

SRA statement

SRA Chair Anna Bradley comments on Ryan Beckwith case

21 December 2020

Setting the standards for the profession is at the heart of our role as the regulator of solicitors and law firms in England and Wales, and we take enforcement action when things go wrong.

We receive around 10,000 reports of concerns every year and we carefully assess them all and take the steps needed to protect the public, maintain those high standards and ensure confidence in the profession.

We prosecuted the case at the independent Solicitors Disciplinary Tribunal, which fined the partner £35,000. The tribunal decision was overturned at the Divisional Court. We have decided not to appeal the judgment of the court in the case of Ryan Beckwith -v- SRA. This follows careful consideration of the judgment, as well as advice from leading counsel on the grounds for doing so.

Nonetheless, we consider that the judgment raises important matters for public debate and scrutiny, rather than simply matters of law.

Clearly, the issues are highly sensitive. However, given the relevance of this judgment not only to the individuals involved but also to others who have brought concerns to us and might do so in the future, we feel that comment might be helpful.

This case was properly brought – and certified by the Tribunal – on evidence gathered in response to a serious complaint.

We welcome the court's firm confirmation that our Principles of acting with integrity and upholding public confidence comply with human rights standards by providing the necessary degree of legal certainty, and that "common sense dictates" that those principles are entitled to reach into a solicitor's personal life.

We also welcome the clarity of the court's confirmation that the public is entitled to expect that junior staff and members of the profession are treated with respect by more senior colleagues. Solicitors must not, as the court emphasised, "take unfair advantage of others" whether in a professional or personal capacity.

In overturning the Tribunal's decision, the court expressly limited itself to the circumstances of this case. Our case did not depend on the issue of consent. Rather, we argued that the circumstances indicated vulnerability and abuse of a position of seniority and authority. Those and

some other key facts were not found proved by the Tribunal. The court's judgment was based on and limited to the application of our Principles to the findings of fact made by the Tribunal in this case.

It's important to be clear that the events in question took place prior to the introduction of our new Standards and Regulations and the full suite of supporting resources. We do not expect to win all the cases that we prosecute and we always reflect on important cases. In this instance, we are carefully considering whether this case highlights whether we need to do more to improve our ability to take appropriate action in the future.

Finally, I want to emphasise that allegations of sexual misconduct and sexual harassment are matters that we take very seriously and will continue to act upon.