



Alan Martyn Grant

Solicitor

122710

Agreement Date: 11 January 2022

Decision - Agreement

Outcome: Regulatory issue agreement

Outcome date: 11 January 2022

Published date: 18 January 2022

Firm details

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

Name: Duffield Harrison LLP

Address(es): Rathmore House, 56 High Street, Hoddesdon, Herts, EN11 8EX

Firm ID: 383068

Outcome details

This outcome was reached by agreement.

Decision details

1, Agreed outcome

1.1 Alan Martyn Grant, a solicitor, agrees to the following outcome to the investigation of his conduct by the Solicitors Regulation Authority (SRA):

- a. he is issued with a written rebuke
- b. to the publication of this agreement
- c. he will pay the costs of the investigation of £300.

Reasons/basis

2. Summary of Facts

2.1 On 27 June 2021, Mr Grant was arrested after the police saw him consume alcohol and attempt to drive his car.

2.2 He provided a sample of breath and was subsequently charged with attempting to drive a motor vehicle when his alcohol level was above the

prescribed limit in England & Wales.

2.3 On 16 July 2021, Mr Grant pleaded guilty at North Essex Magistrates Court to this charge.

2.4 Mr Grant was:

- a. disqualified from driving for 12 months to be reduced by 12 weeks on completion of a course approved by the secretary of state and
- b. fined £782.

2.5 Mr Grant notified the SRA of his conviction on 29 July 2021.

3. Admissions

3.1 Mr Grant makes the following admissions which the SRA accepts:

- a. by virtue of his conduct and conviction for attempting to drive a motor vehicle when his alcohol level was above the prescribed limit, he failed to behave in a way which upholds public trust and confidence in the solicitors' profession and in legal services provided by authorised persons in breach of Principle 2 of the SRA Principles.

4. *Why a 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. The topic guide for driving with excess alcohol conviction also provides insight on the approach to enforcement and indicative sanctions guidelines.

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

- a. this is an isolated incident
- b. there was no harm caused to persons or property
- c. he promptly reported his conviction to the SRA and he has cooperated fully with its investigation
- d. he has expressed regret for his actions and has shown insight and remorse in respect of his conduct
- e. he paid his fine of £782 in full and has undertaken to complete the driving course as soon as he can.

4.3 The SRA consider a rebuke is the appropriate outcome because:

- a. A public sanction is required to uphold public confidence in the delivery of legal services. A rebuke is appropriate to uphold professional standards and uphold public confidence in the solicitors' profession and in legal services provided by authorised persons because of the seriousness of his conduct. Any lesser sanction would not provide a credible deterrent to Mr Grant and others.

5. Publication

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

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

6.1 Mr Grant 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 Grant 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 Grant 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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