

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 10547-2010

BETWEEN:

SOLICITORS REGULATION AUTHORITY

Applicant

and

MOHAMMED JAHANGIR FARID

Respondent

Before:

Mr D. Green (in the chair)

Mr J. Astle

Mr D. E. Marlow

Date of Hearing: 17th February 2011

Appearances

Mr Stephen Battersby, solicitor (Jameson and Hill Solicitors, 72-74 Fore Street, Hertford, Herts, SG14 1BY) appeared for the Applicant.

The Respondent did not appear and was not represented.

JUDGMENT

Allegation

1. The Respondent failed to act with integrity and acted in a manner likely to diminish public confidence in the profession.

Preliminary Application

2. The Applicant confirmed the Respondent was in prison and had been served with all the papers by the Tribunal by special delivery on 28 October 2010. The Respondent had not engaged with the process and the Applicant requested leave to proceed in the Respondent's absence. The Tribunal was satisfied the Respondent had been properly served and granted leave to proceed in his absence.

Documents

2. The Tribunal reviewed all the documents submitted by the Applicant which included:

Applicant:

- Rule 5 Statement together with all enclosures;

Respondent:

- None.

Factual Background

3. The Respondent, born in 1983 was a trainee solicitor with Sekhon Firth Solicitors LLP ("the firm") of Commercial House, 140-148 Manningham Lane, Bradford, BD8 7JJ at the material time. His last known address was Ashbourne, Derbyshire.
4. The firm acted in a number of purchase and re-mortgage transactions on behalf of clients who had been introduced by RF, a mortgage broker and owner of Lifestyle Mortgages ("Kirklees") Ltd ("Lifestyle") and NF, who was the brother of the Respondent. A number of transactions were carried out at the firm's Huddersfield office. Monies were paid to and from RF, the Respondent, Lifestyle or NF. Lifestyle was authorised by the FSA, however, on 25 October 2007 the FSA authorisation ceased and on 12 February 2008 the company ceased trading.
5. On 7 April 2009 RF was sentenced to eleven years in prison for offences of fraud against Halifax Bank of Scotland Group (HBOS) of almost £1,000,000. RF submitted false applications for mortgages or re-mortgages of properties either using the genuine property owners' details, or amending the Land Registry on-line, and altering the details of the owners.
5. On 2 April 2009 the Respondent was convicted at Bradford Crown Court upon indictment of "entering into or becoming concerned in an arrangement facilitating the acquisition, retention, use or control of criminal property" and was sentenced to four years imprisonment.

Witnesses

6. None.

Findings of Fact and Law

7. **The Respondent failed to act with integrity and acted in a manner likely to diminish public confidence in the profession**

- 7.1 The Tribunal had considered carefully all the documents provided and in particular had taken into account the sentencing remarks of His Honour Judge Durham Hall. The Respondent had been found guilty of entering into or becoming concerned in an arrangement facilitating the acquisition, retention, use or control of criminal property and had been sentenced to four years imprisonment as a result on 8 April 2009. The Tribunal had no doubt whatsoever that by being found guilty of such an offence, the Respondent had failed to act with integrity and had clearly acted in a manner which was likely to diminish public confidence in the profession. In the circumstances, the Tribunal found the allegation proved.

Previous Disciplinary Matters

8. None.

Sanction

9. The Tribunal had considered this case carefully and took note of the sentencing remarks of His Honour, Judge Durham Hall. The Respondent had allowed himself to be used in a high level of property crime which had resulted in dishonest and false representations being made to mortgage lenders which led to the obtaining of monies and procuration fees from fraudulent transactions amounting to £791,593.63. In his sentencing remarks, His Honour Judge Durham Hall referred to the transactions as "utterly sophisticated, meticulously organised crime" and a "truly breathtakingly wide-scale series of identity thefts". It had been accepted that the Respondent's role fell short of conspirator but, the Respondent had given advice, witnessed an e-mail about transfer of title and was involved in using his firm's headed notepaper in relation to the satisfaction of the money transferer, a forged document.
10. It was clear from the judgment given by His Honour Judge Durham Hall that a number of victims had suffered due to the organised crime within which the Respondent had allowed himself to become involved, where there had been forgery of identification documents on a wide-scale, property theft, redirection of mail, transfers of title and fraudulent transactions. There was reference to victims whose properties had been stolen and who had been highly distressed and shocked, and had been put to the greatest trouble in persuading the Land Registry that they were indeed the owners of their own homes.
11. This was one of the worst cases that the Tribunal had come across. The Respondent had been placed in a position of trust and had clearly abused that trust in the worst possible way. He was not fit to be involved in any form of legal practice and the Court had no hesitation in granting the Order sought under s.43 of the Solicitors Act 1974 (as amended).

Costs

12. The Applicant confirmed that the costs were negligible and taking into account the Respondent's ability to pay those costs, the Applicant did not wish to pursue any application for costs.

Statement of Full Order

13. The Tribunal Ordered that as from 17 day of February 2011 except in accordance with Law Society permission:
- (i) no solicitor shall employ or remunerate, in connection with his practice as a solicitor Mohammed Jahangir Farid;
 - (ii) no employee of a solicitor shall employ or remunerate, in connection with the solicitor's practice the said Mohammed Jahangir Farid;
 - (iii) no recognised body shall employ or remunerate the said Mohammed Jahangir Farid;
 - (iv) no manager or employee of a recognised body shall employ or remunerate the said Mohammed Jahangir Farid in connection with the business of that body;
 - (v) no recognised body or manager or employee of such a body shall permit the said Mohammed Jahangir Farid to be a manager of the body;
 - (vi) no recognised body or manager or employee of such a body shall permit the said Mohammed Jahangir Farid to have an interest in the body.

Dated this 24th day of March 2011
On behalf of the Tribunal

D. Green
Chairman