

Robert Macrory

Solicitor

019249

[Agreement Date: 2 September 2024](#)

Decision - Agreement

Outcome: Regulatory settlement agreement

Outcome date: 2 September 2024

Published date: 5 September 2024

Firm details

No detail provided:

Outcome details

This outcome was reached by agreement.

Decision details

1. Agreed outcome.

1.1 Mr Robert Macrory, a self-employed solicitor agrees to the following outcome to the investigation of his conduct by the Solicitors Regulation Authority (SRA):

- a. he is rebuked.
- b. to the publication of this agreement.
- c. he will pay the costs of the investigation of £300.

2. Summary of Facts

2.1 On 15 December 2022 in the early hours, the police attended Mr Macrory on the M6 after it answered a request to deal with a single vehicle collision.

2.2 He was arrested after he gave a roadside breath sample of 87 microgrammes in 100 ml of breath, where the legal limit is 35 microgrammes.

2.3 He provided a subsequent breath sample at the police station of 99 microgrammes in 100ml of breath. As a consequence, he was charged with driving a motor vehicle after consuming a level of alcohol in excess



of the prescribed legal limit, contrary to Section 5(1)(a) of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988.

2.4 On 31 January 2023 before North Somerset Magistrates Court, Mr Macrory pleaded guilty to and was convicted of that charge.

2.5 Mr Macrory was sentenced to:

- a. a 24-month disqualification from driving (to be reduced by 24 weeks following the completion of a course approved by the Secretary of State) and
- b. a 12-month Community Order with 80 hours of unpaid work

2.6 Mr Macrory was also ordered to pay:

- a. costs of £85 and
- b. a victim surcharge of £114.

2.8 Mr Macrory promptly reported to the SRA the charge and his subsequent conviction.

3. Admissions

3.1 Mr Macrory admits, and the SRA accepts, that by driving after consuming a level of alcohol in excess of the legal limit, for which he was convicted, he breached Principle 2 of the SRA Principles which says:

'You act in a way that upholds public trust and confidence in the solicitors' profession and in legal services provided by authorised persons.'

4. Why a written rebuke is an appropriate outcome.

4.1 The SRA's Enforcement Strategy sets out its approach to the use of its enforcement powers where there has been a failure to meet its standards or requirements.

4.2 When considering the appropriate sanctions and controls in this matter, the SRA has taken into account the admissions made by Mr Macrory and the following mitigation which he has put forward:

- he co-operated with the police during their investigation.
- a. he completed the approved course which resulted in a reduction of his overall period of disqualification.
- b. he has no previous convictions and therefore the incident was isolated and out of character.
- c. there were no third parties travelling in Mr Macrory's vehicle.
- d. no persons were injured as a result of his driving.



4.3 The SRA considers that a written rebuke is the appropriate outcome because:

- a. Mr Macrory was directly responsible for his conduct.
- b. His conduct was reckless and disregarded the risk, or potential risk, of harm to persons or property.

4.4 A rebuke is appropriate to maintain professional standards and uphold public confidence in the solicitors' profession and in legal services provided by authorised persons.

4.5 A rebuke is also intended to deter the individual and others from similar behaviour in the future. Any lesser sanction would not provide a credible deterrent to Mr Macrory and others. A rebuke therefore meets the requirements of rule 3.1 of the Regulatory and Disciplinary Procedure rules.

5. Publication

5.1 The SRA considers it appropriate that this agreement is published in the interests of transparency in the regulatory and disciplinary process. Mr Macrory agrees to the publication of this agreement.

6. Acting in a way which is inconsistent with this agreement.

6.1 Mr Macrory agrees that he will not deny the admissions made in this agreement or act in any way which is inconsistent with it.

6.2 If Mr Macrory denies the admissions or acts in a way which is inconsistent with this agreement, the conduct which is subject to this agreement may be considered further by the SRA. That may result in a disciplinary outcome or a referral to the Solicitors Disciplinary Tribunal on the original facts and allegations.

6.3 Denying the admissions made or acting in a way which is inconsistent with this agreement may also constitute a separate breach of principles 2 and 5 of the Principles and paragraph 7.3 of the Code of Conduct for Solicitors, RELs and RFLs.

7. Costs

7.1 Mr Macrory agrees to pay the costs of the SRA's investigation in the sum of £300. Such costs are due within 28 days of a statement of costs due being issued by the SRA.

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