

RICS Regulatory Tribunal Rules

Part VI, Regulatory Tribunal Single Member Decision

Regulated Member: Alistair Wade
Single Member Decision of: Peter Baker
Case Number: REG0000047957
Date of Decision: 17 March 2026

CHARGE

On 12 April 2024, at Wimbledon Magistrates Court, Alistair Wade was convicted of Actual Bodily Harm, contrary to section 47 of the Offences Against the Person Act 1861, and was sentenced on 9 May 2024 to a 12 month Community Order consisting of 150 hours of unpaid work together with compensation of £150, a victim surcharge of £114 and costs of £85.

Alistair Wade is therefore liable to disciplinary action under RICS Bye-Law 5.2.2 (d).

RICS RULES & REQUIREMENTS

This matter came to the attention of RICS on 1 May 2024, and therefore the Regulatory Tribunal Rules Version 3 effective 14 March 2024 apply in this case.

A RICS Member may be liable to disciplinary action by reason of having been convicted of a criminal offence which could result in a custodial sentence. (RICS Bye-Law B5.2.2 (d))

MATERIALS CONSIDERED

I have considered a RICS bundle of 96 pages including the following material:

- RICS' report;
- Declarations sent to RICS by Mr Wade and his employer of potential breaches of RICS' standards;
- Crown Prosecution Service papers relating to the criminal case, including a Police Report and relevant witness statements and exhibits;
- Details of the Community Order made by Wimbledon Magistrates' Court on 9 May 2024

- Certified Court Extract dated 1 September 2024 and a Certificate of Conviction from Wimbledon Magistrates' Court;
- Representations submitted by Mr Wade in response to the RICS investigation and allegations;
- Character references provided in support of Mr Wade;
- The RICS Head of Regulation decision;
- RICS's skeleton argument on the admissibility of convictions;
- A schedule of costs prepared by RICS.

BACKGROUND

This case concerns Mr Wade's conviction at Wimbledon Magistrates' Court for assault occasioning actual bodily harm for which he was sentenced by way of a 12-month Community Order with 150 hours of unpaid work. He was also ordered to pay compensation to the victim of £150, a victim surcharge of £114 and prosecution costs of £85.

Mr Wade assaulted a person in a bar on 24 March 2024 causing a cut to their chin with a beer glass. The prosecution case was that Mr Wade deliberately smashed the glass into the person's face. This was based on CCTV evidence and witness statements.

Mr Wade pleaded guilty to the charge at the earliest opportunity. In mitigation Mr Wade's solicitor explained to the Court that Mr Wade's actions were not deliberate. He was pushed from behind and as he turned round in a confined and busy space one of three glasses he was carrying made contact and cut the underside of the person's chin. None of the glasses smashed and Mr Wade attempted to apologise once he realised contact had been made. In self-declaring his conviction to RICS, Mr Wade acknowledged that his actions were reckless.

EVIDENCE OF CONVICTION

RICS submitted a written application by way of a skeleton argument to admit as evidence the fact of Mr Wade's criminal conviction which is spent by virtue of the Rehabilitation of Offenders Act 1974, and the facts underlying that conviction and details of the proceedings relating to it. In support of their argument, RICS referred to an exemption in the Act, RICS's responsibilities in regulating its members, and the need to be able to regulate members' conduct after convictions become spent.

I am satisfied that it is in the public interest to admit the fact of Mr Wade's conviction and all ancillary matters to enable RICS to regulate Mr Wade's conduct alleged in the charge.

FINDINGS OF FACT

I am satisfied from the Court records, as well as Mr Wade's own acceptance of the matter, that he was convicted of assault occasioning actual bodily harm on 12 April 2024 and was

sentenced on 9 May 2024 to a 12-month Community Order with 150 hours of unpaid work together with financial orders. I therefore find the factual aspects of the charge proven.

LIABILITY FOR DISCIPLINARY ACTION

Assault occasioning actual bodily harm is a serious criminal offence attracting a maximum sentence of 5 years' custody.

Mr Wade did not receive a custodial sentence in this instance. However, I am satisfied that the facts underlying his conviction and the imposition of the Community Order and 150 hours of unpaid work (after the Court had taken account of any personal mitigation and reduced the sentence for a guilty plea) demonstrate that Mr Wade's conduct represented a serious departure from the standards expected of a member of the profession.

I am therefore satisfied that this is a matter which confers liability to disciplinary action.

REGULATORY SANCTION

The purpose of sanctions is not to be punitive, though they may have that effect. The purpose is to protect the public, declare and uphold the standards of the profession and safeguard the reputation of the profession and of RICS as its regulator. The sanction must be proportionate to the breach and all the circumstances.

I have taken account of the seriousness of the offence for which Mr Wade was convicted and the representations made on his behalf to the Court and to RICS about his culpability and the level of harm caused.

I have also taken account of other mitigation in Mr Wade's favour, including:

- His previous good character both in terms of criminal convictions and RICS disciplinary proceedings;
- The absence of any connection between Mr Wade's actions and his professional practice;
- Mr Wade and his employer proactively declared potential breaches of RICS' standards;
- Mr Wade paid the compensation and other financial orders imposed by the Court and completed the unpaid work requirement promptly;
- The positive character references made in support of Mr Wade;
- Mr Wade's positive cooperation with the Police and the RICS investigation;
- His expressions of remorse and regret, and the insight demonstrated into his actions and the impact of them on himself, his profession and others;
- The salutary effect of being the subject of both criminal and disciplinary proceedings.

I have approached the sanction options available to me in ascending order. I have considered the possibility of taking no action but feel that this would be insufficient to mark to Mr Wade, and the profession more widely, the unacceptability of his conduct and would also fail to uphold the reputation of the profession. I have also discounted the prospect of a caution, as I consider that this is of insufficient weight to reflect the gravity of the conduct.

A reprimand is suitable for more serious wrongdoing, and I consider that this would be more appropriate to reflect the degree to which Mr Wade's actions have departed from the standard of conduct expected from a member of the profession.

I have gone on to consider a fine or the most serious sanction of expulsion from the Register to guard against being unduly lenient. Having done so, I am satisfied that this is not a matter for which a fine or expulsion is appropriate or proportionate.

I therefore consider that a reprimand is appropriate and proportionate in this case.

ORDER MADE

In accordance with Part VI of the Regulatory Tribunal Rules, I make the following order:

That Alistair Wade (6899714) be issued with a reprimand

TAKING EFFECT OF ORDER

In accordance with Part VI of the Regulatory Tribunal Rules, this order will take effect 14 days from service of the Single Member's decision upon the Regulated Member, unless notification in writing is received from the Regulated Member or RICS stating that they consider that the findings and/or the Regulatory Sanction imposed by the Single Member are wrong

COSTS

In accordance with Part VI of the Regulatory Tribunal Rules, I make the following order in respect to costs:

Alistair Wade (6899714) will pay costs in the amount of £1,250

PUBLICATION

In accordance with Part VI of the Regulatory Tribunal Rules, the Single Member's record of Decision will be published following the expiry of 14 days from service of the Single Member's Decision upon the Regulated Member.

