

IN THE MATTER OF PRIYA PRASHAR, solicitor

- AND -

IN THE MATTER OF THE SOLICITORS ACT 1974

Mr. J. C. Chesterton (in the chair)
Mr. D. Glass
Lady Maxwell-Hyslop

Date of Hearing: 29th January 2008

FINDINGS

of the Solicitors Disciplinary Tribunal
Constituted under the Solicitors Act 1974

An application was duly made on behalf of The Law Society by Ian Ryan solicitor and partner in the firm of Bankside Law Solicitors, Thames House, 58 Southwark Bridge Road, London SE1 0AS on 4th October 2007 that Priya Prashar solicitor might be required to answer the allegations contained in the statement which accompanied the application and that such order might be made as the Tribunal should think fit.

The allegation against the Respondent was that she had been guilty of conduct unbefitting a solicitor in the following particulars:-

- i) That she was convicted of 23 offences of false accounting, one offence of perverting the course of public justice, and one offence of theft, and sentenced to a total of 2 years imprisonment.
- ii) That she behaved in a manner unbefitting a solicitor of the Supreme Court.

The application was heard at The Court Room, Third Floor, Gate House, 1 Farringdon Street, London EC4M 7NS on 29th January 2008 when Ian Ryan appeared as the Applicant and the Respondent did not appear and was not represented.

The evidence before the Tribunal included the admission of the Respondent as set out in a letter dated 5th November 2007 to the Applicant from the Respondent's solicitors.

At the conclusion of the hearing the Tribunal made the following order:-

The Tribunal ORDERS that the respondent, PRIYA PRASHAR, solicitor, be STRUCK OFF the Roll of Solicitors and they further Order that she do pay the costs of and incidental to this application and enquiry fixed in the sum of £2,889.44

The facts are set out in paragraphs 1 to 3 hereunder:-

1. The Respondent born in 1978 was admitted as a solicitor in 2003 and her name remained on the Roll of Solicitors.
2. At all material times, the Respondent was an assistant solicitor at AP Law, 1 Crane Court, Fleet Street, London, EC4A 2EJ.
3. The Respondent was convicted of the offences referred to in allegation (i) above after a trial having pleaded not guilty to the majority of the charges. On 10th July 2007 at Chelmsford Crown Court she was sentenced to a total of two years imprisonment. In his sentencing remarks his Honour Judge Gratwicke stated:

"All those counts occurred during the course of your employment as a solicitor. You were trusted by your employer to manage the affairs of others. You breached that trust by systematically plundering the accounts of those clients whose files were entrusted to you and, in order to cover that up, by creating false documents.

The office of a solicitor is an honourable one. Those who practise as such are trusted not only by their colleagues and employers but, perhaps more particularly, by their clients, one of whom was Miss B. She was a lady in trouble. She was threatened with bankruptcy. She turned to your firm for help. You clearly advised her properly at the start, but, in the course of looking after her interests, you pocketed £950 of her hard-earned money, money that she could ill afford. Your behaviour to that particular lady was despicable, down to taking the last £2 from her purse; and to cap it all, on your instructions, she was accused of lying to this jury, an accusation that the jury saw through.

You are, in my judgment, having heard the evidence of the past three weeks, a totally dishonest and untrustworthy woman who, far from accepting your guilt, sought to blame others, be it the clients or your employer, even down to your secretary, as you sought to obscure the true facts in this case, as the jury came to find, namely, that you are a thief, a forger and a liar."

The Submissions of the Applicant

4. The Respondent who had been some three and a half years qualified at the time of conviction had mostly entered pleas of not guilty.

5. The Tribunal was asked to note the sentencing remarks of his Honour Judge Gratwicke (paragraph 3 above).
6. The Respondent had spectacularly failed in her duty as a solicitor and had damaged the reputation of the profession.
7. The Applicant sought his costs fixed in the sum of £2,889.44. A schedule of costs was handed to the Tribunal and the Applicant explained that the costs were slightly higher than the norm due to work undertaken by him in this matter prior to the Respondent's convictions.

The Submissions on behalf of the Respondent

8. The submissions on behalf of the Respondent were contained in a letter to the Tribunal dated 10th January 2008 from the Respondent's solicitors, Messrs TNT Solicitors.
9. The Respondent, who was currently serving a prison sentence, was not present and did not wish to be represented at the hearing but intended no disrespect.
10. As a result of her conviction she was not able to contest the proceedings and accepted that it was inevitable that her name would be removed from the Roll of Solicitors.
11. The consequences of her conviction and imprisonment had been catastrophic and she faced a very uncertain future upon her release.
12. The Tribunal was given details of the Respondent's debts.
13. The Tribunal was referred to the psychiatric report of Dr Sen, Consultant Psychiatrist, dated 24th November 2006.

The Findings of the Tribunal

14. The Tribunal found the allegations to have been substantiated indeed they were not contested.
15. The Tribunal had noted the matters raised in the letter from Messrs TNT Solicitors of 10th January 2008 and the psychiatric report which was prepared prior to the criminal trial. Subsequent to that report however the Respondent had been convicted of a large number of offences involving dishonest conduct and the Tribunal had noted carefully the sentencing remarks of his Honour Judge Gratwicke. The Tribunal was satisfied in these circumstances that the protection of the public and the protection of the reputation of the profession meant that it was right that the Respondent be struck off the Roll of Solicitors. Having heard the Applicant's submissions as to costs, the Tribunal was satisfied that it was also right to order the Respondent to pay the Applicant's costs in the fixed sum sought.
16. The Tribunal ordered that:-

The Tribunal ORDERED that the respondent, PRIYA PRASHAR, solicitor, be STRUCK OFF the Roll of Solicitors and they further Ordered that she do pay the costs of and incidental to this application and enquiry fixed in the sum of £2,889.44

Dated this 15th day of February 2008
On behalf of the Tribunal

J.C. Chesterton
Chairman