

**BEFORE THE SOLICITORS DISCIPLINARY TRIBUNAL
IN THE MATTER OF THE SOLICITORS ACT 1974 (as amended)
AND IN THE MATTER OF:**

SOLICITORS REGULATION AUTHORITY LIMITED

Applicant

and

MATTHEW THOMAS PARISH

Respondent

**STATEMENT PURSUANT TO RULE 12 (2) OF THE SOLICITORS
(DISCIPLINARY PROCEEDINGS) RULES 2019**

I, Lyndsey Farrell, am a Solicitor employed by Capsticks Solicitors LLP, Wellington House, 68 Wimbledon Hill Rd, London SW19 7PA. I make this Statement on behalf of the Applicant, the Solicitors Regulation Authority Limited (“the SRA”).

The allegations

1. The allegations against the Respondent, Matthew Thomas Parish, made by the SRA are that:

1.1 Between 4 May 2018 and 6 May 2018, he offered to retract complaints he had made to the UK, US and EU security and intelligence organisations about his client’s conduct, in pursuit of payment of outstanding invoices from his client.

In doing so he breached any or all of:

- 1.1.1 Overseas Principle 1 of Rule 1.3 of the SRA Overseas Rules 2013;
- 1.1.2 Overseas Principle 2 of Rule 1.4 of the SRA Overseas Rules 2013; and
- 1.1.3 Overseas Principle 6 of Rule 1.8 of the SRA Overseas Rules 2013.

The facts and matters relied upon are found at paragraphs 12 to 38 below.

1.2 Between 10 July 2017 and 28 April 2018, he published/allowed to be published on Gentium Law Group SARL's website, press releases relating to his former client accusing them of fraud, in breach of a court order.

In doing so he breached any or all of:

- 1.2.1 Overseas Principle 2 of Rule 1.4 of the SRA Overseas Rules 2013;
- 1.2.2 Overseas Principle 6 of Rule 1.8 of the SRA Overseas Rules 2013.

The facts and matters relied upon are found at paragraphs 49 to 58 below.

1.3 Between 27 October 2021 and 4 November 2021, he published decisions of the First-tier Tribunal ("FTT") and Upper Tribunal dated 27 October 2021 and 4 November 2021 respectively, on his website, in a way which breached the anonymity granted by the FTT and Upper Tribunal.

In doing so he breached any or all of:

- 1.3.1 Principle 1 of the SRA Principles 2019;
- 1.3.2 Principle 2 of the SRA Principles 2019;
- 1.3.3 Principle 5 of the SRA Principles 2019.

The facts and matters relied upon are found at paragraphs 63 to 82 below.

1.4 On 20 November 2021, threatened legal action against Charles Douglas Solicitors for making a report to the SRA.

In doing so he breached any or all of:

- 1.4.1 Paragraph 7.9 of the SRA Code of Conduct for Solicitors, RELs and RFLs ("Code of Conduct");
- 1.4.2 Principle 2 of the SRA Principles 2019
- 1.4.3 Principle 5 of the SRA Principles 2019

Appendices and Documents

2. The following appendices are attached to and relied upon in this Statement:

Appendix 1: Publication Analysis Schedule

Appendix 2: Relevant Rules and Regulations

Appendix 3: Anonymisation Schedule

3. I attach to this statement a bundle of documents, marked Exhibit LJF1, to which I refer in this statement. Unless otherwise stated, the page references (“**Exhibit LJF1**, p.X”) in this statement relate to documents contained in that bundle.
4. The bundle is divided into the following sections:
 - 4.1. Evidence relied on by the SRA [pages 23-507; 892-1659; 1734-1735; 1736-1737]
 - 4.2. Correspondence between the SRA and the Respondent [1-23; 855-875; 876-891; 511-848]
 - 4.3. Relevant Rules, Guidance and case of *Wingate* [1160-1789;1182-1217]
 - 4.4. Documents pertaining to permission to rely on unredacted Judgments in respect of Person A [1790-1791]

Professional Details

5. The Respondent was born on [REDACTED] 1975. He was admitted to the Roll on 1 September 2000 and does not currently have a practising certificate.
6. The Respondent was the manager and owner of Gentium Law Group SARL (**‘Firm 1’**), a foreign law practice based in Geneva which is not regulated by the SRA, until it closed in 2018. He is a managing partner of The Paladins Organisation (**‘Firm 2’**), which according to its website¹ is a network of, *“the highest quality of professional people”* who work in the fields of *“law, investigations, crisis management, emergencies, disaster relief, international development, threats to life and liberty, threats to business, threats to government, security, terrorism, unstable politics and legal and physical danger”* [LJF1, p1759-1760].

The facts and matters relied upon in support of the allegations

Background

7. Allegations 1.1 and 1.2 relate to matters arising from when the Respondent was practising at Firm 1 in Geneva. Allegations 1.3 and 1.4 relate to a different subject matter entirely, namely the publication of UK Immigration Tribunal decisions which breach the anonymity orders of the respective Tribunals.

¹ [Law | The Paladins | Security](#)

Allegations 1.1 and 1.2

8. On 27 February 2020, the Respondent was convicted by a Criminal Court in Switzerland of defamation, calumny, attempted unlawful coercion and failure to conform to an authority's decision by a competent authority. The Respondent was sentenced to one year's imprisonment, a monetary penalty of 90 days of CHF 30 per day, placed on probation for three years and ordered to undertake psychotherapy treatment. He also received a separate fine of CHF 5,000 [LJF1, p920].
9. On 3 July 2020, the Respondent was convicted by a Criminal Court in Switzerland of attempted unlawful coercion. He was sentenced to a monetary penalty of 120 days of CHF 30 per day, placed on probation for three years and ordered to undertake psychotherapy treatment [LJF1, p920].
10. Both convictions related to the Respondent's conduct when an advocate of the Firm and within the framework of a dispute relating to fees between the Firm and Company B, a Swiss company registered and based in Geneva and whose director was Person B [LJF1, p921].
11. The Respondent appealed both convictions and the court concluded that the appeals were rejected [LJF1, p918-971 and page 967]. On 22 February 2021, the Criminal Court of Appeal and Review, in dealing with both convictions together, confirmed the guilty verdicts. The sentences passed were upheld; save for the monetary penalty which was adjusted to 180 days [LJF1, page 961].

Allegation 1.1 – offering to withdraw complaints made to the UK, US and EU security and intelligence organisations in pursuit of payment of outstanding invoices from his client/making threats to compel payment.

12. In 2014, Company B, instructed the Respondent to provide various legal services [LJF1, p922 and 1068]. Company B were 'long term clients of the Managing Partner of Gentium Law Group, Dr Parish' (the 'Firm') [LJF1 page 1010] and the Firm is described as:

'Gentium Law Group is a boutique arbitration and cross-border litigation law firm based in Switzerland founded in 2014 by Dr Matthew Parish, a scholar of international law and

international relations. Within its first year of operation, it was named by Global Arbitration Review as one of the top 100 law firms in its fiend worldwide. Dr Parish has been named by Bilan magazine as one of the 300 most influential people in Switzerland, and is a Young Global Leader of the World Economic Forum’ [LJF1, p1013]

13. On 9 May 2017, Anne Taveau, the Firm’s Head of Finance and Administration sent draft invoices to [Company B] raising fees of CHF 720,026.24 for work undertaken in March and April 2017 [LJF1, p923 and p988]. The email was addressed to ‘Person C’ using [REDACTED].
14. Ms Taveau sent the final version of the invoices to [Company B] on behalf of Carey Olsen, an offshore law firm, on 26 June 2017 for the months of May and June 2017 totalling fees of CHF 898,841.22 [LJF1, 925 and 1004]. Again, the email was addressed to ‘Person C’.
15. On 26 June 2017, [Company B] replied to Ms Taveau asking for further explanation and a breakdown of fees, noting that there had been “*a substantial increase of billing*” by both Firm 1 and Carey Olsen, and that [Company B] considered that it had been “*aggressively overbilled*” [LJF1, p1002]. The writer noted that the itemisation of Firm 1’s invoices was poor, that the firm was billing the company for 26 hours of work each day of the working period of 51 days and raised concerns that this did not represent “*reasonable and fair billing*”. Person C stated that the invoices required a significant reduction as had previously been discussed with the Respondent. The email concluded by noting that the Firm 1’s refusal to continue to work on [Company B]’s cases was “*unjustified*” and that “*We are at a loss to understand why the attitude of Gentium has been significantly changed recently and why we have faced such unfair attitude*” [LJF1, p1003].
16. The Respondent replied to this email the same day stating “*The content of this email is unacceptable. But even more unacceptable is the tone. You cannot treat us with this level of disrespect*” [LJF1, p1002]. The following day, Anne Taveau sent invoices to [Company B] for May and June claiming fees of CHF 898,841.22 [LJF1, p1004]
17. On 26 June 2017, the Respondent informed solicitors representing the defendants in the matter involving his clients that Firm 1 were no longer representing them and that an application to remove Firm 1 from the court record would follow [LJF1, p1006].
18. On 6 July 2017, the Respondent emailed [Company B] stating that the company’s failure to pay the invoices was “*tantamount to fraud*” and that he had initiated court proceedings for the outstanding fees “*on a fraudulent conspiracy basis*” that would be served on the company

as well as Person B and Person C in due course [LJF1, p1008]. The Respondent added that he intended to “*take further actions*” in the interim period and that in resisting approaches for settlement, “*all you are doing is buying yourselves time, but regrettably at the cost of immense prospective damage to your own reputations as habitual defaulters upon debt*” [LJF1, p1008].

19. On 26 March 2018, the Respondent sent a letter to the Director General of the UK Security Service [LJF1, p1079]. The letter, sent on the Firm’s letterhead, had the title “**Company B** **██████████**: *Fraudulent trading by Russian citizens based in Geneva in breach of sanctions and contrary to the security interests of Her Majesty’s Government: Use of sanctioned Russian government assets*”.
20. The letter listed, amongst others, **Company B** Person B and Person C [LJF1, page 1079]. Among the facts which the Respondent considered “*proper to draw the Security Service’s attention*”, were as follows:
- 20.1. *There are many dozens or even hundreds of other such shell companies, in what might stand as one of the most extensive exercises in misuse of shell companies in the recent history of corporate law* [LJF1, p1080; paragraph 1].
- 20.2. *[Person B] runs a sophisticated fraudulent array of offshore companies as part of his oil trading business, the purposes of which are or have been to evade British and/or US and/or UN sanctions; to conceal the fact that he is transacting with sanctioned persons or entities in the Russian Federation and the Islamic Republic of Iran; to conceal his contacts with the Russian Government; to launder Russian Government money; to finance transactions using sanctioned Russian banks; to evade taxes properly due worldwide; to promote the Russian state-owned oil and gas industry inconsistently with the objectives of Her Majesty’s Government; and thereby to engage in unlawful activity prejudicial to the security interests of Her Majesty’s Government* [LJF1, pp1080-1081; paragraph 2].
- 20.3. The persons listed work closely with Person B “*in perpetuating the foregoing criminal scheme in a manner inconsistent with the security interests of Her Majesty’s Government*” [LJF1, p1081; paragraph 3].
- 20.4. *The activities of these companies includes or has included (a) trading in Iranian oil while under sanctions; (b) hiding the origins of sanctioned Iranian oil by admixing it with Turkmen-sourced hydrocarbons; (c) passing off cargoes that have been the result of sanctioned activities in Russia as being unsanctioned Turkmen cargoes, when in fact they are no such thing; (d) providing financing to an organisation associated with the Islamic Revolutionary Guard in the Islamic Republic of Iran; (e)*

using legally unregulated waterways properly part of occupied Crimea as a tool for mixing and disguising sanctioned cargoes; (f) raising false vessel flags as a tool in the scheme of concealment; (g) use of assets owned by sanctioned state-run Russian companies for the transport of the aforementioned unlawful cargoes; (h) unlawful hydrocarbon transactions in Afghanistan with parties unknown but presumed to be either "The Taliban" or "ISIS"; (i) forgery of documents on a massive scale as part of the scheme of concealment, including serial forgery of documents to be presented to banks in order to obtain financing; (j) fictitious structuring of transactions involving the aforementioned products to conceal the true nature of the transactions from banks, buyers and other third parties who might be legitimately concerned were they to come to realise the true nature of these companies' business; and (k) creation of a spurious unlicensed law firm to give effect to the foregoing transactions [LJF1, p1081; paragraph 4].

21. The Respondent stated in the letter that he was "*an English solicitor and a British citizen*" and that he was "*recommending that the Security Service investigate these matters.*" [LJF1, p1081; paragraph 5] The penultimate paragraph of the letter stated [LJF1, p1082; paragraph 7]:

"I have carefully considered my professional and regulatory obligations in light of the statutory framework and other guiding policy documents of the Security Service, and I have concluded that I am legally and professionally entitled, or even obliged, to provide this information to you."

22. On 1 May 2018, the Respondent sent a letter to the US Office of Terrorism and Financial Intelligence and the Office of Foreign Assets Control [LJF1, p1089 - 1094].

23. The letter was sent on the Firm's letterhead and had the title "*Company B* Geneva, Switzerland: Fraudulent trading by Russian citizens based in Geneva in breach of sanctions and contrary to the security interests of the United States Government: Use of sanctioned Russian government assets". It repeated the allegations that were made in the letter of 26 March 2018, to the UK Security Service and enclosed a copy of that correspondence. The letter also stated [LJF1, p1090-1091]:

"I am a licensed attorney and counsellor-at-law in the State of New York, resident in Geneva, Switzerland. I make this report within the scope of my professional obligations and liberties pursuant to NYCRR Title 22 Subtitle B Chapter IV Subchapter E Rules

1.6(a)(3), 1.6(b)(2), 1.6(b)(5)(i) and/or such other rules and/or regulations of the State of New York and/or of federal criminal and/or civil law and/or such other rules of professional conduct as may be appropriate.”

24. On 2 May 2018, the Respondent emailed the letter to several people at **Company B** including Person B. It was also sent to Stephane Grodecki, the Principle Prosecutor of the Republic and Canton of Geneva [LJF1, p1087].
25. On 3 May 2018, the Respondent sent a letter to the Supplementary Information Request at the National Entries (“SIRENE”) in **EU Countries**, which contained the same allegations as in the previous letters sent to the UK and US authorities [LJF1, p1096 to 1100]. Each country that uses a Schengen Information System (“SIS”) has a national SIRENE bureau that is responsible for exchanging information and coordinating activities connected to SIS alerts².
26. The letter enclosed the letters that were previously sent to the UK Security Service and US Office of Terrorism and Financial Intelligence and the Office of Foreign Assets Control [LJF1, p1100; paragraph 6]. It also outlined [LJF1, 1097]:

“I am an English solicitor, resident in Geneva, Switzerland. I make this report within the scope of my due professional liberties and obligations under the law of the jurisdiction in which I am licensed to practise law.”

27. On 4 May 2018, the Respondent emailed the letter to several people at **Company B** including Person B. It was also copied to Stephane Grodecki, the Principle Prosecutor of the Republic and Canton of Geneva [LJF1, p1095].
28. At 08:13 on 4 May 2018, the Respondent emailed **Company B**’s legal representative, copying his own Swiss lawyer, Marc Henzelin, proposing ‘some settlement terms’ for his client’s consideration [LJF1, p1101].
29. Settlement term one outlined [LJF1, p1101]:

“Your client arranges for payment of all my outstanding invoices in full, immediately and without deduction. There will be no negotiations. These invoices were sent in draft; no objections were raised; then they were finalised; there have been no objections of substance in near on a year. So they must be paid in full. This happens before anything

² [What is SIS and how does it work? - European Commission](#)

else, and before any settlement agreement is signed or even negotiated. At the current juncture, I will not seek interest from your client on those invoices - provided that this matter settles immediately.”

30. Settlement term three outlined [LJF1, p1101]:

“I will withdraw all my various complaints to different authorities, and I will use my reasonable endeavours to ensure that those complaints are not thereafter pursued by any such authorities. I am happy to explain in writing what I will do.”

31. Settlement term four stated [LJF1, p1101]:

“I will not make any equivalent or similar such complaints in the future.”

32. The email concluded [LJF1, p1101]:

“There is no need for any further communications until the invoice remittances have hit my account. I mean you no discourtesy, dear colleague, but this is how it will have to be or it will not be at all.”

33. At 08:22 on 4 May 2018, Mr Henzelin replied to this email stating that he “was not consulted nor informed before this email was sent” [LJF1, p1103].

34. On 6 May 2018, the Respondent emailed Person B directly with a “last gasp attempt at settlement”. In that email he stated [LJF1, p1105]:

“You surely realise that I cannot now reverse the inevitable consequences of your actions. I could have done a few days ago, but now I cannot. You are in a calamity of your own devising, and you showed no sympathy, respect of personal regard for me In [sic] the circumstances of our separation so I am not overwhelmingly inclined to reciprocate the courtesy.

To resolve this now in the way that might – might – cause you the least further misfortune, I suggest the following.

1. You must recognise that you are in a diabolically bad situation, and there is little to nothing that either you or I can now do to one-another to reverse that.

2. *Nevertheless your situation might – just might – be capable of getting worse.*

3. *The gravity of your situation is revealed by the fact that when I wrote to MI5, you did not immediately offer to settle. That would obviously have been the rational thing to do. You would send any amount of money, even a small sum, immediately. But you did not, and that is because you could not. This tells me everything about the problems that you have.*

4. *I respectfully suggest you should not focus not upon fighting me – it will be useless – but instead upon damage limitation for your own sake.*

5. *If you want to discuss this with me, then I have a telephone number and you can call it. But I will not take the 'phone call unless I have first seen at least CHF500,000 hit my bank account on account of my unpaid invoices. Expressions of good will must now start at your end.*

It's really up to you now. Good luck with your decision."

35. This email was forwarded various parties including Company B on 6 May 2018, stating, *"FYI below, I have already sent this to David Bitton, Marc Henzelin and to the confidential mediator that [Person B] and I have been using over the last few days (something which, I regret to inform you, generated escalation and threats on his part rather than any sort of reconciliation). I wish you guys good luck in persuading him. Time is of the essence. I would imagine that everything will be resolved within a week or so of now"* [LJF1, p1107].

36. In the subsequent criminal proceedings, outlined at paragraphs 7 to 10 above, in which the content of the letters of 26 March 2018, 1 May 2018 and 3 May 2018, formed the basis of criminal charges for defamation, calumny and attempted unlawful coercion, on 15 June 2018, the Respondent initially admitted that what he had written in these communications was false. When questioned about whether he knew at the time of writing these communications that they were false, the Respondent replied *"I do not think I had reflected on this clearly"* [LJF1, p931].

37. However, in the subsequent judgment hearing, the Respondent retracted the confession made on 18 June 2018 and contested the falseness of the contents of the communications which he had sent to the British, American and European authorities [LJF1, p932]. The Respondent stated he claimed the contents of the communications were false on the

advice of counsel in order to be released from prison. He indicated that the communications had been well considered both with regard to professional secrecy as well as with regard to the recipient bodies and his intention was not to damage the reputation of the complainants but simply for '*justice being done*' [LJF1, p932].

38. This position was reaffirmed by the Respondent:

38.1. In his appeal submission, even before the financial dispute with Person B, he had raised the issue of the violation of international sanctions by individuals [LJF1, p939].

38.2. In a letter to the President of the Appeal Court on 26 October 2022, in which he stated:

38.2.1. *"In the meantime I had become so concerned about their [Person B and Person C] behaviour that I considered to be against all Western interests that I reported their activities to the British Security Service and the United States Office for Assets Control"* [LJF1, p977; paragraph 14].

38.2.2. *I was told by my lawyer at the time Marc Henzelin, while I was in prison, that the only way I would get out of prison quickly was by confessing that I was ill when I sent the correspondence to the Security Service and US OFAC'* [LJF1, p977; paragraph 15]

Breach of Principles and the Code of Conduct

SRA Overseas Rules 2013

Overseas Principle 1: Obligation to uphold the rule of law/proper administration of justice in England and Wales

39. Overseas Principle 1³ (as it was then) and required solicitors to uphold the rule of law and the proper administration of justice in England and Wales.

40. The Respondent raised serious allegations of criminal activity by his former clients to the UK Security Service. He then offered to withdraw those complaints and use his endeavours to ensure those complaints were not pursued, in return for payment of his fees. To do so was to put his own financial interest and the financial interests of Firm 1

³ of Rule 1.3 of the Overseas Rules 2013

above the rule of law and administration of justice. The Respondent therefore breached Overseas Principle 1.

Overseas Principle 2⁴: You must act with integrity

41. Overseas Principle 2 required solicitors (and others) to act with integrity.

42. In *Wingate v Solicitors Regulation Authority* [2018] EWCA Civ 366:

“100. Integrity connotes adherence to the ethical standards of one's own profession. That involves more than mere honesty. To take one example, a solicitor conducting negotiations or a barrister making submissions to a judge or arbitrator will take particular care not to mislead. Such a professional person is expected to be even more scrupulous about accuracy than a member of the general public in daily discourse.

101. The duty to act with integrity applies not only to what professional persons say, but also to what they do. It is possible to give many illustrations of what constitutes acting without integrity. For example, in the case of solicitors:

(i) A sole practice giving the appearance of being a partnership and deliberately flouting the conduct rules (Emeana); (ii) Recklessly, but not dishonestly, allowing a court to be misled (Brett); (iii) Subordinating the interests of the clients to the solicitors' own financial interests (Chan); (iv) Making improper payments out of the client account (Scott); (v) Allowing the firm to become involved in conveyancing transactions which bear the hallmarks of mortgage fraud (Newell-Austin); (vi) Making false representations on behalf of the client (Williams)...

*102. Obviously, neither courts nor professional tribunals must set unrealistically high standards, as was observed during argument. The duty of integrity does not require professional people to be paragons of virtue. In every instance, professional integrity is linked to the manner in which that particular profession professes to serve the public. Having accepted that *3995 principle, it is not necessary for this court to reach a view on whether the Howd case [2017] 4 WLR 54 was correctly decided.*

103. ...A professional disciplinary tribunal has specialist knowledge of the profession to which the respondent belongs and of the ethical standards of that profession.

⁴ of Rule 1.4 of the Overseas Rules 2013

Accordingly such a body is well placed to identify want of integrity. The decisions of such a body must be respected, unless it has erred in law.”

43. Whilst ultimately a matter for the Tribunal's judgment, it is the Applicant's case that a solicitor who holds genuine concerns about the conduct of his former clients, to the extent that he felt the need to report them to the UK, US and EU security and intelligence agencies, who then goes on to offer to retract those reports in return for payment of his outstanding fees, demonstrates a lack of integrity.
44. The Applicant is not in a position to determine the validity of the Respondent's concerns as outlined in his letters to the UK, US and EU security and intelligence agencies. However, it is evident from the Swiss Criminal Proceedings, that it is the Respondent's position that he held a genuine belief that his former clients were involved in unlawful activity. This explained the reports to the respective authorities. In those circumstances, a solicitor who offers (a) to withdraw genuinely held complaints of unlawful activity; and (b) use his reasonable endeavours to ensure that those complaints are not thereafter pursued, on the proviso that his former clients pay Firm 1 what he considers them to be owed, shows a lack of integrity.
45. As set out in *Wingate*, integrity connotes adherence to the ethical standards of one's own profession. A solicitor acting with integrity would not have behaved as the Respondent did, if he were adhering to the obligation to act with integrity. He should have acknowledged the fact that payment of outstanding fees by his client and concerns over the legality of their behaviour as outlined in the reports to the UK, US and EU security and intelligence agencies were entirely separate issues. Instead, the Respondent conflated the two issues and sought to use his position, and the status which comes with it, to secure payment of fees he considered to be outstanding with an offer to withdraw those complaints.

Overseas Principle 6⁵: You must not do anything which will or will be likely to bring into disrepute the overseas practice, yourself as a regulated individual or responsible authorised body or, by association, the legal profession of England and Wales and SRA

46. Principle 6 of the Overseas Principles required solicitors (and others) to act in a way that does not bring yourself or the profession into disrepute.
47. It is also submitted that the requirement to behave in a way that does bring the profession into disrepute is engaged by (a) offering to withdrawing complaints to third party

⁵ of Rule 1.8 of the Overseas Rules 2013

authorities; and (b) use their endeavours to ensure that those complaints are not thereafter pursued by the authorities, for receipt of payment believed to be owed to them.

48. The harm that can be caused to the reputation of the profession and the trust which the public has in the solicitors is well illustrated by the fact that the offending was reported in the press with one news outlet focussing on the fact that the offender was a British lawyer [LJF1, p1121-1124].

Allegation 1.2 – Publishing/allowing to be published on Gentium Law Group SARL’s website press releases relating to his former client accusing them of fraud, in breach of a court order.

49. Paragraphs 11 to 34 are repeated for the purpose of this allegation.

50. On 10 July 2017, a press release entitled “Concerns about possible fraudulent non-payment of the firm’s invoices” was published on Firm 1’s website in French, English and Russian [LJF1, p1009-1016]. The content of the press release outlined that the Firm had been defrauded of its fee income by Company B and stated that the behaviour of Person B and Person C is alleged to have been “deceptive and deceitful”, and that there had been, “evidence of intent not to pay for work that they asked this firm and its fee-earners to undertake” [LJF1 p1012].

51. On 31 July 2017, the Respondent and the Firm were ordered by the Court of First Instance to withdraw the press from the Firm’s website ‘in its English, French and Russian versions, or any extract thereof’ and forbidden from publishing, communicating or disseminating in the future, any information or data directly relating to Company B Person B or Person C, and any other information that might identify them [LJF1, p91021; paragraphs 1 -3]. The injunction was made under threat of criminal sanction and was effective until a new decision had been made after hearing from the parties [LJF1, p1021; paragraphs 5 and 6].

52. On 4 August 2017, Firm 1 published on its website a further press release together with a copy of the court order of 31 July 2017 [LJF1, p1023-1026]. Whilst the names of Company B Person B and Person C were partially redacted, sufficient information remained in the press release (including biographical detail and personal information in relation to Mr Person B and Person C) to identify the parties, and the publication made explicit reference to the previous press release [LJF1, p1025].

53. The press release was critical of the Court of First Instance's Order and made allegations of fraud against Person B and Person C [LJF1, p1025]. It also stated that "*Murky Eastern European and central Asian business people should not be allowed to pervert European human rights principles in order to hide allegations of their own wrongdoings behind the shroud of a draconian judicial privacy injunction*" [LJF1, p10026].
54. The legal representative for [Company B] Person B and Person C, David Bitton, wrote to the Respondent on 7 August 2017 [LJF1, p1030]. The letter stated "*unless you definitively remove all communications concerning this matter by Tuesday 8 August 2017 at 12.00 hours, I will notify the facts to the Public Prosecutor*".
55. The Respondent replied via email on 11 August 2017, seeking clarification on why it was considered a criminal offence had been committed and requested full details, by reference to the court order, of which paragraphs of the press release were said to violate the Court's order [LJF1, p1035].
56. In response to this email, Mr Bitton wrote a letter to the Respondent confirming that he, "*will not continue any exchange of correspondence with you [the Respondent] and the enforcement of the decision of 31 July 2017 will be made by the Public Prosecutor, to whom I will refer the matter on Monday.*" [LJF1, p1031]
57. Following this, the press release of 10 July 2017, was put back online on the Firm 1's website [LJF1, p1044-1053].
58. On 5 December 2017, the Court of First Instance made a further order, upholding the decision of 31 July 2017, in ordering the Respondent to remove the press release of 10 July 2017 from the Firm's website [LJF1, p1076] and additionally ordering the Respondent and Firm 1 to pay a fine of CHF 500 per day for failure to comply from the day the order was issued. The Respondent and Firm 1 were also ordered to pay costs [LJF1, p1067-1077].

Breach of Principles and the Code of Conduct**Overseas Principle 2: You must act with integrity⁶**

59. A solicitor acting with integrity would engage with his clients/former clients when there is a dispute as to fees incurred. In the circumstances of this matter, the client challenged the fees that had been invoiced by the Respondent/Firm 1 and requested clarification on work that had been done. No such clarification was provided by the Respondent and instead he terminated the retainer and published and/or caused to be published press releases on Firm 1's website accusing his former clients of fraud.

60. The actions of the Respondent caused his former clients to take legal action to have the press release removed. After his former clients secured such a court order, the Respondent went on to publish and/or cause to be published a copy of a further press release criticising the court decision in a form which although redacted, it was still possible to identify his former clients.

61. A solicitor acting with integrity would respect the decision of the court and challenge any decision of it in using the correct procedures and channels, as opposed to simply complaining about the decision by a further press release on Firm 1's website and repeating the behaviour the court had sought to prevent him from doing. The Respondent therefore breached Overseas Principle 2.

Overseas Principle 6: You must not do anything which will or will be likely to bring into disrepute the overseas practice, yourself as a regulated individual or responsible authorised body or, by association, the legal profession of England and Wales

62. A member of the public would expect a solicitor to ensure that he always acted fairly and in the interests of his client/former client. It is the Applicant's case that the press releases were published as a form of leverage to secure payment of what he considered to be outstanding fees and were latterly in breach of an order of the court. In doing so the Respondent risked bringing the legal profession of England and Wales into disrepute. He therefore breached Overseas Principle 6.

⁶ of Rule 1.4 of the Overseas Rules 2013

Allegation 1.3 – Publishing decisions of the First-tier Tribunal (“FTT”) and Upper Tribunal on his website.

63. On 26 October 2021, the Applicant received a report from Charles Douglas Solicitors LLP (“Charles Douglas”) regarding their communications with the Respondent [LJF1, p51-57]. In that report they outlined that a member of their firm had received an email from the Respondent on 21 October 2021 and that the Respondent explained in that email that he had obtained a copy of an FTT decision relating to one of their former clients, Person A, the appellant in those proceedings, and was enquiring about whether it was ‘lawful’ to circulate the decision to “interested third parties” given Person A had given him an unredacted copy [LJF1, p54 and p58-59].

64. The Respondent also sent a similar email to Victoria Laughton of One Pump Court Chambers on 23 October 2021, which enquired about the ‘anonymity order’ referred to in the decision [LJF1, p60-61].

65. Charles Douglas replied to the Respondent on 26 October 2021, stating [LJF1, p57]:

“We have no knowledge of how you obtained a copy of [Person A’s] asylum determination, but you will note that the terms of the anonymity order are set out on page 133 of that document. This order is imposed by the tribunal under Rule 13 of the Procedure First-tier [sic] Tribunal) (Immigration and Asylum Chamber) Rules 2014 and Section 11 of the Contempt of Court Act 1981 and that any publication of the determination which directly or indirectly identifies [Person A] may lead to proceedings for contempt of court.

We are no longer representing [Person A] and we will therefore not engage with any further communications on this matter.”

66. On 27 October 2021, the Respondent published a partially redacted version of the FTT decision of 5 October 2018 on The Paladins website (‘Firm 2’) [LJF1, pp63-64]. The webpage posted a link to the decision under the following description:

“By order of the court on page 133 of the decision, the name of the appellant has been redacted for publication and replaced with that person’s initials (“HAH”). The Tribunal stated that citing the individual’s initials would be sufficient to give effect to the Tribunal’s order.”

67. When accessing the FTT decision from the Respondent's website, the name of Person A could be seen in the top right corner of the screen which indicated the decision had been saved or uploaded using Person A's name [LJF1, p199].

68. At page 133, paragraph 450 of the FTT decision, it stated [LJF1, p197]:

“Direction regarding anonymity – Rule 13 of the Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014 and Section 11 of the Contempt of Court Act 1981

*In order to secure the anonymity of the appellant throughout these proceedings I DIRECT that no report or other publication of these proceedings or of any part or parts of them shall name or directly or indirectly identify him. Reference to the appellant may be by use of his initials but not by name. **Failure by a person, body or institution whether corporate or unincorporated (for the avoidance of doubt to include a party to this appeal) to comply with this direction may lead to proceedings for contempt of court. This direction may lead to proceedings for contempt of court.** This direction shall continue in force until this Tribunal, the Upper Tribunal (IAC) or an appropriate Court shall lift or vary it.”*

69. An analysis of the published decision revealed the following details regarding the appellant who was the subject of the anonymity order as set out in the confidential schedule to this statement named '**Schedule A**'.

70. The information in the judgment, which the Respondent had not redacted, would have enabled anyone familiar with Person A to identify him.

71. The Home Office appealed the FTT decision on nine grounds. The Upper Tribunal concluded that the decision of the FTT was properly made and upheld the FTT's decision in a decision handed down on 9 April 2019 [LJF1, pp202-217]. At paragraph 63 of that decision on the issue of anonymity, it stated [LJF1, p217]:

“I continue the anonymity order made by the First-tier Tribunal.”

72. On 4 November 2021, the Respondent published the Upper Tribunal's decision of 9 April 2019, on his own website. The webpage posted a link to the decision under the description [LJF1, pp200-201]:

"After a certain Kuwaiti person, whose name has been anonymised in the decision but who was charged with forgery of the videos in Geneva, was successful in his asylum appeal in the United Kingdom on the basis of the disgraceful standards observed in Kuwaiti domestic courts, the UK Home Office appealed. By a decision dated 9 April 2019, an appellate immigration court dismissed the Home Office's appeal and confirmed the grant of asylum in favour of the Kuwaiti person."

73. On 29 June 2022, Principle Resident Judge Kopieczek of the Upper Tribunal emailed the Respondent in the following terms [LJF1, p226]:

"Dear Dr Parish,

The President and the Principal Resident Judge of the Upper Tribunal (Immigration and Asylum Chamber) in London have been made aware that you appear to have posted an article on a website:

*<https://www.the-paladins.com/post/the-fight-for-the-kuwaiti-emiracy-chapter-fifteen>
(A copy also attached)*

In that article there is a link to a decision of the First-tier Tribunal (Immigration and Asylum Chamber) which is subject to an anonymity order made by the First-tier Tribunal and continued by the Upper Tribunal. Although the name of the appellant has been redacted on the title page, the text of the decision contains information which could, arguably, lead to the identification of the appellant, contrary to the terms of the anonymity order.

In the circumstances, the Acting Principal Resident Judge asks that you explain in writing why proceedings should not be taken against you by the Upper Tribunal for what may be considered a contempt of court for breach of the anonymity order."

74. The Respondent replied at 17:19 on the same day stating [LJF1, p225]:

“Dear Sir / Madam, The answer to your question is that I have complied with the anonymity direction to the letter. On page 133 of the decision, in text following paragraph 460, the text of the anonymity order is set out and it contains the following caveat:

‘Reference to the appellant may be by use of his initials but not by name.’

The published document has erased the appellant’s name in each place where it appears and has replaced his name with the appellant’s initials. So the appellant remains anonymous in the published document. Finally I should add that the appellant himself gave me this document (unredacted) and suggested to me that I should circulate it for such purposes as might be useful. He placed no restrictions on what I did with it; he made it clear that he was looking for publicity of the first tier decision that had been made in his favour. I rest at your disposal in the event that you require any further information.”

75. Later that day at 20:39, the Respondent sent a further email in response stating [LJF1, pp227-228]:

“Dear Sir / Madam,

I would like to make some further observstions [sic] about this matter. This is presumably an appeal by the Home Office against the First Tier Tribunal’s decision granting asylum to the Appellant [Person A] in those proceedings.

I cannot quite remember just how many INTERPOL warrants [Person A] has against him; I believe it is a number, each from different jurisdictions; and I do not think the First Tier Tribunal reached the right decision in deciding to grant him asylum. Let me explain.

I have read the First Tier Tribunal judgment in full and in detail. I commend this course of careful reading (it takes a full day at the least) to Judge Kopieczek. It is an extraordinary ruling, as he will no doubt observe. I had nothing to do with it. I was not called as a witness by either side, notwithstanding that I am possibly the key witness in the allegations [Person A] has been advancing. I have first-hand knowledge of many or even most of the events described in the judgment of the First-Tier Tribunal’s decision. And I am an English qualified solicitor, and not [Person A]’s client nor has he ever been my client.

The First-Tier tribunal judgment is replete with assertions, surmises and factual assertions in respect of matters that I have personal knowledge of and that I know the

First-Tier Tribunal's factual conclusions to be untrue or misleading. Those are strong words; but I will repeat them on oath at the appropriate juncture.

Please convey to the Home Office as appellant in these proceedings that I would be prepared to appear as a witness in this Second Tier appeal; but I would ask for a witness summons please as a condition of my appearing. Another alternative is that I would be prepared to appear as a witness called by the Tribunal itself (again with a witness summons please), should the Tribunal have the power to summon witnesses sua sponte. (I confess that I do not know the rules of the Tribunal in any detail, so I leave that matter to the Tribunal in applying the law governing its procedures).

I remain at your disposal."

76. On 30 June 2022 @ 11.30, the Upper Tribunal replied to the Respondent [LJF1, p233-234]:

"Dear Dr Parish,

Thank you for your prompt and detailed response. Your further correspondence is noted.

The Principal Resident Judge asks that you address the following two matters. Firstly, the issue of the potential for identification of the appellant arises not in terms of the use of his name. It is noted that you have used initials. It is the text of the decision which contains information which could, arguably, lead to the indirect identification of the appellant, for example in paragraphs 12-17 of the decision, and additionally by means of what is known as 'jigsaw' identification.

Secondly, the anonymity order expressly states that it also applies to a party to the appeal. Neither party is at liberty to waive the requirements of the anonymity order and only the Tribunal or a court may vary or discharge it. Accordingly, the appellant's wishes as expressed to you are not to the point.

The Principal Resident Judge is unable to comment on the merits of the appeal or on the proceedings generally."

77. The same day @ 13.27 the Respondent replied to the Upper Tribunal as follows [LJF1, p232-233]:

"Dear Sir / Madam,

3. *As to the first issue, I am aware of no evidence that the publication of the decision solely by reference to the initials '[Person A's initials]' could in any way whatsoever arguably lead to the identification of the Appellant as the persons engaged in this*

appeal. He is not a well-known person and his identity cannot be found through the publication of a document redacted in the way that the lower Judge said that the document permitted it to be redacted and published. It is pure surmise to suggest otherwise, if that is what [Person A] is arguing; and it is false surmise. I undertook multiple Google searches this morning using various keywords in the Lower Tribunal's decision (such as "KRIC") and the letters [Person A's initials] and I could not find any references to [Person A] relating to the topics discussed in the decision. He is virtually invisible to the internet, and I know of no route by which publication of this decision with the letters "[Person A's initials]" could possibly lead to identification of the Appellant's name by anyone (who did not already know it, of course).

2. What I did was to follow the text of the Anonymity Direction on page 133 under paragraph 460 precisely to the letter, which text I found clear and unambiguous. My reading of the learned Judge's anonymity direction was that it his opinion that the replacement of the Appellant's name with his initials in the decision would be sufficient to protect the Appellant's anonymity consistently with the general requirement of open justice. The decision on how to balance the need for anonymity (if any in this case – [Person A] is not a well-known person) and the need for open justice was one for the learned Judge below making the anonymity order he did. He had manifestly adjudged that anonymisation through the replacement of [Person A] with his initials was an appropriate balance between the two competing policy interests. I was not going to decide for myself what the appropriate method was for striking the balance in lieu of the Judge's own assessment as conveyed in the text of his Order. I was just going to follow what the Judge had ordered.

2. I was not involved at any stage in the legal proceedings until you wrote to me yesterday; I was just given a copy of this document by [Person A] on 15 June 2020, with a suggestion that he publish it. The learned Judge states the law correctly that the Court's imprimatur is required to lift an injunction; a party cannot do it alone. I did actually try to contact the Court and the Judge, preferring a "belt-and-braces" approach, to ask whether the Court in its opinion would consider a request for confirmation that what I was proposing to do was not problematic in the eyes of the Court. Unfortunately I discovered that the Court in which the learned Judge had been sitting has since been closed; and the learned Judge in question has retired. Hence I had no means either of asking the Judge to clarify whether my proposed course of action was consistent with his ruling; or of asking the Judge to waive his ruling. I also asked Messrs Charles Douglas who were not responsive in any useful way. Hence rather than just walk away from the issue I adopted a practical and sensible

common law lawyer's approach. I read the wording of the anonymity direction together with its caveat again carefully, to assess its true meaning; I was quite satisfied that the redaction of [Person A]'s name to his initials in a publication of the judgment was sufficient to meet the terms of the Order; and I proceeded in that way.

*3. If the learned President of the Upper Tier Tribunal does not consider that the anonymity direction is clear and obvious in its meaning in permitting publication of the judgment with [Person A] name duly initialised; and he considers that the text of the anonymity direction is ambiguous in some way, then the proper approach is not to "flesh out" a better Order having regard to the policy issues at stake and the balance of the Tribunal's judgment. Rather an Order whose meaning is not plain and clear in its own text cannot be enforced by the Court: Arlidge Eady and Smith on Contempt, § 12-51 and footnote 120 thereto; see e.g. *R v City of London Magistrates Court, ex parte Green* [1987] 3 All ER 551. Even the slightest ambiguity renders an Order unenforceable: see e.g. *Federal Bank of the Middle East v Hadgkinson* [2000] 2 All ER 395 (a Mareva injunction freezing "assets and/or funds" was held unenforceable because the phrase "assets and/or funds was ambiguous).*

*4. It is to the terms of the Order itself (and them alone) that one must look to define the obligations imposed: Arlidge et al § 12-51 and *Northwest Territories Public Services Administration v Commissioner of the Northwest Territories* (1980) 107 DLR (3d) 458. The consequence is that I was not obliged to assess the likelihood of [Person A] ceasing to be anonymous by result of my publication of the decision with his name redacted to his initials in all places where his name occurred, in deciding whether I was able to publish in the way that I did; nor was I to be concerned with the purpose or effect of an order that someone might say had been badly written and/or was ambiguous. My obligation is/was to comply with the Order of the Tribunal as stated in the text of the Tribunal's Order (i.e. on page 133) applying the ordinary and clear meaning of the words used. My assessment was and remains that the Order's words were clear; they set out a general prohibition on publicity but then they create a caveat thereto which is that publication is permitted provided [Person A]'s name is reduced to his initials. Provided that I follow the text of a clear Order, I have done nothing wrong.*

5. If by contrast the Upper Tier Tribunal were to find that the terms of the Order are ambiguous in some way or need to be reinterpreted in some way in the context of the decision, then contempt of court proceedings cannot possibly be successful because that would entail that the wording of the Order were not clear and obvious and hence it cannot be enforced.

I am very pleased to provide the learned President of the Upper Tier Tribunal with observations upon any other issues that he may raise. If any other points come to my mind in the coming days, I will be pleased to provide them to the learned President.

Finally I reiterate my offer to both the Home Office and the Tribunal to serve as a witness in this appeal, for the very grave reasons stated in my prior correspondence: the evidence and/or facts found in the decision of the First Tier Tribunal's decision area in substantial quantity entirely wrong and I have first-hand knowledge of what actually happened."

78. On 25 August 2022, the Upper Tribunal provided the SRA Investigation Officer with the text of the letter sent to Dr Parish on 16 August 2022⁷ directing him to remove the link to the FTT decision from the Paladins website: [LJF1, p1683]:

"Dear Dr Parish,

The President has considered your written responses to correspondence from the Upper Tribunal, including in relation to the issue of jurisdiction in respect of which the decision of Cokaj (anonymity orders: jurisdiction and ambit) [2021] UKUT 0202 (IAC) is relevant. In the circumstances, the President directs you to remove from The Paladins website, within 28 days from the date of this letter, the link to the decision of the First-tier Tribunal that appears in the following article <https://www.the-paladins.com/post/the-fight-for-the-kuwaiti-emiracy-chapter-fifteen>."

79. On 17 August 2022, the Upper Tribunal provided an extract of the Respondent's email to them on 16 August 2022. The Respondent confirmed to the Upper Tribunal (the same day) that he had complied with 'the President's order immediately upon reading it' and that he was "contemplating whether to bring judicial review proceedings against the Order the President made" [LJF1, p321].

80. The Upper Tribunal informed the SRA Investigation Officer that 'I have checked the website, and the link to the First-tier Tribunal decision has been removed' [LJF1, p1685].

81. On 9 September 2022, the Respondent emailed the Upper Tribunal (copying in the SRA) stating that he intended to apply for 'judicial review and/or other annulment of the Upper Tribunal President's order' that he remove the contested document from the website [LJF1, p1699]⁸

⁷ The letter was not attached

⁸ It is unknown if the Respondent took any further action and/or if the Upper Tribunal responded

Person A

82. The witness statement of Person A dated 10 May 2023 is relied upon in support of this allegation [LJF1, pp351-355]. In that statement, Person A outlines:

82.1. In October 2018 I applied for asylum in the UK, the immigration lawyers I used were recommended to me by Dr. Parish. My application was granted and an anonymity order was also granted, due to the sensitive nature of the information and security aspects involved in my case. There was a risk that by presenting certain evidence to the UK Courts, those implicated in the evidence who remained in Kuwait would be impacted, as well as me and my family [paragraph 10].

82.2. I do not recall exactly how I became aware of the Paladin's website; it may have been through my wife or children conducting a Google search of my name and it being seen on the website [paragraph 11].

82.3. I then became aware that the anonymity order had been published on the website along with my address [paragraph 11].

82.4. The fact the order was published along with my address makes me easy to identify along with some of the specific information contained in the order. This caused issues with the Kuwaiti government and I began to receive certain signals and anonymous packages at my address to rattle me. One of which contained a threat written in Arabic and a photograph of my wife and I which was unsettling [paragraph 12]

82.5. I also noticed there would be a car outside of my address displaying a 198-licence plate which is the numbering for a Kuwaiti Diplomat car and the car would remain outside my property for up to three days at a time [paragraph 12].

82.6. I am not sure how Dr Parish obtained a copy of the anonymity order; I am most certain it would have been given to him in a professional capacity and I may have authorised the order being given to him as I believed I could trust him and that it would be kept in confidence [paragraph 16].

Breach of Principles and the Code of Conduct**SRA Principles 2019**

SRA Principle 1: You act in a way that upholds the constitutional principle of the rule of law, and the proper administration of justice.

83. As a solicitor, the Respondent is an officer of the court and is expected to act in accordance with directions of the court. The Respondent was aware of the anonymity direction attached to the FTT decision of 5 October 2018. This had been brought to his attention by Charles Douglas and he accepted having read this part of the decision in his communications with the Principal Resident Judge which in his view he had complied with. Whilst the anonymity direction does confirm that reference to the appellant may be identified by use of his initials, it also clearly states “*In order to secure the anonymity of the appellant throughout these proceedings I DIRECT that no report or other publication of these proceedings or of any part or parts of them shall name or directly or indirectly identify him*”. This shows that the anonymity direction prohibited any the publication of any reference which could either directly or indirectly identify Person A.
84. Notwithstanding the Respondent’s attempts to comply with the anonymity order, the Respondent (a) failed to remove the name of Person A on eight separate occasions; and (b) left sufficient contextual information within the published document to enable the reader to identify Person A⁹.
85. The FTT decision as published by the Respondent, contains a vast amount of information about Person A’s personal and professional life, including his wife’s name, her father and the name of one of Person A’s children. It also discloses the names of the companies Person A has been involved in, including the specific shareholding Person A holds. Much of this information individually (such as the identity of his wife), and all of this information cumulatively, identifies Person A to those he may know personally or professionally, including his political adversaries.
86. In addition, when the decision was accessed from the Respondent’s website, the document had been saved using Person A’s surname. Even if this was done unintentionally, it still constituted a breach of the anonymity order.
87. On 4 November 2021, the Respondent published the Upper Tribunal’s decision on the Home Office’s appeal on his website. As the anonymity direction was in place Person A’s name did not appear in this decision. It was also a shorter decision containing less confidential information. However the information contained in paragraph one of that

⁹ Paragraph 69; Schedule A; items 23, 24, 25, 26, 27, 28, 29, 30

decision had sufficient information within it to enable people who knew Person A, including his political adversaries to identify him which constitutes a breach of the anonymity order.

88. The anonymity direction was made to protect Person A. The court considered such protection necessary. Person A had been granted asylum and humanitarian protection. The FTT considered that Article 3 of the European Convention on Human Rights was engaged, which meant there was a serious risk to Person A if he was returned to Kuwait. Article 3 prohibits torture and inhuman or degrading treatment. In publishing the judgments, Person A's political opponents would be able to see that he was located in the UK (if they did not already know this) and had been granted asylum. This could have put Person A and his family at serious risk. The purpose of the anonymity direction was to protect Person A and his family and the Respondent's publication of the decisions jeopardised this.

89. By publishing these two decisions containing sufficient information to enable anyone who knew Person A, including his political adversaries to indirectly identify him, the Respondent has failed to uphold the terms of the anonymity order and has failed to act in a way that upholds the constitutional principle of the rule of law and the proper administration of justice. He has therefore breached Principle 1 of the SRA Principles 2019.

SRA Principle 5 – you act with integrity

90. The Respondent was aware of the anonymity direction attached to the FTT decision dated 5 October 2018 and that it applied to the proceedings as a whole which would include any subsequent appeals. He was also aware that the anonymity direction was made to protect Person A's identity, and by extension, to protect Person A and his family from significant risk. Charles Douglas also informed the Respondent that publication of the decision might lead to proceedings for contempt of court. Despite this, the Respondent proceeded to publish copies of the FTT decision and the Upper Tribunal decision on his website containing sufficient information to enable Person A to be identified as the appellant in these proceedings. A solicitor with integrity, knowing the history between the parties involved, the sensitive nature of these proceedings and the fact an anonymity direction had been made, would not have published these decisions without seeking the approval of the Tribunal, whether they be partially redacted or otherwise. The Respondent therefore breached Principle 5 of the SRA Principles 2019.

SRA Principle 2 – You act in a way upholds public trust and confidence in the solicitors’ profession and in legal services provided by authorised persons.

91. The public expect solicitors, who are officers of the court, to comply with directions of the court. The anonymity order was in place to protect Person A’s identity and as such the public would expect the Respondent, as a solicitor, to comply with that direction. The Respondent failed to do so by publishing both tribunal decisions on his website containing sufficient information to enable Person A to be identified as the appellant in these proceedings, a decision which placed Person A and his family at significant risk. By doing so, the Respondent acted in a way which would undermine public confidence and trust in the legal profession. He has therefore breached Principle 2 of the SRA Principles 2019.

Allegation 1.4 – Threatening legal action against Charles Douglas Solicitors

92. On 15 November 2021, the SRA notified the Respondent of a report that had been received from Charles Douglas Solicitors LLP (**LJF1, p1724**). The email from the SRA stated:

‘We have received a report from Charles Douglas Solicitors LLP which raises concerns that you have published a decision of the First-tier Tribunal (Immigration & Asylum Chamber) dated 5 October 2018 which was subject to an anonymity order. The firm has provided us with this link [link provided]’

93. On 17 November 2021, the SRA responded to the Respondent’s email of 16 November 2024 and advised it was seeking the consent of Charles Douglas Solicitors LLP’s consent to disclose its report [**LJF1, p1726**]

94. On 20 November 2021, following the SRA’s letter notifying the Respondent of the report, the Respondent sent an e-mail to Charles Douglas in the following terms [**LJF1, pp501-502**]:

“Dear Sir / Madam,

On Monday just past the Solicitors Regulation Authority informed me in writing that they had received a complaint by your law firm about my behaviour, for publishing a copy of a court judgment to which your then client was a party when, according to what

you seem to have said to the Authority, I was not entitled to do so because that court judgment – of Judge Hodgkinson of the First-Tier Immigration Appeal Tribunal in Harmondsworth – was subject to a so-called ‘anonymity order’.

The Authority has informed me in writing that they have asked you for permission in writing to reveal a copy of your complaint to me.

Nevertheless, with great respect to the Authority, the provision or withholding of your consent as so requested is irrelevant to the legal issues at hand.

The Authority made it clear that your firm had made the complaint – not your ex- client [Person A] indeed you had confirmed to me in writing that you no longer represented him, in prior corres [sic]. Therefore you sent this defamatory correspondence to the Authority not on behalf of your (ex-) client, but in your own capacity as a firm of solicitors and/or as individuals engaged in preparing the correspondence.

It gets worse. In prior correspondence between yourselves and me, I had asked what the anonymity direction the Judge had made consisted of, and what behaviour it prohibited. Your Francesca Robson replied to me, directing me in writing to page 133 of the judgment for explication of the anonymity direction. Page 133 expressly says that reference to the initials of your former client in publishing the judgment was acceptable, although publishing his full name was not.

According to the Authority, you complained to them that I had published on The Paladins website www.thepaladins.com a copy of the judgment, in breach of the anonymity order.

I don't want to mislead anyone. I did indeed cause the judgment to published on The Paladins website. I did so after I had discussed the matter with you in correspondence, and invited you to apply for an injunction against me, in due time, if you considered publication would be unlawful. After your own very guidance to me, directed to page 133 of the judgment, I then caused to be published a version of the judgment with your former client's name redacted to his initials. I did that because you had pointed me to this provision of the judgment, and I did so in coordination with you.

Hence you must have known that the complaint you were later filing with the Authority about my breach of the anonymity direction was false or misleading, because it was

you who had directed me to the details of the anonymity direction – which I then read and complied with – just as you had surely read.

Because:

- 1. you did not do this on behalf of a client but in your own capacity as a firm of solicitors; and*
- 2. you made a complaint you knew to be co-founded in light of our correspondence,*

your firm, and all the persons participating in preparation of the complaint to the Authority, are:

- 3. ineligible to avail yourselves of the defence of qualified privilege in defamation proceedings, because you acted with malice as defined in the English law of defamation;*
- 4. liable in the tort of malicious falsehood, as well as that of defamation, including for aggravated and other non-compensatory damages;*
- 5. guilty of professional misconduct, for filing a palpably groundless and indeed malicious complaint of professional misconduct against a professional solicitor.*

Please now, within seven days:

- 1. provide a copy of the complaint and accompanying documents you made against me to the Authority;*
- 2. provide a list of persons involved in the preparation of the complaint, together with a description of each person's role in preparing the complaint (in particular explaining, or denying, the role of Elena Tsirina in the same); and*
- 3. describe what, if any, offer to make amends you are prepared to make in consequences, whether under Defamation Act 1996 or otherwise.*

Please keep all your files in safe custody, so that they are available for discovery, particularly those of Elena Tsirina but of course not only hers.

Please treat this as a pre-action letter prior to the initiation of defamation proceedings, expecting that defamation proceedings will be initiated against your good selves in the absence of adequate responses within the foregoing timescale.”

95. On 9 December 2021, Charles Douglas informed the SRA that they wished to withdraw their report. The reason they gave was [LJF1, p504]:

“We now understand that the SRA is unable to take any action with regard to the publication and is already aware of Dr Parish’s past history. That means that the need for an investigation is redundant. On this basis and in light of Dr Parish’ [sic] conduct following our report, we would like to withdraw it.”

96. On 14 December 2021, the SRA Investigation Officer responded and stated that it was not possible to withdraw the report [LJF1, p504]

97. Between November 2021 and July 2022, further correspondence was exchanged between the SRA Investigation Officer and the Respondent in relation to disclosure of communications with Charles Douglas LLP [LJF1, p1731 to 1758]

98. The email to Charles Douglas LLP which threatened legal action following their report to the SRA involves an oppressive or abusive tactic. This type of conduct has been condemned by the SRA in its March 2022 Guidance in relation to Conduct in Disputes. That document expressly condoned ‘oppressive behaviour and tactics’ which was defined as including:

- 98.1. Threatening litigation where there is no proper legal basis for a claim; and
- 98.2. Sending letters in abusive, intimidating or aggressive tone or language.

99. This Guidance simply set out long established principles in relation to the expected level of conduct on the part of solicitors when acting in disputes; it did not create or impose brand new obligations on the profession.

Breach of Principles and the Code of Conduct

Paragraph 7.9 of the Code of Conduct

100. Paragraph 7.9 of the Code of Conduct prohibits solicitors from giving detrimental treatment to any person who makes a report to the SRA.

101. The Respondent was notified of the report made by Charles Douglas on 15 November 2021. His response to this was to contact Charles Douglas on 20 November 2021 and make allegations of:

- 101.1. Malicious falsehood;

- 101.2. Defamation; and
- 101.3. Professional misconduct.

102. The email sent by the Respondent requested copies of the complaint together with accompanying documents and indicated that they should treat the email “as a pre-action letter prior to the initiation of defamation proceedings”.

103. By making these allegations against the firm and threatening defamation proceedings against them for making a report to the SRA, the Respondent acted in breach of paragraph 7.9 of the Code of Conduct. The allegations and threat of legal action which the Respondent raised in his correspondence with Charles Douglas LLP amounted to detrimental treatment of the firm because of its report to the SRA. This is specifically true given the Respondent was unaware at that stage of the specific detail to the complaint that had been made against him and this is evidenced by his request for a copy of the complaint to be disclosed to him.

SRA Principle 5: You act with integrity

104. The Respondent’s actions also demonstrated a lack of integrity. A solicitor acting with integrity would not threaten legal proceedings where there are no proper grounds for doing so. The Respondent was unaware of the actual complaint that had been made against him and therefore had no proper grounds to make such threats of legal action against Charles Douglas. Charles Douglas LLP was under a duty to report concerns of possible misconduct under Paragraph 3.9 of the SRA Code of Conduct for Firms 2019 and the Respondent should have been aware of this. Making allegations of malicious falsehood, defamation and professional misconduct amounted to detrimental treatment for raising legitimate concerns. The Respondent therefore breached Principle 5 of the SRA Principles 2019.

SRA Principle 2 – You act in a way that upholds public trust and confidence in the solicitors’ profession and in legal services provided by authorised persons.

105. The public is entitled to trust and expect that solicitors will act appropriately towards opposing parties in any apparent dispute and not seek to make inappropriate allegations and threats of litigation. The inappropriate request to Charles Douglas was an attempt to prevent a firm of solicitors reporting conduct concerns against another solicitor to the regulatory body. Acting in such a manner would damage the public’s trust and confidence in the profession, and on that basis a breach of Principle 2 is alleged.

Respondent's responses

106. The Respondent provided an 8 page witness statement in response to the Notice dated 25 August 2023 [LJF1, p891-989]. A brief summary of the Respondent's statement is provided below and the Tribunal is invited to read this statement in full:

106.1. *'I reached the point at which I realised that I must terminate all retainers with all companies controlled by [Person B] and [Person C] or I would place myself in criminal jeopardy and I would indeed then breach the ethical principle of integrity that is so important for any solicitor. I reluctantly made the decision in early 2018 to terminate all retainers with these companies, cease all dealings with them, and report the activities of [Person B] and [Person C], two Russian citizens, to the appropriate authorities. – [LJF1; p898-899; para 18].....*

106.2. *'I think that this was a wholly reasonable and proportionate thing to do in the circumstances. [LJF1; p895-896; para 19]*

106.3. He was advised by an informal mediator to offer to retract the allegations if payment of his outstanding invoices was made. He agreed in principle to this, *"not because I doubted any of the allegations I had made but because I was being offered payment of my invoices."*

107. The Respondent provided several emails to the SRA following the Notice that was sent to him on 8 November 2023, but did not formally serve representations in response. These communications are included in the bundle at [LJF1, p511-826]. The Tribunal is invited to read these communications in full.

108. Of note, the Respondent stated:

108.1. *'Integrity required me to act in the public good faith rather than for private gain which would have entailed my continuing to work for them and continuing to be paid by these criminals. When I discovered what they were doing, I ceased acting, reported them to an appropriate authority, and informed other relevant parties who were also being implicated in their criminal activities' [LJF1, p907-908]*

108.2. *'I think from the briefest review of the material you have sent that the essence of this issue is that I should not have published on my website a decision of an Immigration Tribunal given to me by a Kuwaiti gentleman called [Person A] that relates to him' [LJF1, p511].*

- 108.3. *'I must forewarn you, however, that I do not anticipate the intention of making any concessions that might compromise my integrity. I am firmly of the view that I have acted with propriety, and consistently with the governing principles of the solicitors' profession' [LJF1, p826]*
- 108.4. *'I have a number of substantive defences to the criticisms I understand you to level at me in your Notice of Recommendation dated yesterday. The principal such defence that I anticipate is that these matters have been considered by a senior member of the English Judiciary in response to a complaint made by Charles Douglas solicitors, the same complainant as has motivated your Recommendation; I notice in passing that it appears that the issues Charles Douglas raised with you were precisely the same as those they raised with the senior member of the English Judiciary (for example, the name of the file stored on my website server). The learned Judge, as a I recall, considered my submission in respect of the complaints raised by Messrs Charles Douglas and concluded that I was not at fault' [LJF1, p514; para 6]*
- 108.5. *'I notice that there may be an allegation that I have made statements inappropriate to my position as a solicitor about Messrs Charles Douglas. As I recall those allegations may have been made to the President of the Immigration and Asylum Chamber of the Upper Tier Tribunal and/or to the learned Judge in the High Court litigation initiated by Messrs Charles Douglas and my conduct was not considered inappropriate. Moreover I respectfully submit that I am entitled to make searing and even excoriating criticisms of other members of the legal professions [sic] where I consider this appropriate, including the public, where I consider their actions to be inappropriate. Their remedy in such contexts is in the law of defamation: a course they have not pursued. The Authority should not allow itself to be used as a forum for lawyers to pursue defamation claims against one another on a summary basis without the proper procedures of the High Court being employed to adjudicate those claims' [LJF1, p514; para 8]*
- 108.6. *'I do not understand your assertion that publishing a document subject to anonymity order amounts to professional misconduct when a Judge has considered the matter and has not found that the publication was a breach of the anonymity order. Quite the contrary: the learned Judge clearly was of the view that the publication was not in breach of the anonymity order, because he then went onto make another Order and this would not have been appropriate or necessary had he concluded that my actions had been in breach of the original anonymity order. Instead he would have*

cited me for contempt of court which he did not and his adjudication thereof is manifestly final as regards the referral the Authority is proposing to be brought in your second Notice of Recommendation' [LJF1, p534; para 8]

The SRA's investigation

109. The SRA has taken the following steps to investigate the allegations which it makes against the Respondent:

- 109.1. The SRA undertook a desk based investigation, obtaining documentation and interviewing witnesses.
- 109.2. A Notice dated 22 August 2023 was sent to the Respondent [LJF1, p855-875].
- 109.3. A directions decision dated 23 October 2023 [LJF1, 1792-1793]
- 109.4. A Notice dated 8 November 2023 was sent to the Respondent [LJF1, p1-22].
- 109.5. On 2 and 4 December 2023, an Authorised Decision Maker of the SRA decided to refer the conduct of the Respondent to the Tribunal [LJF1, p1794-1805].

Permission from the Upper Tribunal, Immigration & Asylum Chamber

110. On 27 September 2024, Person A provided his consent to the SRA for the unredacted decisions of the First Tier Tribunal ('FTT') and Upper Tribunal ('UT') of the Immigration & Asylum Chamber to be used and relied upon in proceedings before the SDT [LJF1, p1790]

111. On 11 November 2024, Principle Resident Judge Doron Blum of the Upper Tribunal, Immigration & Asylum Chamber granted permission for unredacted copies of the FTT's judgment of 27 October 2021 and the Upper Tribunal's judgment of 4 November 2021, to be adduced in proceedings before the Solicitors Disciplinary Tribunal subject to Person A being identified as such throughout the course of proceedings [LJF1, p1791].

I believe the facts and matters stated in this statement are true.

Signed:



Lyndsey Farrell

Date: 27 March 2025

**BEFORE THE SOLICITORS DISCIPLINARY TRIBUNAL
IN THE MATTER OF THE SOLICITORS ACT 1974 (as amended)
AND IN THE MATTER OF:**

SOLICITORS REGULATION AUTHORITY LIMITED

Applicant

and

MATTHEW THOMAS PARISH

Respondent

**APPENDIX 2 TO STATEMENT PURSUANT TO RULE 12 (2) SOLICITORS
(DISCIPLINARY PROCEEDINGS RULES) 2019**

Relevant Rules and Regulations

SRA Overseas Rules 2013

Overseas Principle 1 (Rule 1.3):

You must uphold the rule of the law and the proper administration of justice in England and Wales.

Overseas Principle 2 (Rule 1.4):

You must act with integrity.

Overseas Principle 6 (Rule 1.8):

You must not do anything which will or will be likely to bring into disrepute the overseas practice, yourself as a regulated individual or responsible authorised body or, by association, the legal profession in and of England and Wales.

SRA Principles 2019**You act:**

Principle 1: In a way that upholds the constitutional principle of the rule of law, and the proper administration of justice.

Principle 2: In a way that upholds public trust and confidence in the solicitors' profession and in legal services provided by authorised persons.

Principle 5: With integrity

Code of Conduct for Solicitors, RELs and RFLs

P7.9 You do not subject any person to detrimental treatment for making or proposing to make a report or providing or proposing to provide information based on a reasonably held belief under paragraph 7.7 or 7.8 above, or paragraph 3.9, 3.10, 9.1(d) or © or 9.2(b) or (c) of the SRA Code of Conduct for Firms, irrespective of whether the SRA or another approved regulator subsequently investigates or takes any action in relation to the facts or matters in question.