

IN THE SOLICITORS DISCIPLINARY TRIBUNAL

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

BETWEEN:

SOLICITORS REGULATION AUTHORITY LIMITED

Applicant

and

DARREN LAWRENCE ROISER  
SRA ID 339523

Respondent

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

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I, Ian William Brook am a Solicitor employed by Capsticks Solicitors and make this statement on behalf of the Applicant, the Solicitors Regulation Authority Limited ("SRA").

**The 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. 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*".
- 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.
- 2. The facts and matters relied upon in support of this allegation are set out in paragraphs 8 to 48 below.

### **Appendices and Documents**

- 3. I attach to this Statement the following appendices:
  - Appendix 1: Relevant Rules and Regulations
  - Appendix 2: Anonymisation Schedule
- 4. I attach to this statement a bundle of documents, marked IWB1 to which I refer in this statement. Unless otherwise stated, the page references ("IWB1 p [ ]") in this statement relate to documents contained in that bundle.
- 5. The bundle is divided into the following sections:
  - Section A: SRA Evidential bundle
  - Section B: Notice
  - Section C: Correspondence between SRA and Respondent
  - Section D: Referral decision
  - Section E: SRA guidance
  - Section F: Further witness statements

### **Professional Details**

#### **The Respondent**

- 6. The Respondent, who was born on [REDACTED], is a solicitor having been admitted to the Roll on 15 April 2005. He was the Managing Partner of the Firm A's

London office from summer 2018, where he practised in Team A. There were between six and a dozen partners and between 10 and 20 associates in the London office of the Firm at any one time [IWB1/256]. The Respondent was nominally in charge of High Court work and the fraud side of the practice. As the Managing Partner, the Respondent focussed on business development and liaison with China [IWB1/257].

7. The practising certificate of the Respondent is free from conditions.

### **Factual Background**

#### **Summary**

8. In summary, Person A's evidence is that after a dinner arranged by the Firm on 15 October 2020, the Respondent pushed her against a wall and kissed her without her consent when they were outside MNKY HSE, a dinner club in Mayfair, London. Both the Respondent and Person A were under the influence of alcohol at the event.
9. In his response to the SRA's Notice, the Respondent alleged that Person A initiated the kiss. He briefly engaged in the kiss before stepping away [IWB1/223 and IWB1/246 paragraph 20]. The Respondent's position is set out further below at paragraphs 52 to 56.

#### **15 October 2020**

##### **Scarves Bar**

10. On or around September or October 2020 the Respondent suggested, over email, to a group at the Firm who were working on a matter together ("the team"), 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 [IWB1/16 paragraph 8].
11. Further to this the team met at Scarves Bar ("the bar") in High Holborn in the early evening of 15 October 2020. Five people from the Firm were at the Bar, namely 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 the bar or throughout the entire night. Person A recalled everyone being mildly intoxicated when they left the bar at around 7pm [IWB1/17 paragraph 12].

## MNKY HOUSE “The restaurant”

### Allegations 1.1.1 – 1.1.5

12. Following drinks at the bar the team, including Person A and the Respondent, attended MNKY HOUSE (“the restaurant”) for dinner.

### Summary

13. In her witness statement at [IWB1/15 to 69], Person A confirms, 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 [IWB1/18 paragraph 19-20]. 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 describes 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 [IWB1/18-19 paragraph 20-21].

14. Both the Respondent’s alleged conduct and comments to Person A during the incident were inappropriate, unwanted, sexual in nature and sexually motivated to a junior, female colleague.

15. 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 [IWB1/15].

### Dinner

16. 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” [IWB1/16 paragraph 16].

17. In his witness statement [IWB1/84-115] Person C states that that the dinner was “boozy”, primarily drinking with food [IWB1/93 paragraph 41]. The Respondent ordered champagne with sparklers in for the table and this led to levels of drunkenness increasing. He 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*” [IWB1/93 paragraph 42].

#### Post dinner

18. 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 [IWB1/18 paragraph 18].

19. 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. Person A exhibits a sketch plan of the restaurant entrance at page IWB1/35.

#### The conduct

20. Person A recalled in her statement that regarding the Respondent’s actions, “ *Very soon after he joined me in the inlet/alcove...he very suddenly grabbed both of my arms tightly with his hands between my elbows and shoulders, pushed me back against the wall, kissed me on my mouth and put his tongue in my mouth. When he kissed me, he did so with such force that I was pushed back up against the wall. The back of my head hit the wall. I do not think I was physically hurt when he did this, but I was shocked and taken aback. I did not do, say or infer anything that would invite or warrant this conduct. I gave him neither express nor implied consent to do this*” [IWB1/18 paragraph 20].

21. Person A continued in her statement, that once she had processed what was happening, she immediately pushed the Respondent away from her. He stumbled a little. She said to him words to the effect of “*why are you doing this?*” or “*what are you doing*”. The Respondent said, “*you are very attractive*”. After this Person A stated that the Respondent mentioned that he was going to get into a cab. She described feeling as if he was coercing her to get into a cab with him because of this seniority and his attempts 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 due to her intoxication. Her colleagues then appeared with her belongings **[IWB1/19 paragraphs 21-22]**.

22. Person A further recalled in her statement that the Respondent was then in an argument with a cab driver who indicated that he was too intoxicated to get into the cab. Person E also referred to this in his statement **[IWB1/134]** and recalled that Person A was drunk and seemed upset at paragraph 44 **[IWB1/134]**. Person D agreed to get into the cab with the Respondent to get him home safely. **[IWB1/19 paragraph 23]**.
23. Person A got into a cab with Person B and Person C. They travelled to Person C's apartment. Person A recalled in her statement that she did not say anything about the incident as they travelled and had not really processed what had happened to her **[IWB1/19 paragraph 22, IWB1/19 paragraph 23]**. Person C stated that during the cab ride, Person A was very drunk and looked overwrought and upset **[IWB1/135 paragraph 44]**.
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 but she was aware that he wrote a note the next day (addressed paragraph 26 below). Person A recalled in her statement that Person B had said this that the Respondent's conduct was unacceptable and said he would get her home **[IWB1/20 paragraph 27]**.
25. Person A and Person B talked further about the incident when they were at her home on 15 or early hours of 16 October after he made tea. Person A recalled in her statement that they had a long conversation about how the incident had made her feel. She had not processed it, feeling confused and disrespected by the Respondent. 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 **[IWB1/21 paragraph 28]**.

26. Person B did not witness the alleged conduct but set out his recollections of 15 October 2020 in his statement **[IWB1/84-115]**. He also produced a note of a conversation he had about the event with Person A in the bathroom at Person C's house **[IWB1/101-103]** and a Google Maps timeline from his phone **[IWB1/105-108]**. Person B's note and witness statement record the account that it was the Respondent who kissed Person A on the night in question.
27. Person B stated that the Respondent appeared excited over the evening and like he wanted a big night **[IWB1/90 paragraph 28]**. This, and the way the Respondent ordered drinks, made it clear to Person B that the Respondent was intoxicated **[IWB1/90 paragraph 28]**.
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 **[IWB1/91 paragraph 31]**. The Respondent was unable to give his home address and tried to take his driving licence out of his wallet to show it. A taxi refused to take him home **[IWB1/91 paragraph 32]**. Person B recalled that Person A was also 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 **[IWB1/90 paragraph 31]**.
29. Person B also recalled sharing a taxi. He recalled that Person A seemed unwell and about half an hour after they got to Person C's house, she vomited on her jumper and the sofa **[IWB1/92 paragraph 36]**. 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 **[IWB1/93 paragraphs 40-42]**.
30. Person B stated that Person A was coherent when telling him this, events were consistent with the timing of departures from the restaurant, it was shortly after events occurred and 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. She demonstrated that she considered his actions to be unexpected and inappropriate. Person B understood Person A to be honest and reliable. Her account had a ring of truth and reality **[IWB1/93-94 paragraph 42]**.
31. 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 [IWB1/95 paragraph 48].

32. Person B then set out his statement further communication between himself and Person A, their meeting in London Fields and the circumstances around his decision to resign from the Firm [IWB1/96-98]. He returned to Australia on 31 December 2020 and found this a stressful and difficult experience.

### **After the incident**

33. Person A set out in her statement that she worked from home the next day on 16 October 2020. The Respondent sent an email to the team saying '*well done for last night*' [IWB1/268]. Person A replied to all that it had been "*so lovely to see everyone*" set out at [IWB1/21 paragraph 30 and, IWB1/266].
34. Person A recalled that Person B messaged her on 16 October 2020 for the first time via Facebook Messenger and reiterated what had happened to Person A the night before was not okay and he was available if she wanted to speak further about it [IWB1/21-22].
35. Person A made a further statement on 4 September 2024 [IWB1/326] regarding her recollection of the allegations in the days afterwards and produced a copy of the Facebook messages she shared with Person B between 16 and 19 October 2020. [IWB1/327-338]
36. On Sunday 18 October, Person A recalled in her statement that she met Person B in London Fields [IWB1/22 paragraphs 31-33]. They walked and sat on a bench. They also 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 Firm A's colleague in Australia 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. Person B set out in his statement that Person A did not bring up the incident with the Respondent, his impression was that she

remembered little about it so he said they should talk about what happened **[IWB1/96-97]**.

37. The meeting lasted about an hour. 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. 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.
38. Person A recalls 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. Person B said Person A should speak to a solicitor Person H at Firm A's Australian office **[IWB1/23 paragraph 37]**. Messages between Person and A and Person B are set out at **IWB1/40-42, 60 and 69**. Person A set out in her statement that she did then speak to Person H who talked about the complaints process and referred Person A to Person I in Human Resources in London **[IWB1/23 paragraph 38]**.
39. On Tuesday 20 October 2020, Person A discussed the incident with Person H in Firm A's office in Australia **[IWB1/23 paragraph 38]**.
40. On Wednesday 21 October 2020, Person A contacted Person I, Head of People and Development of Firm A's Australian office, who was working from the Firm's London office at the time and various calls took place regarding the allegations **[IWB1/23-24 paragraphs 39 to 42]**. Notes of those calls also record that Person A reported that the Respondent pushed Person A up against a wall, kissed her and said, *'you're very attractive'* **[IWB1/146-151 specifically at 146, 147]**.
41. Person A's account is also described in Person F's witness statement **[IWB1/116-125]**. Person A spoke to Person F about what had happened after she reported the incident to Person I **[IWB1/30 paragraph 67]**. Person I later explained in her interview with Firm A **[IWB1/299-310]** she was told by Person A to speak to Person J **[IWB1/210]**.
42. On 21 October 2020, Person A recalled that she exchanged emails and WhatsApp messages with Person I and a phone call **[IWB1/59, 62 and 63]**. Person A told Person I what had happened with the Respondent and how it had made her feel. The process of formal and informal complaints was explained to Person A. She recalled that she wanted this dealt with under Firm A's informal process and had decided that she wanted to leave the London office early **[IWB1/24 paragraph 42]**.

### **Emails from the Respondent to Person A and response to local investigation**

43. The Respondent emailed Person A after the incident on 26 October 2020 [IWB1/82]. Person A felt that he 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 [IWB1/149-150]. Following a call with General Counsel of the Firm, Person K [IWB1/152-153], the Respondent emailed Person A again and apologised [IWB1/80-81].
44. The Respondent gave his account to the Person K [IWB1/183-209].
45. Statements were obtained by Firm A as part of their internal investigation and a report submitted to the SRA. These are set out at IWB1/154-183.

### **Impact**

46. Person A set out at the impact that this incident had on her in her statement [IWB1/31-32 paragraphs 73- 80]. The incident had a negative impact on Person A and affected her ability to study to qualify as a solicitor. She had anxiety attacks and could not eat or sleep for weeks after the incident, further without her family in the UK, she had no support network. Person A felt the incident impacted her prospects at the Firm and in the legal industry in London. The Firm made Person A 'acutely aware' of the consequences for the Respondent if she made a complaint. The incident undermined Person A's confidence and she found it difficult to build professional relationships with male superiors. Person A stated that the Respondent showed a lack of remorse and failed to acknowledge the effect of his actions.
47. Person A explains at paragraph 78 in her witness statement [IWB1/32] that the Respondent's failure to address the incident before he was made aware of her complaint, led her to believe that he did not understand his conduct was unacceptable as evidenced by his emails sent to Person A and the timing of those on 26 October 2020 [IWB1/82] and then 28 October 2020 [IWB1/80-81].
48. Person A has said, in paragraphs 42 and 77 of her witness statement [IWB1/24, 32], that she felt manipulated, disrespected and taken advantage of by the Respondent's conduct and further that she felt she had to leave the Firm early because working for the Respondent, as head Team A, or in any other team made her feel uncomfortable as a result of his conduct on the night in question.

## Breaches of professional standards

### Paragraph 1.2 of the SRA Code of Conduct 2019

48. It is alleged that the Respondent breached Paragraph 1.2 of the SRA Code of Conduct for Solicitors, RELs and RFLs 2019 (“the Code of Conduct for solicitors”) which stipulates *“you do not abuse your position by taking unfair advantage of clients or others”*.
49. At the time of the alleged conduct, the Respondent was aged 40 when the alleged 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 [IWB1/15].
50. The Respondent’s conduct breached Paragraph 1.2 as the evidence shows that this contact was instigated by a partner towards a younger, significantly more junior, female member of staff, at a time when she was vulnerable by reason of her intoxication and that the conduct was inappropriate and/or unwanted.
51. This alleged breach is supported by his email apologies, conceding errors of judgment [IWB1/72]. As the Managing Partner and a senior person at the event, the Respondent should not have instigated alleged unwanted and/or inappropriate sexual conduct [IWB1/312-314]. The SRA’s position is that this conduct would not be acceptable regardless of the Respondent’s position in the firm.

### Principle 2 of the SRA Principles 2019

52. Principle 2 of the SRA Principles 2019 that states *“you act in a way that upholds public trust and confidence in the solicitors’ professions and in legal services provided by authorised persons”*.
53. Members of the public should be able to place their trust in those regulated by the Applicant. Any conduct either within or outside professional practice which undermines this trust, damages not only the regulated person, but also the ability of the legal profession as a whole to serve society. The SRA’s guidance on public trust and confidence states that *‘we will act where other conduct, either inside or outside of practice, would diminish the public’s trust if they knew it was done by a solicitor or by someone in an SRA-regulated firm. This will include discriminatory conduct or behaviour involving violence or sexual harassment.’* [IWB1/312-314]

54. At the time of the incident, the Respondent was Managing Partner of the Firm and Person A was junior to him. A member of the public would expect the Respondent to behave appropriately whether in the office, or outside a restaurant after drinks and dinner with his team.
55. It is submitted that conduct by a solicitor which includes pushing a junior member of staff against a wall, kissing her and putting his tongue in her mouth without her consent would damage the public's confidence in that solicitor and the provision of legal services.
56. Further, the words, (when questioned immediately afterwards as to what he was doing) to the effect of "*you're very attractive*" when combined with such conduct were sexual and offensive in nature. The public would not expect a solicitor to behave in this manner towards a junior member of his team when he knew or should have known that it was uninvited. It is alleged that by behaving in this manner, the Respondent has not maintained the trust the public places in him. The public would expect a leader and Managing partner to foster an appropriate and professional culture for all his colleagues.
57. Even on his own account provided to the SRA in his letter dated 16 March 2021 [IWB1/71-75] and accompanying exhibits [IWB1/76-83], that it was Person A who initiated the kiss which he briefly engaged in during a momentary lapse of judgement, there would have been no need to apologise for what would have been a kiss between consenting persons.

#### **Principle 5 of the SRA Principles 2019**

58. Principle 5 of the SRA Principles states that "*you act with integrity*". This Principle requires that those we regulate must act with integrity. The concept of integrity was considered in the case of *Wingate and others v The Solicitors Regulation Authority* [2018] EWCA Civ 366 by the Court of Appeal. The Judgment states that 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 our society. In return, they are required to live up to their own professional standards...*"

59. The alleged conduct is sexual in nature. A partner of a law firm who pushes a junior member of staff against a wall, kisses her and puts his tongue in her mouth without her consent and who says words to the effect of “*you’re very attractive*” cannot be said to have acted with integrity.
60. In *Beckwith*, the Court made clear that, when identifying lack of integrity, the Tribunal does not have carte blanche to decide what, for the purposes of the Handbook, the requirement to act with integrity means: [33]:

*“The requirement to act with integrity must comprise identifiable standards. There is no free-standing legal notion of integrity in the manner of the received standard of dishonesty; no off-the-shelf standard that can be readily known by the profession and predictably applied by the Tribunal. In these circumstances, the standard of conduct required by the obligation to act with integrity must be drawn from and informed by appropriate construction of the contents of the Handbook, because that is the legally recognised source for regulation of the profession.”*

61. As the Court set out in *Beckwith*, “*seriously abusive conduct by one member of the profession against another, particularly by a more senior against a more junior member of the profession, is clearly capable of damaging public trust in the provision of professional services by that more senior professional and even by the profession generally*”. As that passage makes clear, the existence of a power imbalance such as in this case with a Managing Partner behaving in this way to a younger paralegal, whilst both intoxicated is capable of damaging public trust in the provision of professional services.

#### Sexual motivation

62. It is alleged that the Respondent’s alleged conduct at paragraphs 1.1.1 to 1.1.5 above was of a sexual nature and/or sexually motivated. These are alleged as an aggravating feature but are not essential ingredients in proving the allegation.
63. By grabbing both of Person A’s arms, pushing her up against a wall, kissing her on the mouth, putting his tongue in her mouth and making a comment to the effect of ‘*you’re very attractive*’, the Respondent’s alleged behaviour was of a sexual nature and sexually motivated within the meaning of the term discussed by Foster J in

*General Medical Council v Dr RH* [2020] EWHC 2518 (Admin). There is no other reasonable explanation for such conduct.

### **Nexus to practise**

64. The SRA's position is that there was a sufficient nexus between the Respondent's conduct and the context in which it took place so that it can properly be said to touch upon both his practice as a solicitor and the standing of the profession. In particular, the alleged conduct took place immediately after the Firm's Team A's drinks and dinner, on the street outside the restaurant. It was an event organised by and for members of that team who had worked on a particular case [IWB1/133]. Neither party would have been at the event if they did not work for the Firm.

### **The Respondent's position**

65. The Respondent was interviewed as part of Firm A's grievance investigation on 1 July 2021.

66. In his statement 7 March 2024, attached to his response to Notice, the Respondent set out his career and background [IWB1/254-261]. He gave his account of the incident on 15 October 2020. The Respondent stated that he left the dinner at the restaurant, taking his belongings to meet a friend [IWB1/258]. He saw Person A had left without her belongings, she was drunk and the security staff would not let her back in to collect her things [IWB1/258-259]. The Respondent tried to persuade them but he stated they would not let Person A back in.

67. The Respondent stated that Person A initiated the kiss, that it was unprompted and took him by surprise. It lasted no more than a couple of seconds. He recovered himself and stepped away. The Respondent denied grabbing the arms of Person A, pushing her against the wall or putting his tongue in her mouth [IWB1/259 paragraph 30].

68. The Respondent further denied saying anything to Person A, before or after the kiss, of a sexual nature. He denied telling Person A that she was "*really attractive*" at any point [IWB1/259 paragraph 30]. Person D then came out from the restaurant. The Respondent recalled that he took her to one side and told her that Person A had kissed him and he wanted to leave [IWB1/259 paragraph 31]. The Respondent spoke of the incident again in a taxi with Person D and again later in

the evening to Person G, his friend. This is supported by a statement from Person G [IWB1/264-265].

69. The Respondent referred to his behaviour by engaging in a kiss as wrong and unprofessional, he regretted this. The Respondent set out the impact this allegation has had on him [IWB1/260-265 paragraph 37-40 265].

70. The Respondent accepts that he should have handled the incident better. It is alleged that he was advised by Person K it was his choice to apologise and that he *“be careful as his version was actually different to hers”* [IWB1/153].

**The SRA’s investigation**

71. The SRA has taken the following steps to investigate the allegations which it makes against the Respondent:

72. The SRA has conducted an investigation, and has obtained witness evidence from Person A as well as others involved in the Firm dinner at the restaurant;

73. The SRA served a Notice on 20 December 2023 and supplemental Notice recommending referral dated 26 March 2024 [IWB1/222-234 and 270-271].

74. The Respondent provided representations on the Notice dated 8 March 2024 [IWB1/243-253and 254-263].

75. On 15 April 2024, an Authorised Decision Maker decided to refer the conduct of the Respondent to the SDT [IWB1/306-311].

**STATEMENT OF TRUTH**

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

 .....

Dated this 5 day of September 2024

**BEFORE THE SOLICITORS DISCIPLINARY TRIBUNAL**

**Case No:**

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

**AND IN THE MATTER OF:**

**SOLICITORS REGULATION AUTHORITY**

Applicant

and

**DARREN LAWRENCE ROISER**

Respondent

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

**Relevant Rules and Regulations**

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**Allegations 1.1.1 to 1.1.5**

Solicitors Code of Conduct 2019

Para 1.2      You do not abuse your position by taking unfair advantage of clients or others

SRA Principles 2019

Principle 2    You act in a way that uphold public trust and confidence in the solicitors profession and in legal services provided by authorised persons

Principle 5    You act with integrity.