

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12678-2024

BETWEEN:

and

DARREN LAWRENCE ROISER Respondent

Before:

Mr G Sydenham (in the chair)

Ms H Hasan

Mrs S Gordon

Date of Hearing: 6 - 9 October 2025

Appearances

Lydia Barnfather, Counsel, QEB Hollis Whiteman, instructed by Capsticks Solicitors LLP, Wellington House, 60-68 Wimbledon Hill Road, London, SW19 7PA, for the Applicant.

Selva Ramasamy KC, Counsel, QEB Hollis Whiteman, instructed by Kingsley Napley LLP, 20 Bonhill Street, London, EC2A 4DN for the Respondent.

JUDGMENT

Allegations

1. The allegations against the Respondent Darren Roiser made by the SRA, are that, whilst in practice as a solicitor and Managing Partner of the London branch of Firm A, whilst in a position of seniority in respect of Person A:
 - 1.1.1. grabbed both of Person A's arms;
 - 1.1.2. pushed Person A against a wall;
 - 1.1.3. kissed Person A on the mouth;
 - 1.1.4. put his tongue in Person A's mouth;
 - 1.1.5. made a comment to her to the effect of "you're very attractive."
- 1.2. The Respondent's actions and each of them, as described in allegation 1.1, were sexually motivated.
- 1.3. His conduct as alleged at allegation 1.1 amounted to a breach of Principles 2 and/or 5 of the SRA Principles 2019 and/or paragraph 1.2 of the SRA Code of Conduct for Solicitors, RELs and RFLs 2019.

Executive Summary

2. The Respondent was admitted to the Roll of Solicitors on 15 April 2005 and became Managing Partner of Firm A's London office in 2018, practising in Team A.
3. The Applicant alleged that after a team dinner on 15 October 2020, the Respondent grabbed Person A's arms, pushed her against a wall, kissed her on the mouth, put his tongue in her mouth, and told her she was "...very attractive," all without her consent, when they were alone outside a club in London. It was alleged that each act was sexually motivated.
4. It was accepted that the Respondent and Person A were under the influence of alcohol at the time.
5. The Respondent denied the allegations, stating that Person A followed him outside, initiated the kiss, and that he disengaged shortly thereafter.
6. The Tribunal found all allegations not proved except Allegation 1.1.3—that the Respondent kissed Person A on the mouth. It found that this kiss was sexually motivated under Allegation 1.2. However, the Tribunal did not find that the kiss was non-consensual. The basis on which the Respondent's conduct was found inappropriate was therefore significantly narrower than the case advanced by the Applicant.
7. In assessing Allegation 1.3, the Tribunal proceeded solely on the limited factual findings relating to Allegation 1.1.3 and concluded, on the balance of probabilities, that Allegation 1.3 was not proved.

8. The Tribunal therefore ordered that the allegations against the Respondent be dismissed.

Sanction

9. The Tribunal ordered that the allegations against the Respondent be dismissed and therefore no sanction was imposed.

Documents

10. The Tribunal reviewed all the documents submitted by the parties, which included (but were not limited to):

- Rule 12 Statement and Exhibit IWB1 dated 5 September 2024
- Respondent's Answer to the Rule 12 Statement dated 5 November 2024
- Applicant's Statement of Costs dated 29 September 2025
- Respondent's Character References submitted on 1 September 2025

Preliminary Applications

11. Anonymity

11.1 In advance of the substantive hearing the Applicant applied that the witnesses, Firm A and Team A, be anonymised throughout the proceedings. On 30 July 2025 the Tribunal granted this application in the interests of justice.

Background

12. The Respondent is a solicitor having been admitted to the Roll on 15 April 2005. He was the Managing Partner of Firm A's London office from summer 2018 where he practised in Team A. The Respondent was responsible for the Firm's High Court work, with a focus on fraud cases.

13. The Applicant alleged that after a dinner arranged by the Firm on 15 October 2020, the Respondent pushed Person A against a wall and kissed her without her consent when they were outside a dinner club in Mayfair, London. It was common ground that both the Respondent and Person A were under the influence of alcohol at the event.

14. The Respondent denied the allegation in its entirety and maintained that Person A followed him outside of the Restaurant and initiated their kiss. The Respondent regretted having briefly engaged in the kiss before pulling away and it followed that, on his case, no form of non-consensual contact or assault occurred and no inappropriate comments were made by the Respondent directed towards Person A.

15. Around September 2020 the Respondent suggested over email to Team A, who were working on a matter together, that they get drinks and dinner to catch up as the Covid lockdown rules had been eased or were due to be eased in October 2020. Members of Team A met at Scarves Bar in High Holborn in the early evening of 15 October 2020. Those attending were Person A, Person B, Person C, Person D and the Respondent.

Person E joined for dinner later. No one-on-one discussions took place between Person A and the Respondent at this bar.

16. Following drinks at the bar Team A, including Person A and the Respondent, attended MNKY HOUSE (“the restaurant”) for dinner. Person A asserted that after the Team A finished dinner at the restaurant on Thursday 15 October 2020, she went outside the venue and waited in an alcove on the street for the other members of the team. She was joined by the Respondent who suddenly grabbed both of her arms, pushed her back against the wall, kissed her on the mouth and put his tongue in her mouth. She described that he did so with such force that the back of her head hit the wall. Once she had processed what was happening, she pushed him away and said words to the effect of ‘*why are you doing this?*’ or ‘*what are you doing?*’ His reply was ‘*you’re very attractive.*’ She walked away from him and tried to get back into the restaurant when she saw the other members of the team.
17. Both the Respondent’s alleged conduct and comments to Person A during the incident were said by the Applicant to be inappropriate, unwanted, sexual in nature and sexually motivated to a junior, female colleague. At the time of the alleged conduct, the Respondent was aged 40 and was Firm A’s Managing Partner. Person A was aged 24 and was a paralegal in Firm A’s London office in Team A.
18. Person A recalled that everyone drank alcohol during the dinner and that by the end of the evening all were visibly intoxicated except Person B and Person E. She further recalled in her statement that the Respondent was drinking and was visibly very intoxicated. He was slurring his words and was “*louder than usual.*”
19. It was Person C’s evidence that the dinner was “*boozy*”; that the Respondent ordered champagne with sparklers in for the table and this led to levels of drunkenness increasing. Person C recalled that the Respondent was “*...very drunk, drunker than the rest of us. He was dancing, his eyes were glazed over, he was slurring his words and boisterous.*”
20. Person A recalled that the team left the restaurant at around 11pm and that they all stood to get up around the same time. Person A followed the Respondent from the table to the exit, on the assumption that others would follow as all had agreed to leave. The Respondent walked a little ahead of Person A.
21. Person A waited for the others in an alcove outside on the street and the Respondent joined her there. This is where the alleged misconduct took place.
22. Person A stated that “*I gave [the Respondent] neither express nor implied consent to do this*” and “*I did not do, say or infer anything that would invite or warrant this conduct.*” After being kissed by the Respondent, Person A described feeling as if he was coercing her to get into a cab with him because of his seniority and as an attempt to engage in sexual activity with her. Person A was shocked and confused about what had happened. The bouncers would not permit Person A to re-enter the restaurant owing to her intoxication. Her colleagues then appeared with her belongings which had been left at their table.

23. Person A got into a cab with Person B and Person C. They travelled to Person C's apartment. Person A recalled that she did not say anything about the incident as they travelled and had not really processed what had happened to her. Person C stated, that during the cab ride, Person A was very drunk and looked overwrought and upset.
24. Person A later vomited at Person C's apartment and had to go to the bathroom to continue due to her level of intoxication. Person C gave her clean clothes to wear. Person B stayed with Person A in the bathroom until she felt better. Here, Person A first reported what had happened in the alcove outside the restaurant with the Respondent. In her words, her memory was "*hazy*" as to what she said to Person B. Person A later recalled in her statement that Person B had said that the Respondent's conduct was unacceptable and said he would get her home. Person A and Person B talked further about the incident when they were at her home in the early hours of 16 October 2020. Person A recalled in her statement that they had a long conversation about how the incident had made her feel but that she had not processed it, feeling confused and disrespected by the Respondent.
25. Person A described her relationship with the Respondent as a "...*distant working relationship*." She was confused as to how he could have thought that his behaviour was warranted or permissible. Person B listened to her and assured her that it was not acceptable for the Respondent to have conducted himself in this manner. Person B left Person A's house at around 1.30 or 2am on 16 October. Person A went to sleep.
26. Person B did not witness the alleged conduct but set out his recollections of 15 October 2020 in his statement. He also produced a note of a conversation he had about the event with Person A in the bathroom at Person C's house and a Google Maps timeline from his phone. Person B's note and witness statement reflected that it was the Respondent who kissed Person A outside the restaurant.
27. Person B stated that the Respondent appeared excited over the evening and like he wanted a big night. This, and the way the Respondent ordered drinks, made it clear to Person B that the Respondent was intoxicated.
28. Person B described that when they had left the restaurant, the Respondent was 9.5 or 10 on the scale of intoxication, being unsteady on his feet, not speaking properly and his eyes were unfocussed. The Respondent was unable to give his home address coherently to a taxi driver and fumbled trying to remove his driving licence from his wallet to show to the driver. The taxi refused to take him home.
29. Person B also recalled that Person A was very drunk, swaying on her feet with unfocussed eyes. He assisted her to lean against the wall as she was wobbling. He described her as an 8 or 9 on the intoxication scale and very quiet.
30. Person B recalled sharing a taxi with Person A and Person C and that Person A seemed unwell; about half an hour after they got to Person C's house she vomited on her jumper and the furniture. Person A went to the bathroom, Person B checked on her there and this is where she told him about the alleged conduct by the Respondent. He was shocked and believed it to be true. Person B stated that Person A was coherent when telling him this; events described were consistent with the timing of departures from the restaurant, it was shortly after the incident occurred and represented the first opportunity Person A

had to speak to him in private. Person A expressed shock at the Respondent's actions as he had a young family. Person A considered the Respondent's conduct to be unexpected and inappropriate. Person B believed Person A to be honest and reliable and her account had a ring of truth and reality in his view. After departing from Person C's home, Person B took Person A to her apartment as she was still unwell. They spoke again briefly at her apartment about the situation. His impression was that Person A felt overwhelmed, upset and isolated with no support network in London.

31. Person A worked from home the following day on 16 October 2020. The Respondent sent an email to the team saying, "...well done for last night." Person A replied to all that it had been "...so lovely to see everyone." Person A recalled that Person B messaged her on 16 October 2020 for the first time via Facebook Messenger and reiterated that what had happened to Person A the night before was not okay and he was available if she wanted to speak further about it.
32. On Sunday 18 October 2020, Person A recalled that she met Person B in London Fields. They walked and sat on a bench. They talked about how Person A was feeling. Person A did not know whether she should make a complaint about the Respondent or speak to him directly. She recalled Person B saying that he would support her, whatever she decided to do. Person B suggested that Person A speak with a senior colleague and he told Person A that he planned to resign the next day. Person A's recollection is that Person B had been considering this option for a while but the incident with the Respondent was the final straw for him as he was not happy at the Firm and could not work for the Respondent directly.
33. Person B set out in his statement that Person A did not bring up the incident with the Respondent, and his impression was that she remembered little about it so he said they should talk about what happened. Person A set out in her statement that she made no decision on what she would do at this time but felt supported by Person B.
34. Person A recalled that she was processing her emotions and was concerned what raising the incident might mean for the Firm, the Respondent and her own career. Person A recalled that the Respondent made no contact with her in the days after the incident. Person A felt the Firm should be aware of what happened.
35. Person A discussed the incident with a senior colleague, Person H, on 20 October 2020. On 21 October 2020, Person A exchanged emails and WhatsApp messages and a phone call with another senior colleague, Person I. Person A told Person I what had happened with the Respondent and how it had made her feel. The available formal and informal complaints processes were explained to Person A. Person A recalled that she wanted this incident dealt with under Firm A's informal process and had decided that she wanted to leave the London office.
36. The Respondent emailed Person A regarding the incident on 26 October 2020. Person A felt that the Respondent failed to understand the severity of his conduct towards her and the impact of it on her and discussed the situation with Person I and others. Following a call with the Firm's General Counsel, Person K, the Respondent emailed Person A again and sought to further apologise. The Respondent's position in relation to these communications and the Tribunals findings are set out below.

Witnesses

37. The evidence 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. 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.

38. The following witnesses provided witness statements and gave oral evidence during the hearing:-

- The Respondent
- Person A
- Person B
- Person F
- Person G

Findings of Fact and Law

39. 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.

40. The Applicant's Case

40.1 The Applicant's case is set out in the Rule 12 Statement which can be found [[here](#)]

41. The Respondent's Case

41.1 The Respondent's Answer to the Applicant's Rule 12 Statement – [[here](#)]

The Tribunal's Findings

42. **Allegation 1.1. - On 15 October 2020, whilst at a team event arranged by Firm A at MNKY HSE, a dinner club in Mayfair, engaged in any or all of the following conduct which was inappropriate and/or unwanted:**

- 1.1.1. grabbed both of Person A's arms;**
- 1.1.2. pushed Person A against a wall;**
- 1.1.3. kissed Person A on the mouth;**
- 1.1.4. put his tongue Person A's mouth;**
- 1.1.5. made a comment to her to the effect of "you're very attractive."**

- 42.1 The Tribunal reviewed all the material before it and considered with great care the oral evidence and cross-examination of all the witnesses, along with the submissions made by Ms Barnfather and Mr Ramasamy KC. All findings were made on the balance of probabilities. The burden of proof lay entirely with the Applicant.
- 42.2 The Tribunal noted with concern a number of features in this case involving the Respondent and colleagues consuming alcohol to excess during work-related social events. The Respondent accepted criticism for his role in organising and facilitating this on the evening in question, particularly in light of the consequences for Person A, whose level of intoxication was significant.
- 42.3 The amount of alcohol procured by the Respondent and consumed by members of Team A over the course several hours during the team event on 15 October 2020 reflected a workplace culture that lacked appropriate safeguards and encouraged excessive drinking. The Tribunal considered this to be unwise and inappropriate in a professional setting.
- 42.4 It was incumbent upon both the Respondent and the Firm to ensure that employees were not placed in the situation in which several members of Team A ultimately found themselves that evening. The absence of appropriate oversight and boundaries at such events is a matter of concern and fell short of the standards expected in a professional environment.
- 42.5 The significant delay in bringing these proceedings was unhelpful both to the witnesses and to the Tribunal. The proceedings were commenced on 5 September 2024, almost four years after the incident that gave rise to the allegations. Given that lapse of time, some inconsistencies in the witnesses' evidence as to the material events and comments were to be expected. This is particularly so because the only two persons present outside the restaurant (the Respondent and Person A) were intoxicated at the time, and their accounts evolved to some extent in the course of subsequent conversations with others. Those third parties either made contemporaneous notes of what they had been told or gave evidence based on their own recollection of what they had been told.
- 42.6 Although this delay undoubtedly impacted on the recollections of those who gave evidence, the Tribunal's findings were in fact primarily based on the contemporaneous evidence noted and recorded in proximity to the event on 15 October 2020.
- 42.7 The Tribunal considered the evidence with care. The Tribunal found all the witnesses to be witnesses of truth. Person A demonstrated courage and is commended for giving evidence in what were clearly difficult circumstances. Person A conceded that she had been intoxicated at the team event, however she was clear that her recollection of events was intact and that the facts set out within Allegation 1.1 occurred as described.
- 42.8 There was no physical evidence or independent footage of the incident presented and the only people able to comment on the matters alleged at Allegation 1.1 were the Respondent and Person A, both of whom were heavily intoxicated.
- 42.9 Person B made a detailed file note on 16 October 2020 describing the events of the previous evening, including what Person A had reported to him about the Respondent's conduct. Person B was described as one of the least affected by alcohol that night and

this was consistent with the fact that he looked after Person A after they left the restaurant in a taxi; he got her home safely and remained with her for a time at her residence before cycling home a considerable distance to his own property in the early hours. The file note was the most reliable account of what Person A said had happened to her in proximity to the incident outside of the restaurant. Person B did not provide the file note to the Applicant until November 2021 to avoid contamination of Person A's evidence.

- 42.10 Person A first commented on the incident to Person B in the bathroom at Person C's apartment later evening of 15 October 2020. Person B recorded that Person A stated that "*Darren made out with me*" and "*[the Respondent] was obviously trying to get me to have sex with him and he has a wife and a child and another on the way.*"
- 42.11 Person A could not recall the detail of the incident and the detail of the Respondent's conduct when she spoke with Person B on 18 October 2020. This surprised Person B who reminded Person A of what she had said to him in Person C's bathroom on 15 October 2020. The Tribunal placed weight on this important evidence and considered the allegations in the context of these initial conversations between Person A and B shortly after incident on 15 October 2020 and in the days afterwards.
- 42.12 Although the Respondent was guarded in his evidence, he provided clear explanations regarding the material facts in dispute. The Respondent made concessions in relation to his level of intoxication and expressed regret regarding his responsibility for facilitating the level of drinking that occurred.
- 42.13 It was not disputed that the Respondent firstly paid the bill for the team's meal and drinks before leaving the restaurant at the end of the evening having made it clear that his colleagues could stay if they wished to and carry on their evening. The Respondent stated it was Person A who had followed him outside the Restaurant and initiated a kiss with him. The Respondent expressed regret for having briefly engaged in Person A's kiss before pulling away.
- 42.14 The Respondent also reported this incident to others on the evening of 15 October 2020. Person G saw the Respondent in a different bar later in the evening on 15 October 2020 and the Respondent told him of the incident outside the restaurant in the terms described above. The Respondent also explained what had happened with Person A to Person D with whom he had left the restaurant in a taxi to go and meet Person G.
- 42.15 The Tribunal had been directed to emails sent by the Respondent to Person A on 26 and 28 October 2020 in which he apologised. Within those emails the Respondent used the phrase "*unreserved apology*" and stated that he took "*full ownership and responsibility of the situation.*"
- 42.16 The Respondent knew that his account of what had happened between them on 15 October 2020 differed from Person A's recollection when he sent those emails albeit he was not aware of the full details or that allegations in the terms later set out by the Applicant would follow.
- 42.17 The Tribunal accepted the Respondent's evidence that he had understood that an apology would lead to resolution and that in the Respondent's view emphasising the

respective differences in accounts would likely antagonise the situation. The Respondent's emails sought to resolve matters which he felt were embarrassing for both parties. Further, the Respondent accepted that there were matters for which he wished to apologise, including the quantity of alcohol made available at the event, the resulting level of intoxication among attendees and his brief engagement in the kiss initiated by Person A. The Tribunal did not consider that the apology emails constituted clear admissions by the Respondent to the specific allegations advanced by the Applicant.

- 42.18 Allegation 1.1 was advanced on the basis of a forceful sexual assault involving several sub-particulars each of which the Tribunal considered individually. In relation to Allegation 1.1.1. which alleged that the Respondent grabbed both of Person A's arms, 1.1.2. which alleged that the Respondent pushed Person A against a wall, 1.1.4. which alleged that the Respondent put his tongue Person A's mouth and 1.1.5. which alleged that the Respondent made a comment to Person A to the effect of "*you're very attractive*," the Tribunal found, on the balance of probabilities, that the evidence did not substantiate those factual particulars, and accordingly, the allegations were not proved.
- 42.19 In relation to Allegation 1.1.3, which alleged that the Respondent kissed Person A on the mouth, the Tribunal found that this allegation was proved on the balance of probabilities. The fact that a kiss occurred between the Respondent and Person A was not in dispute. However, on the basis of the evidence presented, the Tribunal did not find that the Respondent instigated the kiss. The Respondent accepted that he briefly remained engaged in the kiss initiated by Person A.
- 42.20 The Tribunal further found that it was not established that the kiss was non-consensual (i.e. unwanted). However, the Respondent's participation in the kiss was inappropriate in context, taking into account his seniority in relation to Person A, his role in organising what was a work-related social event, and the fact that he procured an excessive quantity of alcohol for the evening. The Respondent accepted in his evidence that criticism was warranted in relation to the alcohol provision, which contributed to Person A, a junior member of the team, becoming heavily intoxicated. In these circumstances, the Respondent ought to have exercised better judgment and greater control. Allegation 1.1.3 was therefore found proved on that basis.
- 43. **Allegation 1.2. - The Respondent's actions and each of them, as described in allegation 1.1, were sexually motivated.**
 - 43.1 In view of the Tribunal's findings in relation to Allegations 1.1.1, 1.1.2, 1.1.4, and 1.1.5, the question of whether the Respondent's actions were sexually motivated (Allegation 1.2) was considered solely in the context of Allegation 1.1.3.
 - 43.2 Given the nature and intimacy of the act, the Tribunal concluded that the only reasonable inference was that the Respondent's conduct was sexually motivated. Accordingly, the Tribunal found, on the balance of probabilities, that Allegation 1.2 was proved, but only in relation to Allegation 1.1.3.
- 44. **Allegation 1.3 - His conduct as alleged at allegation 1.1 amounted to a breach of Principles 2 and/or 5 of the SRA Principles 2019 and/or paragraph 1.2 of the SRA Code of Conduct for**

44.1 In determining Allegation 1.3, the Tribunal proceeded solely on the basis of its findings in relation to Allegation 1.1.3 and applied that narrower factual foundation to assess the alleged breaches set out under Allegation 1.3.

44.2 Principle 5 of the SRA Principles 2019 required the Respondent to act with integrity. The Tribunal considered the comments of Jackson LJ in *Wingate v SRA* [2018] EWCA Civ 366, where he stated:

“[97] ... the term “integrity” is a useful shorthand to express the higher standards which society expects from professional persons and which the professions expect from their own members ... The underlying rationale is that the professions have a privileged and trusted role in society. In return they are required to live up to their own professional standards ... [100] Integrity connotes adherence to the ethical standards of one’s own profession. That involves more than mere honesty.”

44.3 The Tribunal noted the criticisms of the Respondent that were implicit in its findings, some of which he accepted and others which the Tribunal found substantiated in any event. It had not been established that the kiss was non-consensual (i.e. unwanted) and the basis upon which the Respondent’s participation in the kiss was found to be inappropriate was significantly narrower in scope than the case advanced by the Applicant. The Tribunal determined that on this basis the Respondent’s conduct did not constitute a lack of integrity.

44.4 Likewise, the Tribunal did not find on the basis of proven facts that the Respondent failed to act in a way that upheld public trust and confidence in the solicitors’ profession and in legal services provided by authorised persons contrary to Principle 2 of the SRA Principles 2019 or that the Respondent had abused his position by taking unfair advantage of clients or others contrary to paragraph 1.2 of the SRA Code of Conduct for Solicitors, RELs and RFLs 2019.

44.5 The Tribunal found on the balance of probabilities that Allegation 1.3 was not proved.

Costs

45. There was no application for costs by either the Applicant or the Respondent.

Statement of Full Order

46. The Tribunal ORDERED that the allegations against solicitor, DARREN LAWRENCE ROISER, be DISMISSED. The Tribunal further ORDERED that there be no order for costs.

Dated this 2nd day of December 2025
On behalf of the Tribunal

G. Sydenham

G. Sydenham
Chair