

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12053-2020

BETWEEN:

SOLICITORS REGULATION AUTHORITY

Applicant

and

KARAMJEET KAUR
YASAR MALIK

First Respondent
Third Respondent

Before:

Mr G Sydenham (in the chair)
Mr P Lewis
Mr S Marquez

Date of Hearing: 21 December 2020

Appearances

There were no appearances as the matter was dealt with on the papers.

JUDGMENT ON AN AGREED OUTCOME

Allegations

1. The allegations against the First Respondent made by the Solicitors Regulation Authority (“SRA”) in the Rule 12 Statement were that while in practice as the sole principal at Quick Solicitors (the Firm):
 - 1.1 Over the period 11 April 2016 to 17 July 2017, she caused or allowed debit balances on client ledgers in the sum of at least £53,248.27 in breach of all or any of Rules 20.1 and 20.6 of the SRA Accounts Rules 2011 (“SAR 2011”) and Principles 6 and 10 of the SRA Principles 2011 (“the Principles”).
 - 1.2 From 26 February 2016 onwards, she caused or allowed unpaid professional disbursements to be held on the office account in the sum of at least £4,431.00 in breach of all or any of Rules 17.1(b)(ii) of the SAR 2011 and Principles 6 and 10 of the Principles.
 - 1.3 On 6 December 2017 and/or 4 May 2017 she caused or allowed two payments to be made from the client bank account otherwise than in accordance with Rule 20.1 of the SAR 2011, and in breach of all or any of Rule 20.1 of the SAR 2011 and Principle 10 of the Principles.
 - 1.4 From 31 July 2017 onwards (at the latest) she failed to carry out reconciliations of the Firm's client bank account in breach of all or any of Rules 1.2(e) and 29.12 of the SAR 2011 and Principles 6, 8 and 10 of the Principles.
 - 1.5 Between August and November 2017 she operated, or allowed the operation of, a suspense ledger account otherwise in accordance with Rule 29.25 of the SAR 2011, and in breach of all or any of Rule 29.25 of the SAR 2011 and Principle 8 of the Principles.
 - 1.6 From 8 September 2014 onwards, she caused or allowed the payment of interest into the client bank account, otherwise in accordance with Rule 14.2 of the SAR 2011, which she caused or allowed to be held on a suspense ledger account otherwise in accordance with Rule 29.25 of the SAR 2011. In doing so she breached all or any of Rules 14.2 and 29.25 of the SAR 2011.
 - 1.7 She failed to keep accounting records properly written up to show dealings with client and office money and failed to appropriately record all dealings with client money on client ledgers in breach of any or all of Rules 29.1, 29.2 and 29.4 of the SAR 2011 and Principle 10 of the Principles.
 - 1.8 In addition, allegations 1.4, 1.6 and 1.7 were advanced on the basis that the First Respondent's conduct was reckless. Recklessness was alleged as an aggravating feature of the First Respondent's misconduct but was not an essential ingredient in proving the allegations.
2. The further allegations against the First Respondent made by the SRA in the Rule 14 Statement were that, while in practice as the sole principal at the Firm:

- 2.1 Since 1 June 2019, she allowed the Firm to operate without a Compliance Officer for Finance and Administration (COFA) in breach of all or any of Rule 8.5(d) of the SRA Authorisation Rules 2011 (the 2011 Authorisation Rules), Rule 8.1 of the SRA Authorisation of Firms Rules (the 2019 Authorisation Rules), Principle 8 of the Principles and Rule 2.1(a) of the SRA Code of Conduct for Firms (the SCCF).
- 2.2 On 18 September 2019, stated on the Firm's Professional Indemnity Insurance (PII) renewal that the Third Respondent was the Firm's COFA which was untrue and liable to mislead and which she knew, or ought to have known, was liable to have this effect at the time. In doing so she breached any or all of Principles 2 and 6 of the Principles.
- 2.3 In February 2020, provided information to the Firm's Reporting Accountants that the Third Respondent was the Firm's COFA which was untrue and liable to mislead and which she knew, or ought to have known, was liable to have this effect at the time. In doing so she breached any or all of Principles 2 and 5 of the SRA Principles ("the 2019 Principles").
- 2.4 On 19 February 2020, informed a Forensic Investigation Officer employed by the SRA that the Third Respondent was the Firm's COFA which was untrue and liable to mislead and which she knew, or ought to have known, was liable to have this effect at the time. In doing so she breached any or all of Principles 2 and 5 of the 2019 Principles.
- 2.5 Did not comply, in relation to the Firm's Accountant's Report for 2018/2019, with the condition on her practicing certificate as to the submission of an Accountant's Report by 31 November 2019. In doing so she breached any or all of Principles 2 and 5 of the 2019 Principles.
- 2.6 Since no later than August 2018, has continued to fail to keep accounting records properly written up to show dealings with client and office money and failed to appropriately record all dealings with client money on client ledgers. In doing so she breached any or all of:
- 2.6.1 Rules 29.1, 29.2 and 29.4 of the SAR 2011 and Principles 8 and 10 of the 2011 Principles, up to and including 24 November 2019; and/or
- 2.6.2 Rule 8.1 of the SRA Accounts Rules (SAR 2019), Rules 2.1(a) and 2.2 of the SCCF and Rule 4.2 of the SRA Code of Conduct for Solicitors, RELs and RFLs (the SCCS), from 25 November 2019 onwards.
- 2.7 Withdrawn
- 2.8 Further, allegation 2.6 was advanced on the basis that the First Respondent's conduct was reckless. Recklessness was alleged as an aggravating feature of the First Respondent's misconduct but was not an essential ingredient in proving the allegations.

Documents

3. The Tribunal had before it the following documents:-

- Amended Rule 12 Statement dated 21 May 2020
- Rule 14 Statement dated 14 July 2020
- First Respondent's Answer to the Rule 12 Statement dated 11 March 2020
- First Respondent's Answer to the Rule 14 Statement dated 8 June 2020
- Statement of Agreed Facts and Proposed Outcome of 18 December 2020

Background

4. The First Respondent was admitted to the Roll in November 1999. She was the sole principal of the Firm. The SRA intervened into the recognised sole practice of the Firm on 22 June 2020 (following a decision on 18 June 2020). The First Respondent did not hold a current practising certificate.

Application for the matter to be resolved by way of Agreed Outcome

5. The parties invited the Tribunal to deal with the Allegations against the Respondent in accordance with the Statement of Agreed Facts and Proposed Outcome annexed to this Judgment. The parties submitted that the outcome proposed was consistent with the Tribunal's Guidance Note on Sanctions. As regards allegations 2.3 and 2.4, the parties applied to withdraw the alleged breach of Principle 4 of the Principles. The parties also applied to withdraw the allegation that the Respondent's conduct with respect to allegation 2.2 was dishonest. The Applicant submitted that in light of the admissions made by the First Respondent and her agreement as to the appropriate sanction in relation to these, it was not proportionate and in the public interest to pursue those allegations. The Tribunal considered that taking into account the Respondent's Answer and admissions, it was not in the public interest or proportionate to pursue the allegations which the Respondent denied and which the parties sought permission to withdraw. Accordingly, the Tribunal granted permission for those allegations to be withdrawn

Findings of Fact and Law

6. The Applicant was required to prove the allegations on the balance of probabilities. The Tribunal had due regard to the First Respondent's rights to a fair trial and to respect for her private and family life under Articles 6 and 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.
7. The Tribunal reviewed all the material before it and was satisfied that the First Respondent's admissions were properly made.
8. The Tribunal considered the Guidance Note on Sanction (November 2019). In doing so the Tribunal assessed the culpability and harm identified together with the aggravating and mitigating factors that existed. The First Respondent, as the sole principal and COLP was responsible for the Firm's compliance with its regulatory obligations. She was a very experienced solicitor with direct control of the Firm's finances. The First Respondent failed to execute her role as the steward of client monies with any diligence. Further, having been made aware of the Applicant's concerns as to her financial management of the Firm, the First Respondent failed to take adequate, if any, steps to address these. The Tribunal found that the First

Respondent's culpability for her misconduct was very high. Her reckless mismanagement of the Firm's finances had caused significant harm to the reputation of the profession. Her misconduct was repeated over a period of time and was in material breach of her obligation to protect the public and the reputation of the profession. In mitigation, the First Respondent had made full and frank admissions and had co-operated with the Applicant throughout.

9. The Tribunal found that the First Respondent's misconduct was at the highest level, notwithstanding that there was no finding that the First Respondent's conduct had been dishonest. Further, given the nature of her misconduct, the reputation of the profession and the protection of the public required her to be removed from practise. The Tribunal determined that the only appropriate and proportionate sanction was to strike the First Respondent off the Roll. Accordingly, the Tribunal approved the sanction proposed by the parties.

Costs

10. The parties agreed costs in the sum of £11,000. The Tribunal found the agreed sum to be proportionate and reasonable. Accordingly, the Tribunal ordered that the First Respondent pay costs in the agreed amount.

Statement of Full Order

11. The Tribunal Ordered that the Respondent, KARAMJEET KAUR, solicitor, be STRUCK OFF the Roll of Solicitors and it further Ordered that she do pay the costs of and incidental to this application and enquiry fixed in the sum of £11,000.00.

Dated this 12th day of January 2021

On behalf of the Tribunal



G Sydenham
Chair

JUDGMENT FILED WITH THE LAW SOCIETY
13 JAN 2021

Number: 12053-2020

IN THE MATTER OF THE SOLICITORS ACT 1974

SOLICITORS REGULATION AUTHORITY

Applicant

KARAMJEET KAUR

First Respondent

[PROCEEDINGS WITHDRAWN]

Second Respondent

YASAR MALIK

Third Respondent

**STATEMENT OF AGREED FACTS AND PROPOSED OUTCOME
IN RELATION TO THE FIRST RESPONDENT**

1. By its application dated 4 February 2020, and the statement made pursuant to Rule 12 (2) of the Solicitors (Disciplinary Proceedings) Rules 2019 which accompanied that application (the Rule 12 Application), the Solicitors Regulation Authority (the SRA) brought proceedings before the Solicitors Disciplinary Tribunal making eight allegations of misconduct against Miss Karamjeet Kaur.
2. In addition, by its application dated 14 July 2020, and the statement made pursuant to Rule 42 (2) of the Solicitors (Disciplinary Proceedings) Rules 2019 which accompanied that application (the Rule 14 Application), the SRA made a further eight allegations of misconduct against Miss Kaur.

The allegations

3. The allegations against Miss Kaur, made by the SRA within the Rule 12 Application were that, while in practice as the sole principal at Quick Solicitors (the Firm): -
 - 3.1. over the period 11 April 2016 to 17 July 2017, she caused or allowed debit balances on client ledgers in the sum of at least £53,248.27 in breach of all or any of Rules 20.1 and 20.6 of the SRA Accounts Rules 2011 (SAR 2011) and Principles 6 and 10 of the SRA Principles 2011 (the 2011 Principles).
 - 3.2. From 26 February 2016 onwards, she caused or allowed unpaid professional disbursements to be held on the office account in the sum of at least £4,431.00 in breach of all or any of Rules 17.1(b)(ii) of the SAR 2011 and Principles 6 and 10 of the 2011 Principles.
 - 3.3. On 6 December 2017 and/or 4 May 2017 she caused or allowed two payments to be made from the client bank account otherwise than in accordance with Rule 20.1 of the SAR 2011, and in breach of all or any of Rule 20.1 of the SAR 2011 and Principle 10 of the 2011 Principles.
 - 3.4. From 31 July 2017 onwards (at the latest) she failed to carry out reconciliations of the Firm's client bank account in breach of all or any of Rules 1.2(e) and 29.12 of the SAR 2011 and Principles 6, 8 and 10 of the 2011 Principles.
 - 3.5. Between August and November 2017 she operated, or allowed the operation of, a suspense ledger account otherwise in accordance with Rule 29.25 of the SAR 2011, and in breach of all or any of Rule 29.25 of the SAR 2011 and Principle 8 of the 2011 Principles.

- 3.6. From 8 September 2014 onwards, she caused or allowed the payment of interest into the client bank account, otherwise in accordance with Rule 14.2 of the SAR 2011, which she caused or allowed to be held on a suspense ledger account otherwise in accordance with Rule 29.25 of the SAR 2011. In doing so she breached all or any of Rules 14.2 and 29.25 of the SAR 2011.
- 3.7. she failed to keep accounting records properly written up to show dealings with client and office money and failed to appropriately record all dealings with client money on client ledgers in breach of any or all of Rules 29.1, 29.2 and 29.4 of the SAR 2011 and Principle 10 of the 2011 Principles.
4. The allegations against Miss Kaur, made by the SRA within the Rule 14 Application were that, while in practice as the sole principal at the Firm: -
 - 4.1. since 1 June 2019, allowed the Firm to operate without a Compliance Officer for Finance and Administration (COFA) in breach of all or any of Rule 8.5(d) of the SRA Authorisation Rules 2011 (the 2011 Authorisation Rules), Rule 8.1 of the SRA Authorisation of Firms Rules (the 2019 Authorisation Rules), Principle 8 of the 2011 Principles and Rule 2.1(a) of the SRA Code of Conduct for Firms (the SCCF).
 - 4.2. on 18 September 2019, stated on the Firm's Professional Indemnity Insurance (PII) renewal that the Third Respondent was the Firm's COFA which was untrue and liable to mislead and which she knew, or ought to have known, was liable to have this effect at the time. In doing so she breached any or all of Principles 2 and 6 of the 2011 Principles.

- 4.3. in February 2020, provided information to the Firm's Reporting Accountants that the Third Respondent was the Firm's COFA which was untrue and liable to mislead and which she knew, or ought to have known, was liable to have this effect at the time. In doing so she breached any or all of Principles 2, 4 and 5 of the SRA Principles (the 2019 Principles).
- 4.4. on 19 February 2020, informed a Forensic Investigation Officer employed by the SRA that the Third Respondent was the Firm's COFA which was untrue and liable to mislead and which she knew, or ought to have known, was liable to have this effect at the time. In doing so she breached any or all of Principles 2, 4 and 5 of the 2019 Principles.
- 4.5. did not comply, in relation to the Firm's Accountant's Report for 2018/2019, with the condition on her practicing certificate as to the submission of an Accountant's Report by 31 November 2019. In doing so she breached any or all of Principles 2 and 5 of the 2019 Principles.
- 4.6. since no later than August 2018, has continued to fail to keep accounting records properly written up to show dealings with client and office money and failed to appropriately record all dealings with client money on client ledgers. In doing so she breached any or all of:
- 4.6.1. Rules 29.1, 29.2 and 29.4 of the SAR 2011 and Principles 8 and 10 of the 2011 Principles, up to and including 24 November 2019; and/or
- 4.6.2. Rule 8.1 of the SRA Accounts Rules (SAR 2019), Rules 2.1(a) and 2.2 of the SCCF and Rule 4.2 of the SRA Code of Conduct for Solicitors, RELs and RFLs (the SCCS), from 25 November 2019 onwards.

5. In addition, recklessness was alleged as an aggravating factor with respect to allegations 3.4, 3.6, 3.7 and 4.6. Further, dishonesty was alleged as an aggravating factor with respect to allegation 4.2.

6. Miss Kaur admits:

6.1. the allegations set out in paragraphs 3.1 to 3.7, 4.1, 4.2, 4.5 and 4.6 above

6.2. the allegations set out in paragraphs 4.3 and 4.4, save for the alleged breaches of Principle 4 of the 2019 Principles above

6.3. the aggravating factor of recklessness with respect to allegations 3.4, 3.6, 3.7 and 4.6 above.

7. The SRA applies to withdraw:

7.1. the allegation that the conduct detailed in paragraphs 4.3 and 4.4 breached Principle 4 of the 2019 Principles; and

7.2. the allegation of dishonesty as an aggravating factor with respect to allegation 4.2;

on the basis that, in light of the admissions made by Miss Kaur and her agreement as to the appropriate sanction in relation to these, it is not proportionate and in the public interest to pursue those allegations.

Agreed Facts

8. The following facts and matters, which are relied upon by the SRA in support of the allegations set out within paragraphs 3 to 5 of this statement, are agreed between the SRA and Miss Kaur.

9. Miss Kaur was admitted to the Roll on 1 November 1999 and is 65 years old. She was the sole principal of the Firm. The SRA intervened into the recognised sole practice of the Firm on 22 June 2020 (following a decision on 18 June 2020).
10. Miss Kaur does not currently hold a practising certificate.
11. On 13 April 2015 Miss Kaur, also whilst as a recognised sole practitioner trading as the Firm, received a rebuke from a Senior Adjudicator employed by the SRA, was fined £1,000 and was ordered to pay costs. Conditions were also imposed on the First Respondent's practising certificate that she must obtain and deliver, within six months of the end of the accounting period to which it covers, an accountant's report to the SRA every 12 months.
12. A Forensic Investigation Officer employed by the SRA commenced an investigation into the Firm on 16 August 2017. A further investigation, also undertaken by a Forensic Investigation Officer employed by the SRA, commenced into the Firm on 19 February 2020.
13. As at 31 July 2017, the Firm had a minimum cash shortage on the client account of £57,679.27. The FIO identified the shortage as a minimum cash shortage as the FIO was unable to rely on the Firm's books of account. This was due to the number of rectifying entries on client ledgers and the unpaid professional disbursements held in office account. The minimum cash shortage was caused by incorrect transfers from the client bank account. These resulted in:
 - 13.1. debit balances on the client ledgers totalling £53,248.27; and
 - 13.2. unpaid professional disbursements incorrectly held in office account totalling £4,431.00.

Allegation 3.1

14. Between 14 August and 16 October 2017, the Firm transferred £68,932.63 from the office bank account to the client bank account, £15,000 of which was posted to the client suspense ledger, rather than to individual client ledgers.
15. The Firm's list of client matter balances, as at 31 July 2017, recorded 42 client debit balances which totalled £53,248.27 and which ranged in value between £190 (the least) and £7,407.71 (the most). These occurred between 11 April 2016 and 17 July 2017.
16. Miss Kaur had not been recording information properly, had not been tracking where client money had gone or who it had been sent.

Allegation 3.2

17. On 16 separate occasions funds over the period 26 February 2016 and 5 May 2017 professional disbursements, ranging in value between £216.00 (the least) and £425.00 (the most), were transferred to the Firm's office bank account but, as at 31 July 2017, had not been paid. The total of unpaid professional disbursements on these client ledgers was £4,431.00.
18. Office credits were largely rectified by the Firm raising a bill for their costs, however it is not clear from the information provided whether some of the funds held for professional disbursements had instead been used for the Firm's costs. This caused a shortage on the client account.

Allegation 3.3

19. £247.42 was incorrectly paid from the client account to Virgin Media on 6 December 2017 and repaid on 12 December 2017

20. £1,024.91 was incorrectly paid from the client account to EDF Energy on 4 May 2018 and repaid on 17 May 2018.

Allegation 3.4

21. The Firm's failure to carry out three-way client bank account reconciliations was brought to Miss Kaur's attention by the SRA in 2014 and in the Accountant's Reports prepared in relation to the Firm.

22. Miss Kaur was responsible for the Firm's books of account and, since 2016, was responsible for the daily inputting of accounts information.

23. Miss Kaur had not completed a three-way reconciliation statement (in accordance with Rule 29.12 of the Rules) for the period 31 July 2017 to 31 December 2017. In a meeting on 7 February 2018 the First Respondent informed the FIO that she did not know how to do this.

Allegation 3.5

24. The Firm, between August and November 2017, recorded £15,000.00 on a suspense ledger. The £15,000.00 was used to address a shortage in the funds held by the Firm in the client bank account.

25. It was first paid into the client account from the office account on 22 August 2017. It was returned to the office account on 9 October 2017 before being paid again into the client account on 22 November 2017.

26. Prior to the transfer on 22 November 2017, the suspense ledger was overdrawn by £13,750.00.

Allegation 3.6

27. The Firm operated a “received bank interest” ledger, held on the client account for interest earned on it.

28. This was also used as a miscellaneous suspense ledger, the balance of which was £4,922.60 debit on 31 July 2017, rectified on 1 September 2017 with an office to client transfer.

29. The transfer of interest between client and office account was inconsistent and continued to be paid into client account in March 2018.

Allegation 3.7

30. The FIO could not rely on the Firm’s books of account due to the number of rectifying entries on client ledgers, the unpaid professional disbursements held in the Firm’s office account, numerous contra entries and corrections made on client ledgers and the list of client matter balances at 31 July 2017 not agreeing with all balances on client ledgers at that date.

Allegation 4.1

31. The Third Respondent, Mr Malik, resigned his role as COFA at the Firm on 1 June 2019. Miss Kaur aware that the Firm did not have a COFA and no individual was appointed to replace him.

Allegation 4.2

32. The Firm's PII renewal form, dated 18 September 2019 and completed by the First Respondent, incorrectly stated that Mr Malik was nominated as the Firm's COFA.

Allegation 4.3

33. The Firm's Accountant's Report Form for the period 1 June 2018 to 31 May 2019, which was completed by the Firm's Reporting Accountants on the instructions of the First Respondent, incorrectly stated that Mr Malik was the Firm's COFA. This information was provided to the Firm's Reporting Accountants) in February 2020.

Allegation 4.4

34. In a meeting with the FIO on 19 February 2020, Miss Kaur incorrectly informed the FIO that Mr Malik was the Firm's COFA

Allegation 4.5

35. Miss Kaur had a practising certificate for the 2018/2019 practice year subject to a condition that:

“[she] must obtain and deliver, within six months of the end of the accounting period to which it covers, an accountant’s report to the SRA every 12 months, whether such report is qualified or unqualified”.

36. The Firm’s Accountant’s Report for the period 1 June 2018 to 31 May 2019 should have been delivered to the SRA by no later than 31 November 2019. The Accountant’s Report was provided to the SRA (by Miss Kaur giving it to the FIO) on 14 February 2020.

37. Miss Kaur informed the FIO that the Report had not been submitted as the Reporting Accountant did not have it ready on time, however the Reporting Accountant informed the FIO that the First Respondent had not instructed him to prepare the report until 3 December 2019. The First Respondent subsequently informed the FIO that she had forgot to do prepare the report following issues with her computer system.

Allegation 4.6

38. The FIO was unable to reconcile the client bank account for the periods January 2020 and February 2020.

39. As at 31 January 2020, the matter listing balance (of the matter balance report) had £962.32 less than the Firm’s cashbook. This figure rose to £1,463.70 as at 29 February 2020. How the discrepancy arose could not be identified.

40. The Firm's unreconciled items report from March 2020 consisted of 92 pages of cashbook entries that had not been reconciled, four pages of which were dated after completion of the FI Report dated 31 July 2018.
41. Miss Kaur was unable to explain the differences.
42. As of 31 January 2020 the Firm had total office credits of £155,891.08. Miss Kaur admitted to the FIO that she had "just buried [her] head in the sand" in terms of rectifying these following the Report dated 31 July 2018.
43. There were client to office transfers totalling £27,365.03 in February 2020 and a further total of £3,803.00 in transfers from office to client account. Due to the lack of narratives on the client ledgers, the FIO was unable to identify where monies (on ten matter files reviewed by the FIO) had been received from or what the funds were for. The FIO was not able to verify Miss Kaur's assertion that the transfers were for disbursements paid out of the office account.

Non-Agreed Mitigation

44. The following mitigation, which is not agreed by the SRA, is put forward by Miss Kaur:
- 44.1. she understands the seriousness of the matters which are the subject of these proceedings. She acknowledges the seriousness of her conduct. She was a sole practitioner who relied on support from others, but she should not have let that override her own professional responsibilities. She further acknowledges the detrimental effect of such conduct on the trust which the public is entitled to place in the solicitors' profession;
- 44.2. she was open and cooperative at all times with the SRA investigations. She participated in interviews when required and was helpful and forthcoming.

44.3. she has admitted all the allegations at a very early stage, save that of dishonesty, and has made the SRA investigations as straightforward as possible. She has always denied being dishonest and her professional shortcomings were a product of inattention to what was going on in her practice and inattention to detail. She has admitted being reckless and being insufficiently careful. She gave inadequate thought to what was going on, and to the importance of running a solicitors practice.

44.4. She became increasingly unable to supervise accounting responsibilities over time, but no client has lost financially.

44.5. She is remorseful and deeply saddened that her career has ended in this way. The proceedings have been a huge strain on her since the SRA investigation started in early 2017.

Penalty proposed

45. Subject to the Tribunal's approval, the Respondent agrees to be struck off the Roll of Solicitors. It is agreed that this sanction is in line with the Tribunal's guidance note on sanction (7th edition), for the reasons set out in paragraphs 47-52.

46. With respect to costs, it is further agreed that Miss Kaur should pay the SRA's costs of this matter agreed in the sum of £11,000.

Explanation as to why such an order would be in accordance with the Tribunal's sanctions guidance

47. Miss Kaur denies that her conduct was dishonest (as alleged as an aggravating factor with respect to allegation 4.2 and as a breach of Principle 4 of the 2019 Principles with respect to allegations 4.3 and 4.4). Miss Kaur accepts that, notwithstanding her denial that she acted dishonestly, her conduct (including the admitted lack of integrity and the aggravating factor of recklessness in relation to four of the allegations) warrants her being struck off the Roll of Solicitors (see paragraphs 49 to 52 below).
48. The SRA maintains, and Miss Kaur accepts, that the allegations of dishonesty were properly made. The SRA seeks to withdraw these allegations on the basis that, as Miss Kaur accepts that her being struck off the Roll of the Solicitors is the appropriate sanction in any event, the pursuit of a three day hearing to determine dishonesty is neither proportionate nor in the public interest.
49. Miss Kaur was the sole principal of the Firm and its Compliance Officer for Legal Practice. She was responsible for the Firm's compliance with the SRA Handbook 2011 and the SRA's Standards and Regulations 2019, including the relevant Accounts Rules. There was a clear breach of trust as she was responsible for the management of the Firm's client account. She was a highly experienced solicitor, having been qualified for approximately 20 years at the time of the misconduct. Her role in the Firm meant that she had direct control of the Firm's finances yet had failed to properly exercise it. She had also been made aware of the SRA's concerns as to her financial management of the Firm and yet failed to take adequate, if any, steps to address these. The Respondent's culpability for her actions was accordingly high.

50. In relation to the harm caused, there was no identifiable direct harm to clients of the Firm. However, there was inevitably significant harm to the reputation of the profession given the repeated nature of the misconduct, Miss Kaur's failure to respond to the rebuke from her regulator and her misleading statements to her PII provider and professional regulator. Miss Kaur's failure to address the risk posed by her financial management of the Firm, and her recklessness in managing the Firm's client account (including the ongoing failures to conduct reconciliations and keep appropriate records) put its clients' money at significant risk.
51. The principle factors that aggravate the seriousness of Miss Kaur's misconduct are the repeated nature of her misconduct and the fact that Miss Kaur knew (or ought to have known) that her conduct was in material breach of obligations to protect the public and the reputation of the legal profession.
52. The principle factors that mitigate the seriousness of Miss Kaur's misconduct are her open and frank admissions at an early stage and her cooperation with the SRA.
53. In all the circumstances of the case, it is therefore proportionate and in the public interest that Miss Karamjeet Kaur should be struck off the Roll of Solicitors. For the avoidance of doubt, the Respondent accepts that, even without a finding of dishonesty, the admitted misconduct is so serious that it warrants a strike off from the Roll of Solicitors.

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Simon Griffiths, Senior Legal Adviser upon behalf of the SRA

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Miss Karamjeet Kaur