

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12867-2025

BETWEEN:

SOLICITORS REGULATION AUTHORITY LTD

Applicant

and

ANTHONY DAVID DAVIS

Respondent

Before:

Ms A Banks (in the chair)

Ms G Palmiero

Mr C Childs

Date of Hearing: 23 June 2026

Appearances

Tom Walker, counsel employed by Blake Morgan LLP, One Central Square, Cardiff CF10 1FS for the Applicant.

The Respondent represented himself.

JUDGMENT

Allegations

1. The allegation made against Mr Davis by the Solicitors Regulation Authority Limited ("SRA") were that on 16 August 2023, while attending Coventry Police Station, in his role as duty solicitor, he:
 - 1.1. Stated to Person A words to the effect of *'he had four wives in Russia, two of who had died, and the Police could not find them'* or *'he had four wives and two died in Russia because the police could not find them'*, which was inappropriate; and/or
 - 1.2. Stated to Person A words to the effect of *'his aim was to die in this job or at a police station'* and/or she would *'have to give him a kiss to keep him alive'*, which was inappropriate and/or unwanted; and/or
 - 1.3. Stated to Person A words to the effect of *'being stopped by the Police on 32 occasions and breath-tested'* and/or *'he was T total, and he was just a liability on the roads'*, which was inappropriate; and/or
 - 1.4. Stated to Person B words to the effect of *'a waitress spilt some potato soup on his crotch and started using a cloth to rub the soup off this area'*, which inappropriate and/or unwanted; and/or
 - 1.5. Stated to Person A and/or Person B words to the effect of *'about eating human flesh, especially women's flesh'* and/or *'eating human flesh'*, which was inappropriate; and/or
 - 1.6. Stated to Person B words to the effect of *'if your boyfriend becomes a violent alcoholic then I will snap you up'*, which was inappropriate and/or unwanted.

Thereby breaching any or all of Principles 2, 5 and 6 of the SRA Principles 2019 ("the Principles") and Paragraph 1.5 of the SRA Code of Conduct for Solicitors, RELs, RFLs and RSLs ("the Code").

Executive Summary

2. Mr Davis admitted that he said the words to the effect of those set out in the allegations. In the Statement of Agreed Facts, Mr Davis admitted that the comments made were inappropriate. At the commencement of the hearing, Mr Davis confirmed that it was not accepted that anything said had been inappropriate. Accordingly, the Tribunal firstly considered whether the comments were inappropriate and, if they were, whether they breached the Principles and Code as alleged. The Tribunal found that the comments made in allegations 1.1, 1.2 and 1.3 were not inappropriate. Accordingly, those allegations were dismissed.
3. The Tribunal found that the comments detailed at allegations 1.4, 1.5 and 1.6 were inappropriate. The Tribunal did not find that the comments amounted to professional misconduct in breach of the Principles and Code. Accordingly, the Tribunal dismissed the allegations.

Documents

4. The Tribunal reviewed all the documents submitted by the parties, which included (but was not limited to):
 - Rule 12 Statement and Exhibit AD1
 - The Respondent's Answer and Exhibits
 - Statement of Agreed Facts

Professional Details

5. Mr Davis, who was born in 1943 was a solicitor, having been admitted to the Roll in July 1980.

Preliminary Matters

6. Application to withdraw aggravating features
 - 6.1 The parties applied to amend the Rule 12 Statement, removing the contention that allegations 1.2, 1.4 and 1.6 were sexually motivated and or sexual in nature. Mr Walker submitted that there was never any suggestion of harassment. Following a review by the Applicant and discussions between the parties, it was agreed that those matters would not be pursued.
 - 6.2 The Tribunal considered that it was appropriate to allow the aggravated elements to be withdrawn. Accordingly, the application was granted.
7. Publication of the Statement of Agreed Facts in lieu of the Rule 12
 - 7.1 The Tribunal's Automatic Disclosure Policy provided for the disclosure of the Rule 12 Statement at the commencement of the substantive hearing. Following the Tribunal's granting of the application to amend the Rule 12 Statement, withdrawing the contention of aggravating features, the Rule 12 Statement was no longer an accurate reflection of the case against Mr Davis. In the circumstances, it was submitted, the Statement of Agreed Facts was the appropriate document to disclose.
 - 7.2 The Tribunal agreed that the Statement of Agreed Facts should be published in lieu of the Rule 12 Statement.
8. Anonymisation
 - 8.1 The parties applied to anonymise Persons A and B. At the time of the alleged misconduct, they were serving police officers. Both Persons A and B were no longer police officers. The parties submitted that there was no public interest in the disclosure of their names.
 - 8.2 The Tribunal was satisfied that members of the public would understand the case Mr Davis faced without knowing the identity of Persons A and B. There was no public interest in knowing the identities of Persons A & B. Accordingly, the Tribunal granted the application for the anonymity of Persons A and B.

Findings of Fact and Law

9. The Applicant was required to prove the allegations 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 Mr Davis's rights to a fair trial and to respect for his private and family life under Articles 6 and 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Integrity

The test for integrity was that set out in Wingate and Evans v SRA and SRA v Malins [2018] EWCA Civ 366, as per Jackson LJ:

“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 ... [Professionals] are required to live up to their own professional standards ... Integrity connotes adherence to the ethical standards of one's own profession.”

10. Agreed Facts

- 10.1 The Agreed Facts are contained in the Statement of Agreed Facts annexed to this Judgment. In summary it was agreed that on 31 May 2024, West Midlands Police made a report to the Applicant concerning Mr Davis's conduct on 16 August 2023 towards two female police officers, Person A and Person B. At the time, Mr Davis was acting as duty solicitor for a client in custody at Coventry Police Station.
- 10.2 Person A said that, while walking Mr Davis from reception to the interview room, she observed him breathing heavily and coughing. When she asked about his welfare, he said he felt ill and that the NHS *would be responsible for his death*, or words to that effect.
- 10.3 Person A then escorted him to undertake disclosure with him alone in the interview room. She considered that he appeared more interested in making light-hearted jokes than representing his client. She said he joked that he had four wives in Russia, two of whom had died and could not be found by the police, or words to that effect, before clarifying that it was a joke.
- 10.4 During disclosure, Person A said Mr Davis repeatedly stated that he had no *life* outside work, that his *aim was to die in the job or at a police station*, and that she would *have to give him a kiss to keep him alive*, or words to that effect.
- 10.5 After disclosure, Person A walked Mr Davis to the custody suite. She said he referred to having been *stopped* by police and breath-tested *on 32 occasions*, being teetotal, and being *a liability on the roads*, or words to that effect.
- 10.6 Person A showed Mr Davis to an interview room and left him there. She believed Person B later took him a drink.

- 10.7 Person B said that, when she delivered a drink and accidentally spilt some on the floor, Mr Davis, who was alone and facing her, commented that *a waitress* in Ireland had *spilt potato soup on his crotch and* rubbed it off with *a cloth*, or words to that effect. He made no movements or gestures, but the comment made Person B feel uncomfortable and shocked.
- 10.8 Before the client interview began, in the presence of the client, both officers said Mr Davis spoke about eating human flesh. Person A recalled a reference to women's flesh. Person B said she told him it was illegal, but he continued to make a further comment about eating human flesh, or words to that effect.
- 10.9 At the end of the interview, Person B said Mr Davis looked directly at her and said words to the effect that, if her boyfriend became a violent alcoholic, he would "snap [her] up". She said the comment, made in front of his client, surprised and shocked her. Person A recalled a comment about Person B's boyfriend.
- 10.10 Person A later told Person B about Mr Davis's earlier comment that he needed *a kiss* from Person A to stay alive, or words to that effect.
- 10.11 Both officers submitted contemporaneous internal reports to the supervising police sergeant.
- 10.12 Person A, then a student officer undertaking her first independent disclosure exercise with a solicitor, said the comments crossed *professional* boundaries and were directed at her and Person B as *female police* officers.
- 10.13 Person B said the comments made her feel uncomfortable and that, on reflection, she should *have challenged* them *and not continued with the interview* process. She also considered that the comments were directed at both officers as *female police officers who were visibly young in service and experience*.

The Applicant's Case

- 10.14 Mr Walker submitted that all the comments were inappropriate when considering that Mr Davis had attended the police station to represent a client in custody. As to each of the statements:
- There was no justification for the comments made in relation to Mr Davis's wives in the context of obtaining pre-interview disclosure. Mr Walker submitted that the comments could be considered glib, oversharing, and possibly alarming. In any event, they were inappropriate given the context.
 - Comments in relation to resuscitation were inappropriate as they made light of a potential welfare issue. Referring to the kiss of life created the image of physical contact between Mr Davis and a young female police officer. His comment created a sense of discomfort. Such comments, it was submitted, were both unwanted and inappropriate.
 - With regard to Mr Davis's comments on being stopped by the police and breathalysed, whilst this could be seen as a throwaway comment of a glib nature,

it referred to, and perhaps minimised contact with the police, creating the idea that Mr Davis was routinely stopped by police and was a liability on the road. Such a comment, it was submitted, was not likely to be treated as humorous and was more likely to be treated as one of alarm or concern.

- As to his comments in relation to potato soup, whilst this was made in the context of spilled water, it was an unnecessary parallel to draw. It was inappropriate for Mr Davis to make reference to another female rubbing his crotch.
- Mr Walker submitted that it was alarming and inappropriate for Mr Davis to refer to the eating of flesh whilst attending a police station to advise a suspect, and in the presence of his client.
- The comments in relation to Person B's *boyfriend* were an intrusion into her private life and were clearly and obviously inappropriate in the circumstances.

10.15 Mr Walker submitted that given Mr Davis's attendance to represent his client, the comments made were all inappropriate, were made without justification and were not reciprocated.

10.16 As to the suggestion that the comments were a succession of jokes, banter, or ribaldry in order to reduce tension, it was clear that the officers did not view them in this light. Whilst Mr Davis may well have viewed his comments in that light, they were lacking in empathy and emotional intelligence. Such comments, it was submitted, were not appropriate in the context of the professional environment.

10.17 Mr Walker submitted that some of the comments made were more inappropriate than others; this did not detract from the inappropriateness of all of the comments made.

10.18 Further, Mr Davis had been notified of a complaint made of his use of potentially inappropriate comments in May 2023. The complaint resulted in a letter of advice from the SRA to Mr Davis shortly before these incidents. Accordingly, it was submitted, Mr Davis was on notice that he needed to be more careful with his attempts at humour.

Paragraph 1.5 of the Code

10.19 Mr Walker submitted that Persons A and B were Mr Davis's colleagues. The SRA's guidance, *Workplace environment: risks of failing to protect and support colleagues*, stated that "*colleagues*" included not only those formally employed by the same firm or organisation, but also others with whom a solicitor worked closely. The Applicant's case was that, as the duty criminal solicitor attending the police station, which formed part of his working environment, Mr Davis was working closely with both officers. His comments were made in a professional context: during the provision of disclosure by Person A, while arrangements were being made for the police interview with Person B, and during and/or after the interview, including when his client was present.

10.20 Mr Davis, it was submitted, had failed to treat Persons A and B fairly and with respect. He had made sexualised remarks which were unwanted. His comments were unnecessary and unprofessional, making Persons A and B feel uncomfortable and/or

shocked. Mr Walker further submitted that the remark to Person B about her partner becoming “*a violent alcoholic*” was plainly disrespectful and/or offensive and had surprised and shocked her. Such conduct, it was submitted, breached Paragraph 1.5 of the Code.

Principle 5

- 10.21 The comments made were all inappropriate and demonstrable of a lack of integrity. Mr Walker submitted that the variety, scope, subject matter, and intrusion into personal space of the comments made was indicative of a lack of integrity. Whilst such comments might not indicate a lack of integrity in a different environment, Mr Davis was a solicitor and acting in that capacity at the time. As such, he was required to adhere to the higher standards of the profession. Making sexualised, offensive, intrusive and inappropriate comments failed to adhere to that standard. A duty solicitor attending the Police Station to represent a detainee should conduct themselves appropriately at all times, having regard to the importance of their role in that situation. Making inappropriate remarks of the type referred to, demonstrated a lack of integrity. Mr Davis therefore breached Principle 5.

Principle 2

- 10.22 Mr Davis’s conduct also amounted to a breach of the requirement to act in a way that upholds public trust and confidence in the solicitors’ profession. As detailed, Mr Davis had made sexualised, offensive, unprofessional, puerile, and intrusive comments. As a result of his conduct, the police officer formed the opinion that Mr Davis was not fully interested in representing his client.
- 10.23 Mr Walker submitted that such conduct was likely to diminish the trust and confidence the public would place in both Mr Davis and the wider profession. Person B said that his comments had made her feel uncomfortable and shocked and had taken her by surprise. Matters were made worse having been said in front of his client.
- 10.24 Members of the public would not expect a solicitor to make such comments to two female police officer colleagues, crossing professional boundaries, and/or causing them to feel uncomfortable with unwanted attention in the course of their duties in their workplace. While a police officer may anticipate difficult behaviour from a person in custody, they did not expect such conduct from the solicitor representing the individual.
- 10.25 Persons A and B were also members of the public (albeit having encountered Mr Davis in the course of their work as police officers). The impact of his comments on their view of him as a solicitor was relevant to the trust and confidence the public placed in the profession. In conducting himself as he had, Mr Davis breached Principle 2.

Principle 6

- 10.26 Mr Walker submitted that Mr Davis’s conduct was counter-inclusive and inconsistent with the requirement to encourage equality, diversity, and inclusion. Mr Davis was an experienced senior solicitor and colleague of Person A and Person B. He was in control of, and responsible for, his conduct. Person A stated she felt the comments were directed towards her and Person B as female police officers. Person B echoed the comments

being directed towards them as female Police Officers and being young in service and experience. Female colleagues should be able to come into their place of work without experiencing unwanted attention and feeling uncomfortable. By his conduct at allegations 1.2, 1.4 and/or 1.6, Mr Davis did not act in a way that encouraged equality, diversity, and inclusion. He therefore breached Principle 6.

The Respondent's Case

- 10.27 Mr Davis denied that any of the comments made were inappropriate. Mr Davis submitted that he took exception to the fact that informal discussions had with police officers at the police station were being noted and then used as evidence against him. Further, what was said had been twisted and taken out of its proper context.
- 10.28 Police officers, it was submitted, were employed to investigate criminal conduct. They were not noted for their hypersensitivity and were not shrinking violets. Nor did police officers have the prerogative of prescribing the moral high ground.
- 10.29 Mr Davis explained that he did not intend to cause any offence or insult by the comments made. His comments were the expression of his eccentric humour; that this was the case was clear in relation to the comment about human flesh which, it was submitted, was an '*off-the-cuff*' and flippant remark in response to something said to him.
- 10.30 As to the comment in relation to the kiss of life, Mr Davis submitted that he had a number of medical ailments. The comment was made in response to an enquiry as regards his health. Any suggestion that Mr Davis was actually asking for a kiss of life was misconstrued.
- 10.31 The comments in relation to his wives was incorrect. None of his wives were deceased. The comment regarding his having been stopped by the police and breathalysed on a number of occasions was in reference to when he had been stopped late at night, following a police station attendance and had been stopped due to his slow driving speed, his driving being slow and hesitant.
- 10.32 All of the comments complained of were an expression of Mr Davis's humour. Mr Davis queried how, if such comments caused alarm to the officers, they would be able to carry out their duties as police officers.
- 10.33 As to the alleged breach of paragraph 1.5, police officers were not colleagues, they were the opposition. To refer to police officers as colleagues was a complete anathema.
- 10.34 Members of the public, it was submitted, would not be bothered by the flippant and humorous comments complained of. Public trust in the profession was not likely to be undermined. Members of the public would be far more concerned about solicitors acting dishonestly or committing criminal offences. Comments of the nature complained of would be viewed by the public as trivial.
- 10.35 Mr Davis did not consider that his conduct lacked integrity. He had made asinine and flippant comments. Such comments did not fall below the higher standards expected in the circumstances. As to Principle 6, Mr Davis submitted that his comments were not

disrespectful, abusive, disparaging, or disdainful. Accordingly, Mr Davis denied that his conduct was in breach of Principle 6.

The Tribunal's Findings

- 10.36 The Tribunal firstly considered whether the comments made were inappropriate. The Tribunal noted that that Mr Walker had referred to the comments regarding Mr Davis's wives as being *oversharing*. Person A's statement, the Tribunal found, was silent as to how the conversation commenced, and was unclear as to the words used. The lack of clarity, the Tribunal found, was evidenced in the pleaded case. Indeed, Mr Walker had submitted that there should not be a focus on the words actually used, as the Applicant's case was not about the "*exact words*," rather it was "*a matter of generality*."
- 10.37 Mr Davis did not accept that he had told Person A that any of his wives were deceased.
- 10.38 The Tribunal was not satisfied that the words used, generally (or even exactly) were inappropriate simply due to Mr Davis attending the police station to represent a detained person. There was nothing inappropriate per se in referring to a spouse during the course of a police station attendance. The Tribunal did not accept that *oversharing* of this nature was inappropriate. Accordingly, the Tribunal dismissed allegation 1.1.
- 10.39 Allegation 1.2 related to comments made by Mr Davis regarding resuscitation. Mr Davis stated that he had not asked for a kiss. Any conversation in that regard would have related to his health conditions. He explained that he had collapsed before and that he was "*always pointing out the medical requirements if anything happened to me*." The Tribunal did not find that references to the kiss of life were inappropriate in those circumstances. Accordingly, the Tribunal dismissed allegation 1.2.
- 10.40 The Tribunal rejected the Applicant's submission in relation to Mr Davis's comments about the number of occasions on which he had been stopped by the police. Mr Walker had submitted that these comments were "*not likely to be treated as humorous and was more likely to be treated as one of alarm or concern*." The Tribunal was not satisfied that the submission advanced established that the comments were inappropriate. Having considered the context in which the comments were made, and the nature of the words alleged, the Tribunal did not find that they could be considered to be inappropriate. Accordingly, allegation 1.3 was dismissed.
- 10.41 The Tribunal found that Mr Davis's statements regarding a waitress using a cloth to rub spilt soup off his crotch, references to eating female human flesh and references to Person B's boyfriend and being first in line if she became single, were inappropriate. The Tribunal did not consider that these comments were "*banter*" or that they were an appropriate expression of Mr Davis's humour. Accordingly, the Tribunal considered whether these comments, either individually or taken together, amounted to professional misconduct in breach of the Code and the Principles as alleged.
- 10.42 The Tribunal determined that not all inappropriate conduct by a solicitor would be sufficiently serious such that it amounted to professional misconduct. The inappropriate comments made by Mr Davis fell into this category. Although inappropriate, the Tribunal did not find that the comments made were sufficiently serious such as to amount to professional misconduct. The Tribunal applied the test in Dentons v SRA

[2026] EWCA Civ 508, namely that the question for the Tribunal was “*whether the conduct in question would be considered sufficiently serious by competent and reputable solicitors that it be categorised as professional misconduct*”. The comments were inappropriate and ill-advised but did not (individually or cumulatively) cross the threshold of sufficient seriousness.

- 10.43 Further, the Tribunal was not satisfied that members of the profession would consider that Mr Davis’s comments were such as to amount to professional misconduct, nor did it find that public trust in the profession would be diminished by the comments made. Accordingly, the Tribunal dismissed the contention that his conduct was in breach of Principles 2 and 5.
- 10.44 The Tribunal was not satisfied that Mr Davis’s comments were counter-inclusive such that it amounted to a breach of Principle 6; this allegation had not been satisfactorily substantiated by the Applicant.
- 10.45 The Tribunal did not find that the police officers were colleagues for the purposes of paragraph 1.5. Mr Davis, as a representative for a detainee, could not be described as “*working closely*” with the police. Such a description, the Tribunal found, was to misunderstand the role of a solicitor representing a client in custody. Accordingly, a breach of paragraph 1.5 of the Code could not be substantiated.
- 10.46 The Tribunal, having found none of the Principles or Code breaches alleged proven dismissed the allegations.

Costs

- 11. Mr Davis applied for costs in the sum of £10,000. It was submitted that those costs comprised the loss of income due to the police banning him from attending the police station. It also included the cost of the instruction of agents for police station attendances. Further, Mr Davis had spent £1,000 instructing Kings Counsel for advice on the police station attendance ban.
- 12. Mr Walker opposed the costs application. He submitted that it would be wholly inappropriate for the Tribunal to award costs as a punitive award or as compensation.
- 13. The Tribunal noted that the costs claimed by Mr Davis did not relate to his defence of the allegations, rather, he was seeking compensation for lost income and for the instruction of counsel in relation to a decision taken by the police. The Tribunal determined that the application was not one for costs but was for compensation. The Tribunal had no jurisdiction to award compensation. Accordingly, the Tribunal determined that the appropriate order was to make no order as to costs.

Statement of Full Order

- 14. The Tribunal ORDERED that the allegations against ANTHONY DAVID DAVIS, solicitor, be DISMISSED and it further ordered that there be no Order as to costs.

Dated this 10th day of July 2026
On behalf of the Tribunal

A Banks

A Banks
Chair