
- (f) The nature of the touching by Respondent on each of the occasions was unwanted, inappropriate and sexually motivated;
- (g) The journey ended without further incident with the Respondent alighting from the taxi before Person B;
- (h) Despite further messages being exchanged that day, Person B did not address the issue with the Respondent until the 28 March 2022 when she sent him a message demanding an apology and a "*...promise you are never going to do it again*";
- (i) The Respondent acknowledged Person B's account of what happened during the journey, in his response to her message when he replied, "*Holy fuck... I'm not even sure what I was doing. I had an awful feeling the next day I was being inappropriate.*" He immediately followed this with, "*I am sorry*";
- (j) The Respondent was not apologising for Person B's expression of displeasure evident in her initial message, but rather apologising for his conduct during the journey;
- (k) Person B's replies to the Respondent's message: "*It's okay I just need to know it won't happen again*" followed by "*And when I say no, I mean no*", further confirmed her account of what transpired during the journey.

Principles

Breaches [Proved]

- 26.5 **Principle 2 and 5 of the SRA Principles** (respectively failure to maintain public trust and confidence and lack of integrity) were proved to the requisite standard.

Breach [Not Proved]

- 26.6 **Paragraph 1.2 of the SRA Code for Solicitors** (taking advantage of abusing position by taking unfair advantage of clients or others).
- 26.7 The Tribunal determined, to the requisite standard, that the Respondent did not abuse his position or take unfair advantage in relation to his conduct toward Person B on 25 March 2022, given that they held a similar professional status within the Firm and worked in different teams.

Previous Disciplinary Matters

27. The Respondent has no previous regulatory matters recorded against him.

Mitigation

28. The Respondent acknowledged that his very close relationship with Person B, who is married, was sometimes very confusing for him. Their closeness was evidenced by the level of contact they had during and beyond office hours. He estimated that a combined total of 10,000 personal messages had been exchanged between them by the end of their relationship.
29. The Respondent had been attracted to Person A and had a genuine belief, based on their interactions, that she felt the same way. Although there had been no direct evidence to confirm this belief, other members of the group expressed light-hearted views suggesting the possibility of a personal relationship between the two of them.
30. The Respondent expressed deep regret that his actions had caused upset to those he once regarded as very closest friends.
31. The proceedings had a significant personal impact on the Respondent, leading to acute depression and suicidal thoughts, for which he sought assistance from his GP and the Samaritans.
32. Character references for the Respondent were provided by a range of individuals, including fellow professionals, former colleagues, and an ex-partner. All the references highlighted his positive qualities and supported his previous unblemished regulatory history.

Sanction

33. An application by Ms Culleton for the Applicant to be heard on sanction was refused by the Tribunal. This had not been a factually difficult case. It raised no novel issues

and/or points of law that impinged on sanction. The issue of the most appropriate sanction was well within the Tribunal's capabilities as an expert and experienced Tribunal.

34. The Tribunal considered the Guidance Note on Sanction (11th Edition February 2025) ("the Sanctions Guidance") and the proper approach to sanctions as set out in *Fuglers and others v SRA* [2014] EWHC 179. In doing so the Tribunal assessed the culpability and harm identified together with the aggravating and mitigating factors that existed.
35. Regarding sanction, the Tribunal adopted a 'bottom-up' approach. Given the seriousness of the misconduct, a reprimand or fine was deemed insufficient. Taking into account the need to protect the public and uphold the profession's reputation, while also considering the case's unusual features and personal mitigation, the Tribunal determined that a suspension order was the fairest and most proportionate sanction.

Reason for Sanction

36. The Respondent's conduct on both occasions was sexually motivated and he had direct control over the circumstances leading to the misconduct. His actions were spontaneous and occurred during, or following, the consumption of substantial amounts of alcohol.
37. The Respondent's conduct had a significant impact on Persons A and B. Person A revealed that as a direct result of the events, she sought assistance from a specialist psychologist. Person B highlighted how the negative effect of the Respondent's conduct had affected both her marital and work relationships.
38. The Tribunal determined that the aggravating feature of the misconduct was its sexual nature which involved separate complaints from two victims.
39. In considering mitigation, the Tribunal recognised that the Respondent was a relatively young solicitor who, at the time, worked in an environment characterised by a "*work hard, play hard*" culture where long working hours were followed by regular heavy drinking during social gatherings among colleagues. The Tribunal also acknowledged in the light of the evidence considered that within this setting, the '*pushing of boundaries*' was a commonly accepted aspect of social interaction.
40. Additionally, and to a lesser extent, the Tribunal took into account that the events underpinning the allegations occurred shortly after the national lockdown, a period marked by social and psychological adjustments.
41. Despite the mitigating factors advanced on behalf of the Respondent, the proved matters of non-consensual touching adversely affected the reputation of profession, and the appropriate sanction was a fixed term of suspension for 12 months.

Costs

42. The Applicant's itemised statement of costs, dated 24 March 2025, set out the total sum claimed of £105,988.80. Ms Culleton submitted that this amount was reasonable and proportionate, given that the Tribunal had found aspects of the allegations against the

Respondent proved. Additionally, the costs accounted for the preparation of the matter, the number of witnesses involved, and the length of the hearing.

43. In response to the application, Mr Mullen questioned whether investigation costs just shy of £11,000 could be considered reasonable or proportionate. He further urged the Tribunal to consider that there were matters not proven in relation to several allegations, and on that basis reduce the applicable costs. He drew attention to the Respondent's financial circumstances as set out in his statement of means submitting in reliance of *Barnes v SRA* [2002] EWHC 677, that the Tribunal should not make a cost order unlikely to be satisfied on any reasonable assessment of the Respondent's current or future circumstances.

Tribunal's Decision on Costs

44. The Tribunal noted that under Rule 43 (1) of The Solicitors (Disciplinary Proceedings) Rules 2019 it has the power to make such order as to costs as it thinks fit, including the payment by any party of costs or a contribution towards costs of such amount (if any) as the Tribunal may consider reasonable. Such costs are those arising from or ancillary to proceedings before the Tribunal.
45. By Rule 43(4), the Tribunal must first decide *whether* to make an order for costs and when deciding whether to make an order, against which party, and for what amount, the Tribunal must consider all relevant matters including the following:
 - (a) the conduct of the parties and whether any or all of the allegations were pursued or defended reasonably;
 - (b) whether the Tribunal's directions and time limits imposed were complied with;
 - (c) whether the amount of time spent on the matter was proportionate and reasonable;
 - (d) whether any hourly rate and the amount of disbursements claimed is proportionate and reasonable;
 - (e) the paying party's means.
46. The Tribunal found that the case had been properly brought by the Applicant despite some allegations not being proven. The allegations had not been unreasonably defended and during the course of the proceedings, the directions had been complied with by the parties. While the case did not involve undue legal complexity, the number of witnesses involved meant that proceedings took five days to conclude.
47. In line with standard practice for costs applications, the Tribunal adopted a '*broad brush*' approach, considering matters in the round.
48. The Tribunal took into account that the Respondent, currently employed outside the profession, was of reduced means. Accordingly, the Tribunal reduced the costs from £105,988.80 to £95,389.92, a sum deemed reasonable and proportionate.

Statement of Full Order

49. The Tribunal ORDERED that the Respondent, LEWIS BRADY, solicitor, be SUSPENDED from practice as a solicitor for the period of 12 months to commence on the 4th day of April 2025 and it further Ordered that he do pay the costs of and incidental to this application and enquiry fixed in the sum of £95,389.92.

Dated this 11th day of June 2025
On behalf of the Tribunal

M.N. Millin

M.N. Millin
Chair