

Zoe Diss
Solicitor
226487

[Sanction Date: 24 June 2024](#)

Decision - Sanction

Outcome: Rebuke

Outcome date: 24 June 2024

Published date: 3 July 2024

Firm details

Firm or organisation at date of publication and at time of matters giving rise to outcome

Name: Holmes & Hills Solicitors

Address(es): A12 Commercial Hub, 86 London Road, Marks Tey, Colchester, CO61ED

Firm ID: 534489

Outcome details

This outcome was reached by SRA decision.

Decision details

This outcome was reached by agreement

Reasons/basis

1.1 Miss Zoe Diss (Miss Diss), a solicitor of Holmes & Hills Solicitors (the Firm), agrees to the following outcome to the investigation of her conduct by the Solicitors Regulation Authority (SRA):

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

2. Summary of Facts



2.1 On 30 August 2023, Miss Diss self-reported to the SRA that on 19 August 2023, she was charged with driving a 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.

2.2 Miss Diss collided with three parked and unoccupied motor vehicles. The police attended and took samples of breath. Miss Diss was subsequently charged because her sample had 96 microgrammes of alcohol in 100 millilitres of breath, with the legal limit being 35 microgrammes in 100 millilitres.

2.3 On 7 September 2023, Miss Diss told the SRA that she had pleaded guilty at Chelmsford Magistrates Court and was convicted on that day of the aforementioned offence.

2.4 On conviction, Miss Diss 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 fine of £1,384.

2.5 Miss Diss was also ordered to pay:

- a. costs of £105 and
- b. a victim surcharge of £554.

3. Admissions

3.1 Miss Diss admits, and the SRA accepts, that by driving after consuming a level of alcohol in excess of the legal limit, for which she was convicted, she 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 Miss Diss and the following mitigation which she has put forward:

- a. She promptly reported her charge and conviction to the SRA and co-operated fully with its investigation, including the timely provision of



all necessary information.

- b. she co-operated with the police during their investigation.
- c. she completed the approved course which resulted in a reduction of her overall period of disqualification.
- d. the incident was isolated and out of character.
- e. there were no third parties travelling in the vehicle of Miss Diss.
- f. no persons were injured as a result of her driving.

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

- a. Miss Diss was directly responsible for her conduct.
- b. Her conduct was reckless and disregarded the risk, or potential risk, of harm to persons or property.
- c. Miss Diss had a level of alcohol in her breath that was more than double the legal limit.
- d. Miss Diss caused some damage to three vehicles.

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 Miss Diss 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. Miss Diss agrees to the publication of this agreement.

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

6.1 Miss Diss agrees that she will not deny the admissions made in this agreement or act in any way which is inconsistent with it.

6.2 If Miss Diss 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 Miss Diss 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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