

John Goldfinch

Solicitor

357810

[Sanction Date: 29 October 2024](#)

Decision - Sanction

Outcome: Rebuke

Outcome date: 29 October 2024

Published date: 5 November 2024

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Allen Overy Shearman Sterling LLP

Address(es): One Bishops Square, London, E1 6AD

Firm ID: 401323

Outcome details

This outcome was reached by SRA decision.

Decision details

1. Agreed outcome

1.1 John Goldfinch (Mr Goldfinch), a solicitor and former employee of Allen & Overy Shearman Sterling LLP (the Firm), 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 6 April 2024 Mr Goldfinch was arrested after the vehicle he had been driving collided with a parked unattended vehicle. Mr Goldfinch was breathalysed at the scene by the police. His breathalyser test presented a reading of 107 micrograms of alcohol in 100 millilitres of breath, which is three times over the legal limit.



2.2 Mr Goldfinch was subsequently charged with driving a motor vehicle after having consumed a level of alcohol in excess of the prescribed legal limit.

2.3 On 17 July 2024 at Southampton Magistrates' Court, Mr Goldfinch pleaded guilty to the charge and received the following sentence:

- Disqualification from driving for 24 months, to be reduced by 24 weeks on completion of a driving course approved by the Secretary of State before 21 September 2025.
- Fine of £1000.
- Surcharge of £400.
- Costs of £85.

2.4 Mr Goldfinch notified the SRA of his arrest on 7 April 2024.

3. Admissions

3.1 Mr Goldfinch makes the following admission which the SRA accepts:

- a. that by driving after having consumed 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 and its topic guide on driving with excess alcohol convictions 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 Goldfinch and the following mitigation which he has put forward:

- a. he co-operated fully with the police.
- b. he notified the SRA immediately by email the same day he was charged with the offence.
- c. he has no prior convictions and has held a clean driving licence for over 20 years.
- d. he was the only passenger in the car and no-one was injured. Whilst there was damage to an empty parked car, he provided full details to the owner and made financial reparation within 24 hours so that they were not further inconvenienced.
- e. he pleaded guilty at his first appearance at the Magistrates' Court



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

- a. Mr Goldfinch was directly responsible for his conduct.
- b. By driving after he had consumed alcohol that exceeded the prescribed legal limit, Mr Goldfinch disregarded the potential risk of harm that this might cause.
- c. Mr Goldfinch had a particularly high level of alcohol in breath when he was arrested, and he was disqualified from driving for more than 18 months.
- d. Damage was caused to a third-party vehicle as a result of the collision.

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 Goldfinch and others. A rebuke therefore meets the requirements of rule 3.2 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 Goldfinch agrees to the publication of this agreement.

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

6.1 Mr Goldfinch 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 Goldfinch 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.

Costs

7.1 Mr Goldfinch 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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