

Piers King

Solicitor

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[Agreement Date: 8 January 2024](#)

Decision - Agreement

Outcome: Regulatory settlement agreement

Outcome date: 8 January 2024

Published date: 12 January 2024

Firm details

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

Name: Farrer & Co LLP

Address(es): 66 Lincoln's Inn Fields, London, WC2A 3LH

Firm ID: 447822

Outcome details

This outcome was reached by agreement.

Decision details

1. Agreed outcome

1.1 Piers King (Mr King), a solicitor of Farrer & Co LLP (the Firm), agrees to the following outcome to the investigation of his conduct by the Solicitors Regulation Authority (SRA):

- a. Mr King has breached Principle 2 of the SRA Principles 2019 which refers to acting in a way that upholds public trust and confidence in the solicitors' profession.
- b. Mr King will pay a financial penalty in the sum of £10,105.44.
- c. Mr King agrees to the publication of this agreement.
- d. Mr King will pay the costs of the investigation of £300.

2. Summary of Facts

2.1 In the early hours of 25 February 2023, Mr King following his attendance at a rugby match, returned to his car to drive the 2-mile

journey back to his parents' house. While turning a corner, he lost control of the vehicle and ended up on the verge of the road. The police attended the scene and Mr King was breathalysed and charged with driving a motor vehicle after consuming a proportion of alcohol that exceeded the prescribed limit, contrary to section 5(1)(a) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988.

2.2 On 27 February 2023, Mr King notified the SRA that he had been charged.

2.3 On 19 April 2023, Mr King pleaded guilty at Bath Magistrates Court to the offence of driving a motor vehicle when his alcohol level was above the prescribed limit.

2.4 Mr King received the following sentence:

- a. He was disqualified from driving for a period of 22 months.
- b. He was ordered to pay a £1,348 fine.
- c. He was ordered to pay a victim surcharge of £539 and prosecution costs of £85.

2.5 On 19 April 2023, Mr King reported his conviction to the SRA.

3. Admissions

3.1 Mr King makes the following admissions which the SRA accepts: By virtue of his conduct and conviction for driving with a motor vehicle when his level of alcohol was above the prescribed limit, he failed to act in a way that 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 fine 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 Mr King and the following mitigation which he has put forward:

- a. Mr King has shown insight and remorse and pleaded guilty at the first opportunity.
- b. Mr King promptly reported the matter to the SRA and co-operated fully with its investigation.
- c. No harm was caused to persons or property as a result of Mr King's conduct.
- d. This was an isolated incident.



4.3 The SRA and Mr King agree that a financial penalty is the appropriate outcome because:

- a. Mr King drove a vehicle when the level of alcohol in his blood was above the prescribed limit. Therefore, he disregarded the potential risk of harm to others.
- b. Mr King was directly responsible for his conduct.
- c. A public sanction is required to uphold public trust and confidence in the delivery of legal services by SRA authorised persons.

4.4 A financial penalty is appropriate to uphold public confidence in the solicitors' profession and in legal services provided by authorised persons because a less serious sanction would not deter Mr King and others from similar behaviour in future. A financial penalty therefore meets the requirements of rule 4.1 of the Regulatory and Disciplinary Procedure Rules.

5. Amount of the fine

5.1 The amount of the fine has been calculated in line with the SRA's published guidance as in force post May 2023, on its approach to setting an appropriate financial penalty (the Guidance).

5.2 Having regard to the Guidance, the SRA and Mr King agree that the nature of the misconduct was more serious because Mr King intentionally decided to drive whilst under the influence of alcohol. This was reckless. The Guidance gives this type of misconduct a score of three.

5.3 The SRA considers that the impact of the misconduct was medium because whilst no harm was caused, to any other person, it had the potential to do so. The Guidance gives this level of impact a score of four.

5.4 The nature and impact scores add up to seven. The Guidance indicates a broad penalty bracket of 16-49% of Mr King's annual gross income is appropriate.

5.5 In deciding the level of fine within this bracket, the SRA has considered the mitigation at paragraph [4,2] above which Mr King has put forward:

- a. Mr King has shown insight and remorse and pleaded guilty at the first opportunity.
- b. Mr King promptly reported the matter to the SRA and co-operated fully with its investigation.
- c. No harm was caused to persons or property because of Mr King's conduct.
- d. This was an isolated incident.

5.6 On this basis, the SRA considers that this was an isolated event which caused no harm to others. Mr King has showed insight and

remorse for his actions. However, this must be balanced against Mr King having a high level of alcohol in his breath, which demonstrated a reckless disregard as to the risk of harm that could have been caused to others. The SRA considers a basic penalty of £16,842.40, which is at the bottom of the bracket, to be appropriate.

5.7 The SRA considers that the basic penalty should be reduced to £10,105.44. This reduction reflects the fact that Mr King co-operated fully with the investigation and assisted the SRA in obtaining documents which were required.

5.8 Mr King does not appear to have made any financial gain or received any other benefit as a result of his conduct. Therefore, no adjustment is necessary to remove this and the amount of the fine is £10,105.44.

6. 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 King agrees to the publication of this agreement.

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

7.1 Mr King agrees that he will not deny the admissions made in this agreement or act in any way which is inconsistent with it.

7.2 If Mr King 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.

7.3 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.

8. Costs

8.1 Mr King 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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