



## **Gordon Herd**

### **Employee**

### **7001052**

**[Employee-related decision Date: 21 December 2023](#)**

### **Decision - Employee-related decision**

Outcome: Control of non-qualified staff (Section 43 / Section 99 order)

Outcome date: 21 December 2023

Published date: 15 January 2024

### **Firm details**

#### **Firm or organisation at time of matters giving rise to outcome**

Name: Dentons UK and Middle East LLP

Address(es): One Fleet Place LONDON EC4M 7WS

Firm ID: 447523

#### **Firm or organisation at date of publication**

Name: Seed Legals

Address(es): 296-302 High Holborn, London WC1V 7JH

Firm ID:

### **Outcome details**

This outcome was reached by SRA decision.

### **Decision details**

#### **Who does this decision relate to?**

Gordon William Herd.

A person who is or was involved in a legal practice but is not a solicitor.

### **Summary of decision**

The SRA has put restrictions on where and how Mr Herd can work in an SRA regulated firm.



It was found that Mr Herd, who is not a solicitor, was involved in a legal practice and has occasioned or been a party to an act or default which involved such conduct on his part that it is undesirable for him to be involved in a legal practice in any of the ways described in the order below.

### **Reasons/basis**

#### **The facts of the case**

Mr Herd is a Scottish solicitor who was admitted to the Scottish Roll of Solicitors on 18 May 2016. On 25 June 2018 he was employed by Dentons UK and Middle East LLP (the firm) as an associate in its corporate department.

On 7 March 2022 the firm made a report to the SRA about Mr Herd's conduct towards another employee at the firm.

It was found that:

On 29 September 2021, Mr Herd attended a work social event along with other colleagues from the firm at a bar in London.

During the event Mr Herd touched a female colleague in a sexual manner without her consent. He placed his leg between her legs while rubbing her thighs, he rubbed her back and bottom and stood so close to her that she felt uncomfortable.

The firm interviewed Mr Herd on 2 February 2022 and Mr Herd resigned shortly afterwards. The firm upheld Mr Herd's colleague's grievance following Mr Herd's resignation.

### **Decision on outcome**

An order pursuant to section 43(2) of the Solicitors Act 1974 was made as Mr Herd's conduct meant that it was undesirable for him to be involved in a legal practice without the SRA's prior approval. The order pursuant to section 43 was made with effect from the date of the letter or email notifying Mr Herd of this decision.

Mr Herd's conduct was serious because during a work event he repeatedly touched a female colleague in a sexual manner without her consent. He was directly responsible for his own conduct which made his colleague feel vulnerable, uncomfortable and distressed.

Mr Herd was also ordered to pay the SRA's costs of £600.

### **What our Section 43 order means**



- i. no solicitor shall employ or remunerate him in connection with his/her practice as a solicitor;
- ii. no employee of a solicitor shall employ or remunerate him in connection with the solicitor's practice;
- iii. no recognised body shall employ or remunerate him;
- iv. no manager or employee of a recognised body shall employ or remunerate him in connection with the business of that body;
- v. no recognised body or manager or employee of such a body shall permit him to be a manager of the body; and
- vi. no recognised body or manager or employee of such a body shall permit him to have an interest in the body

except in accordance with the SRA's prior written permission.

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