

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12851-2025

BETWEEN:

JOHN DAVIS

Applicant

and

SOLICITORS REGULATION AUTHORITY LTD

Respondent

Before:

Mrs C Evans (in the chair)

Mr A Horrocks

Mrs L McMahon-Hathway

Date of Hearing: 15 December 2025

Appearances

The Applicant represented himself.

Susannah Stevens, Counsel of QEB Hollis Whiteman, 1-2 Laurence Pountney Hill, London EC4R 0EU for the Respondent.

**JUDGMENT ON AN APPLICATION
TO REMOVE CONDITIONS**

Background

1. John Davis was admitted to the Roll in 1978. He was an advocate with Higher Rights of Audience in respect of civil and criminal litigation. He was the Principal of Davis-Law Associates of Denmark House, 143 High Street, Chalfont St Peter SL9 9QL (“the Firm”). He set up the Firm in 1983.
2. Between 5-6 October 2021 Mr Davis appeared before the Tribunal following an investigation into his misconduct at the Firm. The allegations against made by the SRA against Mr Davis were that while in sole practice as a solicitor at the Firm, where at material times he was Compliance Officer for Legal Practice (“COLP”), Compliance Officer for Finance and Administration (“COFA”), Money Laundering Compliance Officer (“MLCO”) and Money Laundering Reporting Officer (“MLRO”) he was responsible for the following:
 - Improper provision of banking facilities through Client Account.
 - Conflicts of interest.
 - AML failures.
 - Failure to verify the truth of facts asserted in professional correspondence.
3. Mr Davis admitted the allegations against him. Mr Davis received a fine of £30,000.00. The fine was paid in full on 8 April 2025. Further, the Tribunal imposed restrictions on his practising certificate in addition to an order for costs in the sum of £35,000.00. The restrictions were that Mr Davis could not:
 - Act as a COLP, COFA, MLCO or MLRO.
 - Act as a manager or owner for any authorised body other than the Firm.
 - Provide legal services as a freelance solicitor offering reserved or unreserved services under Regulations 10.2(a) or (b) of the SRA Authorisation of Individuals Regulations.
4. The Tribunal considered the regulatory breaches found proved were serious but determined that they were predicated on recklessness as opposed to dishonesty. The Tribunal noted the lengthy unblemished career of Mr Davis and no loss was caused by his failures.
5. On 9 October 2025 Mr Davis filed an Application to vary or remove the restrictions on his practising certificate imposed by the Order of the Tribunal of 6 October 2021 and a supporting witness statement.

Application

The Applicant's Case

6. At the oral hearing on 15 December 2025, Mr Davis confirmed that his application was now confined to the removal of the first restriction on his practising certificate (that which prevented him from acting as a COLP, COFA, MLRO and MLCO).
7. Mr Davis opened with his submissions. He stated that the original allegations against him were as a result of the professional mistrust he placed in a fellow solicitor, Mr Rodney Whiston-Dew ("RWD"). RWD was a highly qualified solicitor who was regarded as an expert in international investment. RWD had asked Mr Davis to join him in practice which Mr Davis turned down because investment was not within his professional expertise.
8. Mr Davis detailed the chronology of his dealings with RWD who told him that he had retired from practice. Between 2012 and 2017 RWD used the Firm's Client Account. Mr Davis submitted that he had no other business dealings with RWD. He accepted that he should have been more diligent when he allowed him access to the Client Account. RWD was eventually convicted of and sentenced for fraud.
9. Mr Davis submitted that he felt morally responsible for the clients who had been defrauded by RWD. He did not sit on his hands, rather, he contacted these clients and recovered substantial sums of money on their behalf. It became clear that RWD had been using clients' money to invest in land. Mr Davis realised that fraud had been taking place in 2017. In 2019 the SRA commenced a forensic investigation into the Firm.
10. Mr Davis submitted that the Firm fully cooperated with the forensic investigation and that his cooperation was remarked upon favourably by the Chair of the Tribunal in October 2021. Mr Davis investigated the investments made by RWD and there was a potential conflict of interest in that Mr Davis became sole director of RWD's former investment company GBT Global Limited set up in the BVI. Mr Davis nevertheless investigated the funds that had been invested by RWD on behalf of clients and recovered funds where he could. These actions led to High Court proceedings. The High Court Judge commented that Mr Davis needed to "*tighten the ship.*" Mr Davis referred to his practice in the Firm as an experienced litigator not a specialist in fraud, tax and investments. He asserted that he pursued matters to the best of his abilities to recover assets for the investor clients and to keep the Firm compliant.
11. Mr Davis set out his response to the Respondent's Answer (to his application). He disputed the Respondent's assertion in paragraph 36 that his application to have restriction one removed was premature. He submitted that he had taken all of the steps that were necessary to ensure that the Firm was compliant with Legal Practice, Finance and Administration and Money Laundering Practices.
12. Mr Davis referred to the competence of the first COLP who was employed after the restrictions were placed on his practising certificate (who ultimately could not retain the position due to illness). Mr Davis then employed a senior prosecutor as the second COLP, which had worked successfully to date but she had put him on notice that she

would like to retire shortly. Consequently, Mr Davis undertook a one day COLP course run by DG Legal and attended by representatives from the big City Law Firms Mr Davis asked his tutor how often he should meet with the COLP. His tutor responded that he should meet with the COLP every two weeks for assessment of compliance. This was what he was doing at the time.

13. Mr Davis then dealt with the Respondent's comments that his rehabilitation began when the restrictions were placed on his practising certificate on 6 October 2021. He submitted that his rehabilitation began in 2017, not least as a result of the previous Tribunal proceedings, after the alleged breaches ceased. Mr Davis accepted that the publication of the judgment had not adversely affected his practice. There was no finding that he acted dishonestly or for financial gain. The breaches occurred at least 8 years ago and although he accepted that his conduct had been reckless in his dealings with (RWD), his practices had changed.
14. Mr Davis submitted that the judgment that the Tribunal had to make about him was about his character. He had worked with two COLPs since October 2021 and neither had spoken badly about his character. The SRA stated in its Answer that the Mr Davis should have called witnesses. Mr Davis submitted that the absence of witnesses was not a significant factor. Mr Davis submitted he was not a danger to the public and had made every effort to rectify his mistakes after the disciplinary proceedings. He referred to the SRA's assertion that it was easy to replace a COLP and insisted that it was not in reality easy to replace a COLP in a small practice such as the Firm. The obvious remedy would be to remove restriction one of the Order of 6 October 2021 allowing him to take on those compliance responsibilities. He had been shadowing the COLPs who had worked at the Firm since the imposition of the restrictions and was therefore able to fulfil the position.
15. Mr Davis alerted the Tribunal to the possibility of his wife taking up the position of MLRO. His wife was a qualified lawyer although she was not practising.
16. Mr Davis concluded his opening on the matter of costs. He did not seek costs from the Respondent if he was successful in his application because he admitted the original allegations against him and so formed the view this would not be an appropriate course.

The Respondent's Case

17. The Respondent opposed the application.
18. The Respondent submitted that the starting point was for the Tribunal to assess potential risk and harm and also to maintain confidence in the legal profession. It referred to paragraph 23 of its Answer and the significance of the case of *Bolton v Law Society*[1994]1WLR 512. The case established that the reputation of the legal profession was more important than the interests of an individual solicitor. The Respondent submitted that Mr Davis had not provided evidence of his rehabilitation and had only provided evidence of one course provided by DJ Legal. The Respondent's firm position was that time elapsing did not by itself prove rehabilitation. Mr Davis should have provided evidence of rehabilitation, learning and reformation of character including evidence of insight into the nature and effects of

the original misconduct. In these circumstances the Application to remove restriction one of the Tribunal's Order of 6 October 2021 was premature.

19. Although Mr Davis attended one course, this does not show a pattern of sustained commitment to rehabilitation. The Respondent noted that Mr Davis did not provide evidence of the course he attended.
20. The restrictions imposed upon Mr Davis by the Tribunal had been to protect the public and the reputation of the profession with respect to the risks associated with Mr Davis being a COLP, COFA, MLRO and MLCO. It appeared to the Respondent that the main reason for Mr Davis making his application was because the current compliance officer was retiring. The Respondent did not accept that Mr Davis would not be able to arrange for a compliance officer to work in the Firm, enabling him to continue to run his practice.
21. The Respondent was mindful of the importance of the roles of the COLP, COFA, MLRO and MLCO and the seriousness attached to the functions of those roles being discharged effectively and competently. Mr Davis was reckless in respect of a number of regulatory breaches that resulted in the disciplinary hearing in October 2021.
22. In 2021, the Tribunal imposed a "Level 5" fine in conjunction with a Restriction Order and deemed Mr Davis's conduct as "significantly serious". When considering sanction, the Tribunal addressed the seriousness of the misconduct, the need to protect the public from any future harm and the reputation of the profession. The Tribunal identified aggravating features during the course of the proceedings as follows:
 - Mr Davis's actions were deliberate and repeated in all respects.
 - Mr Davis's failures occurred over a protracted period of time.
 - Mr Davis reasonably ought to have known that his failures amounted to material breaches of his professional Code of Conduct.
23. The Respondent referred to Mr Davis's assertion that he met with his COLP every two weeks and suggested that he had not provided sufficient evidence of safeguarding and supervision. If any of the restrictions imposed on 6 October 2021 were removed the public would have serious concerns about the propriety of Mr Davis returning to unrestricted practice.
24. Mr Davis did not provide any evidence from witnesses of reformation of character including evidence of insight into the nature and effects of the original misconduct and the steps taken to ensure that the wrongdoing would not reoccur in order to justify the removal of restriction one of the Order of the Tribunal. Mr Davis had not demonstrated that he was sufficiently rehabilitated in that there would be no risk to the public if restriction one was removed. Mr Davis's main role as a lawyer was advocacy and litigation. Compliance was not his area of expertise and he should engage experts to fulfil the compliance roles of COLP, COFA, MLRO and MLCO.

The Applicant in Reply

25. Mr Davis submitted that there was no requirement for COLP training as part of the restrictions on his practice further to the Order of the Tribunal of 6 October 2021. He confirmed that dishonesty was not one of the original breaches. He asserted that the Respondent could have investigated his conduct at the Firm during the 11 months between completion of the investigation of misconduct at the Firm and the Tribunal hearing. The Respondent would then have been made aware of evidence that he was suitably rehabilitated and posed no threat to the public. Mr Davis further submitted that he was responsible for all of the work undertaken at the Firm. At any one time, the firm might have between 12 and 25 conveyancing cases conducted by another lawyer in the firm. He told the Tribunal that he supervised that work as well as conducting his own litigation and advocacy work. Mr Davis confirmed that he was the sole signatory to the Client Account. He insisted that he supervised the Firm very thoroughly.
26. Mr Horrocks of the Tribunal addressed the Respondent. He referred to the SRA's website and questioned why the restrictions on Mr Davis' practising certificate appeared to be different to those imposed by the Tribunal on 6 October 2021. It appeared the SRA's website omitted reference to ML compliance. It was agreed by the SRA's counsel that this would be investigated after the hearing.
27. Mr Horrocks then referred to Mr Davis's suggestion that his wife, a qualified lawyer, would be able to deal with ML compliance and asked for the Respondent's view.
28. The Respondent submitted that this would not be a way forward with regards to ML compliance because she was not a practising lawyer. ML compliance issues should be managed by a practitioner who is qualified and who had been trained in compliance.

The Tribunal's Decision

29. The Tribunal noted that restricted practice was ordered only if it was necessary to ensure the protection of the public and the reputation of the legal profession from future harm by a solicitor. Accordingly, when considering an application to remove or vary a restriction, the Tribunal should assess whether the restriction remained necessary for those purposes. Whilst the factors contained in the Guidance Note on Other Powers might assist the Tribunal in that determination; it was necessary for an applicant to comply with those factors to demonstrate that the restriction was no longer necessary.
30. The Tribunal considered the case law on variation of conditions. It considered the case of *Ebhogiaye v Solicitors Regulation Authority* [2013] EWHC 2445 Admin. When seeking variations of conditions an applicant had to demonstrate that the circumstances which originally justified the imposition of conditions had materially changed. The applicant needed to show that s/he had remedied the deficiencies or risks identified by the Tribunal and had demonstrated a period of compliance, rehabilitation or improved conduct to the satisfaction of the Tribunal.
31. The Tribunal considered whether Mr Davis had provided sufficient evidence to allow it to determine whether restriction one of its Order of 6 October 2021 could be

removed and/or whether if it was removed there would still be a risk to the public if Mr Davis himself conducted the roles of COLP, COFA, MLRO and MLCO. The Tribunal had sight of a detailed witness statement from Mr Davis. However, it did not have sight of any documentary evidence in support of his submissions as to his ability to fulfil the roles and his rehabilitation.

32. The Tribunal considered the significance of the COLP course attended by Mr Davis. The Tribunal also considered the Respondent's assertion that with knowledgeable separate COLPs in place at the Firm there had been no compliance issues. It did not think he had proved that there was now no need for those COLPs. The Tribunal was of the view that the lack of evidence from the COLPs to support Mr Davis' assertion that he was actively supervising all the work of the firm was to the detriment of his case on this front.
33. The Tribunal noted that Mr Davis had no other regulatory history and that he was clearly an experienced and capable solicitor. However, the original breaches were serious and occurred over an extended period of time and Mr Davis ought reasonably to have known the harm that would have resulted. The Tribunal noted that Mr Davis carried a substantial burden to prove that he was rehabilitated. The Tribunal considered that he had not discharged that burden.
34. The Tribunal was therefore not satisfied that Mr Davis had evidenced that restriction one of the Order of the Tribunal dated 6 October 2021 was no longer necessary in order to protect the public. In this instance, the application to vary the Order of the Tribunal dated 6 October 2021 was refused.

Costs

35. The Respondent sought costs in the sum of £4,320.40 including VAT. The Tribunal found those costs to be reasonable and proportionate. Mr Davis did not challenge the amount claimed. Accordingly, the Tribunal ordered Mr Davis to pay costs in the agreed amount.

Statement of Full Order

36. The Tribunal ORDERED that the application of JOHN DAVIS for the removal of the following conditions from the Order imposed by the Tribunal on 6th October 2021 be REFUSED.
 - 36.1 All of the-conditions imposed by the Tribunal in 2021 are to remain undisturbed.
 - 36.2 The Tribunal further Ordered that Mr Davis do pay the costs of the response of the Solicitors Regulation Authority Ltd to this application fixed in the sum of £4,320.40 (including VAT).

Dated this 15th day of January 2026
On behalf of the Tribunal

C. Evans

C. Evans
Chair