

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12662-2024

BETWEEN:

SOLICITORS REGULATION AUTHORITY LTD.

Applicant

and

TALHA JAMIL AHMAD

Respondent

Before:

Mr R Nicholas (in the chair)

Mr J Abramson

Mr A Lyon

Date of Hearing: 25 March 2025

Appearances

Chaitanya Kediya, Barrister, Outer Temple Chambers, 222 Strand, London WC2R 1BA instructed by the Applicant.

The Respondent did not appear and was not represented.

JUDGMENT

1. Allegations

1. The allegations made by the SRA against the Respondent, Talha Jamil Ahmad, who was in practice as the sole director and manager of A&T Legal Ltd t/a Leaside Law (“the Firm”), are that:
 - 1.1 He failed to ensure that the Firm complied with an Order of the Court made on 28 February 2020 to pay wasted costs. In doing so he breached any or all of:
 - 1.1.1 Paragraph 2.5 of the SRA Code of Conduct for Solicitors, RELs and RFLs (“the Code for Solicitors”);
 - 1.1.2 Paragraph 8.1 SRA Code of Conduct for Firms 2019 (“the Code for Firms”) – Follows from above
 - 1.1.3 Principle 1 of the SRA Principles;
 - 1.1.4 Principle 2 of the SRA Principles;
 - 1.1.5 Principle 5 of the SRA Principles.

PROVED

- 1.2 From 14 July 2022 to at least 5 August 2024, he failed to co-operate with the SRA, in that he failed to:
 - 1.2.1 respond fully to the SRA’s correspondence and/or correspondence sent on behalf of the SRA requesting information, documents and explanations;
 - 1.2.2 produce for inspection documents, papers, clients’ files and/or accounting records to the SRA when requested to do so, and/or;
 - 1.2.3 comply fully with Production Notices

In doing so, he breached any or all of:

- 1.2.4 Paragraphs 7.3 and 7.4 of the Code for Solicitors;
- 1.2.5 Paragraphs 3.2, 3.3 and 8.1 the Code for Firms;
- 1.2.6 Principle 2 of the SRA Principles;
- 1.2.7 Principle 5 of the SRA Principles;

PROVED

- 1.3 He failed to comply and/or ensure that the Firm complied with decisions made by the SRA from 14 July 2022 to 15 January 2024 which directed him and/or the Firm to pay financial penalties for regulatory breaches. In doing so he breached:

- 1.3.1 Paragraph 7.3 of the Code for Solicitors;
- 1.3.2 Paragraphs 3.2 and 8.1 of the Code for Firms;
- 1.3.3 Principle 2 of the SRA Principles;
- 1.3.4 Principle 5 of the SRA Principles.

PROVED

Executive Summary

- 2. The Respondent was the sole manager of the Firm, which had acted, or purported to act, for an incorporated charity client in a litigation matter, and initially filed an application for an injunction, on an ex-parte basis.
- 3. The injunction was overturned the following day and the Firm ceased acting for the claimants before the claim was dismissed by the County Court. It was ordered that the opposing party be entitled to costs either from those purporting to be the claimants or from the Firm.
- 4. The Firm failed to comply with an order to serve and file a witness statement stating the identity of the claimants from whom it took instructions and subsequently did not respond to an application for wasted costs by the opposing party in the proceedings. As a result, the County Court Ordered that the Firm pay costs of £29,704.00 by 13 March 2020, or make an application to vary or set aside the Order within fourteen days of receipt of the order.
- 5. Solicitors for the opposing party reported to the SRA that the Firm had failed to make the payment as ordered and had not applied to set the order aside. This prompted the SRA to launch an investigation into the Respondent's conduct, leading to an allegation that the Firm had failed to comply with the wasted costs order.
- 6. It was further alleged that the Respondent had failed to engage with or cooperate in multiple investigations into his conduct. In addition, he had not paid the fines and fixed penalties imposed by the SRA as a result of these failures.
- 7. The Respondent did not participate in the proceedings and was absent from the hearing, which proceeded in his absence. All allegations against the Respondent were proven.

Sanction

- 8. The Respondent was suspended for six months, following which indefinite restrictions were imposed on his ability to practise. The Tribunal's sanction can be found [\[here\]](#).

Documents

- 9. The Tribunal considered all documents in the electronic case bundle.

Preliminary Matters

Application to Proceed in Absence

10. The SRA applied to proceed in absence of the Respondent. In support of the application, Mr Kediyaal stated that, given that the Respondent had not attended and was not represented, the hearing could proceed in the Respondent's absence pursuant to the Rule 36 of the Solicitors Disciplinary Proceedings Rules 2019 ("SDPR") if the Tribunal were satisfied that notice of the hearing had been served on him.
11. With reference to Rule 44 SDPR, which addressed the requirements as they related to service of documents, Mr Kediyaal noted that the Respondent had sent been sent via email a notice dated 7 March 2025 informing him of the date and time of the present hearing and the fact that it was to be held on the Tribunal's Zoom conferencing platform. The notice had been sent to email address which was held by the SRA and to which previous correspondence had been sent.
12. The SRA had sent an earlier email to the Respondent on 4 December 2024 and had attached provided copies of documents relating to the case as well as informing the Respondent of the date that the substantive hearing would take place.
13. Mr Kediyaal submitted that on the basis of documents and correspondence served on the Respondent, he had notice of the hearing.
14. Mr Kediyaal stated that, although the authorities directed that Tribunals must proceed with care and caution when reaching a decision whether to proceed in a Respondent's absence, the following would be important in considering whether to exercise its discretion:
 - (a) The nature of the Respondent's behaviour. There was no explanation provided as to why the Respondent was absent today.
 - (b) That an adjournment would serve any useful purpose. Given the Respondent's history of lack of engagement with the proceedings to date, a further adjournment would not guarantee his attendance at a future hearing.
 - (c) The fact that the Respondent had deliberately exercised his right not to be present or instruct a legal representative. It was noted that he had previously appointed legal representatives that were no longer on the record and he had not taken steps to appoint another legal representative.
15. It was therefore submitted that it was in public interest for matters to proceed in the absence of the Respondent as scheduled.

The Decision of the Tribunal

16. The Tribunal considered the decisions in *General Medical Council v Adeogba*; *General Medical Council v Visvardis* [2016] EWCA Civ 162 which in turn approved the principles set out in *R v Hayward*, *R v Jones*, *R v Purvis* QB 862 [2001], EWCA Crim 168 [2001], noting that proceeding in the absence of a respondent was a discretion

which a Tribunal should exercise with the utmost care and caution bearing in mind the relevant factors which it had been referred to by the Applicant.

17. It was held in *Adeogba* that in determining whether to proceed with regulatory proceedings in the absence of the respondent, the following factors should be borne in mind by a Disciplinary Tribunal:
 - the Tribunal’s decision must be guided by the context provided by the main statutory objective of the regulatory body, namely the protection of the public;
 - the fair, economical, expeditious and efficient disposal of allegations was of very real importance;
 - it would run entirely counter to the protection of the public if a respondent could effectively frustrate the process and challenge a refusal to adjourn when that practitioner had deliberately failed to engage in the process; and;
 - there was a burden on all professionals subject to a regulatory regime, to engage with the regulator, both in relation to the investigation and ultimate resolution of allegations made against them. That is part of the responsibility to which they sign up when being admitted to the profession.
18. Whilst exercising the uttermost caution and care, in respect of whether to exercise its discretion to proceed, the Tribunal noted that the Respondent had not substantively engaged with the proceedings at any stage. In particular, he had not filed with the Tribunal, or served on the Applicant, an answer to the Rule 12 Statement.
19. Any further adjournment would not achieve a useful purpose and would not be in keeping with the overriding objective to ensure that matters were dealt with efficiently and expeditiously.
20. The Tribunal was satisfied that it was appropriate and in the public interest for the hearing to proceed in the Respondent’s absence. It therefore decided to exercise its power under Rule 36 SDPR to hear and determine the substantive hearing in the absence of the Respondent.

Factual Background

21. The Respondent was born on 6 June 1983 and is a solicitor admitted to the Roll on 3 November 2014. At all relevant times he was, the sole solicitor, owner and director of A&T Legal Ltd.
22. A&T Legal Ltd (“the Firm”) traded as Leaside Law.
23. The Respondent was at all relevant times also the Compliance Officer for Legal Practice (COLP) and Compliance Officer for Finance and Administration (COFA) at the Firm.
24. The Respondent’s practising certificate for the practice year 2023 to 2024 is currently suspended, following an earlier decision by the SRA to intervene into his practice.

Witnesses

25. The written and oral evidence of witnesses is quoted or summarised in the Findings of Fact and Law below. The evidence referred to will be that which was relevant to the findings of the Tribunal, and to facts or issues in dispute between the parties. For the avoidance of doubt, the Tribunal confirmed that it had read all documents in the case. The absence of any reference to particular evidence should not be taken as an indication that the Tribunal did not read, hear or consider that evidence.
26. No oral evidence was presented to or heard by the Tribunal.

Findings of Fact and Law

27. The Applicant was required by Rule 5 of The Solicitors (Disciplinary Proceedings) Rules 2019 to prove the allegations to the standard applicable in civil proceedings (on a balance of probabilities). The Tribunal had due regard to its statutory duty, under Section 6 of the Human Rights Act 1998, to act in a manner which was compatible with the Respondent's rights to a fair trial and to respect for their private and family life under Articles 6 and 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

The Applicant's Case

28. The Rule 12 Statement – [Click Here](#)

The Respondent's Case

29. The Respondent did not participate in the Hearing and provided no evidence for consideration by the Tribunal.

The Tribunal's Findings

30. **Allegation 1:1 The Respondent failed to ensure that the Firm complied with an Order of the Court made on 28 February 2020 to pay wasted costs.**
- 30.1 The Tribunal reviewed all the evidence before it and found on a balance of probabilities the following facts:
 - (a) On 28 February 2020, His Honour Judge Gerald sitting at the Central London County Court, issued an order requiring the Firm to pay wasted costs to the defendants, in the sum of £29,704.00 by 4:00 p.m. by 13 March 2020.
 - (b) The defendant's solicitors raised concerns on 5 June 2020 about the Firm's failure to comply with the wasted costs order with the SRA.
 - (c) As of 4 August 2024, it was confirmed that the Firm had failed to comply with the wasted costs order and had not, at any time, applied to vary or rescind the order.

(d) The Respondent as the sole manager and owner of the Firm, was solely responsible for ensuring the Firm complied with the order of the court.

30.2 Having found the factual matrix of the allegation proved, the Tribunal proceeded to deal with the alleged breaches of the Code for Solicitors, Code for Firms and the SRA Principles.

Breaches

Breach of Paragraph 2.5 of the Code for Solicitors

30.3 The Tribunal found, on a balance of probabilities, that the Respondent was, as a solicitor and officer of the Court, responsible for ensuring the Firm's compliance with the order issued by the County Court

30.4 As a result, the Respondent was in breach of Paragraph 2.5 of the Code for Solicitors.

Breach of Paragraph 8.1 of the Code for Firms

30.5 The Tribunal determined on a balance of probabilities that as the COLP and COFA of the Firm, the Respondent was solely responsible for ensuring that the Firm complied with any court orders as required by the SRA Code for Firms.

30.6 As a result, the Respondent was in breach of Paragraph 8.1 of the Code of Solicitors.

Breach of Principle 1 of the SRA Principles

30.7 The Tribunal further found on a balance of probabilities that, in failing to comply with the court order imposed on the Firm, the Respondent had not acted in a way that upheld the constitutional principle of the rule of law and the proper administration of justice.

30.8 As a result, the Respondent was in breach of Principle 1 of the SRA Principles.

Breach of Principle 2 of the SRA Principles

30.9 Given the role of solicitors in society, the public would expect them to comply with court orders, particularly those made against them at the conclusion of court proceedings.

30.10 The Tribunal found on a balance of probabilities that, in making no apparent attempt to comply with the court order, the Respondent had failed to maintain the trust that the public had in him as a solicitor and in the legal profession as a whole.

30.11 The Respondent therefore breached Principle 2 of the SRA Principles 2019.

Breach of Principle 5 of the SRA Principles 2019 (Integrity)

30.12 The Tribunal considered the comments of Jackson LJ in Wingate v SRA [2018] EWCA Civ 366, where he stated:

[97] ... the term “integrity” is a useful shorthand to express the higher standards which society expects from professional persons and which the professions expect from their own members ... The underlying rationale is that the professions have a privileged and trusted role in society. In return they are required to live up to their own professional standards ... [100] Integrity connotes adherence to the ethical standards of one’s own profession. That involves more than mere honesty.

30.13 The Respondent was in a position of trust and responsibility as a solicitor and the sole owner of the Firm. The Tribunal found on a balance of probabilities that a solicitor acting with integrity would not have failed to comply with a wasted costs order imposed by the court in circumstances where the order was not formally challenged or disputed.

30.14 The Respondent therefore breached Principle 5 of the SRA Principles.

The Tribunal’s Findings

31. **Allegation 1.2: From 14 July 2022 to at least 5 August 2024, he failed to co-operate with the SRA, in that he failed to:**

1.2.1 respond fully to the SRA’s correspondence and/or correspondence sent on behalf of the SRA requesting information, documents and explanations;

1.2.2 produce for inspection documents, papers, clients’ files and/or accounting records to the SRA when requested to do so; and/or on 31 October and 15 November 2022.

1.2.3 comply fully with Production Notices.

31.1 The Tribunal found the following facts on a balance of probabilities:

(a) The SRA Investigating Officer (IO) wrote to the Respondent on 14 July 2022, requesting information regarding the proceedings in which the wasted costs order had been imposed.

(b) Between 25 July 2022 and 28 September 2022, on at least four occasions, the Respondent promised to provide the evidence and information required to the IO but failed to do so, seeking further extensions each time.

(c) On 17 August 2022, the Respondent provided information requested in respect of an unrelated matter that was also being investigated and also asked for an extension of time for production of the information relating to the wasted costs order.

(d) Between 14 July 2022 to 5 August 2024, in not responding fully to the correspondence and providing the information required of him, the Respondent failed to cooperate with the SRA.

(e) Between 31 October 2022 and 18 May 2023, the Respondent failed to respond to any of the five production orders for the information that the SRA served on him.

- (f) The Respondent failed to provide documents, client files, papers and accounting records that the SRA requested of him.

31.2 Having found the facts of the allegation proved, the Tribunal proceeded to deal with the alleged breaches of the Codes and the Principles.

Breaches

Breach of Paragraphs 7.3 and 7.4 of the Code for Solicitors RELs and RFLs and Breaches of Paragraphs 3.2, 3.3 and 8.3 of the Code for Firms

- (a) Paragraph 7.3 of the Code for Solicitors requires solicitors to cooperate with their regulator in overseeing and supervising the delivery of, or investigating, concerns in relation to legal services.
- (b) Paragraph 7.4 of the Code places a responsibility on solicitors to respond promptly to the SRA and provide full and accurate information and documents.
- (c) Paragraphs 3.2 and 3.3 of the Code for Firms impose a similar duty on regulated firms to cooperate and promptly provide information, mirroring the obligations set out in Paragraphs 7.3 and 7.4.
- (d) Paragraph 8.1 of the Code for Firms establishes the responsibility of a manager of a regulated firm to ensure compliance with the Code for Firm.
- (e) The Tribunal found, on a balance of probabilities, that over a period exceeding two years, the Respondent in his capacity as a solicitor and sole owner and manager of the Firm, failed to cooperate with the SRA. He did not respond to correspondence, repeatedly requested extensions and then failed to comply, and ultimately did not provide the information, explanations, and documents requested of him.

31.3 The Respondent therefore breached Paragraphs 7.3 and 7.4 of the Code for Solicitors, RELs and RFLs. The Respondent was also in breach of Paragraphs 3.2, 3.3 and 8.1 of the Code for Firms.

Breach of Principle 2 (Public Trust)

31.4 The Tribunal found on a balance of probabilities that the Respondent:

- (a) failed promptly to respond to the Regulator's repeated requests for information, documents and records from the Firm;
- (b) failed to do so over a period of two years; and
- (a) failed to maintain the public's trust in him and in the provision of legal services.

31.5 The Respondent had, therefore, breached Principle 2 of the SRA Principles.

Breach of Principle 5 (Integrity)

31.6 The Tribunal referred to *Wingate v SRA* and determined, on a balance of probabilities, that the Respondent's failure to respond to the SRA's repeated requests for correspondence, continued requests for documents and to comply fully with the production notice, the Respondent's conduct lacked integrity.

31.7 The Respondent was therefore in breach of Principle 5 of the SRA Principles

The Tribunal's Findings

32. **Allegation 1.3 The Respondent failed to comply and/or ensure that the Firm complied with decisions made by the SRA from 14 July 2022 to 15 January 2024 which directed him and/or the Firm to pay financial penalties for regulatory breaches.**

32.1 The Tribunal, on a balance of probabilities, found as follows:

- (a) The SRA fined the Firm on four separate occasions within an 18-month period for various infractions including general non-cooperation with the regulator, breaches of the SRA Transparency Code and failure to provide Workplace Diversity data as required;
- (b) On each occasion, the Firm received written notification of the fines imposed;
- (c) The Respondent failed to take any steps to appeal any of the fines issued during this period; and
- (d) Despite numerous reminders from the SRA, the Respondent failed to ensure that the Firm paid any of the fines imposed.

32.2 Having found the facts of the allegation proved, the Tribunal proceeded to deal with the alleged breaches of the Codes and the Principles

Breaches of Paragraphs 7.3 of the Code for Solicitors RELs and RFLs and Paragraph 3.2 and 8.1 SRA Code for Firms

32.3 The Tribunal determined to the requisite standard that the Respondent:

- (a) failed to cooperate with the Regulator by neglecting to pay or appeal, the fines imposed by the SRA;
- (b) failed to cooperate with the SRA by not paying the fines, despite being the manager of the Firm and therefore responsible for ensuring compliance.

32.4 As a result, the Respondent breached Paragraph 7.3 of the Code for Solicitors and Paragraphs 3.2 and 8.1 of the Code for Firms.

Previous Disciplinary Matters

33. There were no previous disciplinary matters against the Respondent.

Mitigation

34. None

Sanction

35. The Tribunal referred to its Guidance Note on Sanctions (11th Edition February 2025), the approach to sanctions set out in *Fuglers and others v SRA* [2014] EWHC 179. The Tribunal's overriding objective when considering sanction, was the need to maintain public confidence in the integrity of the profession.
36. When determining the appropriate sanction, the Tribunal's role was to evaluate the gravity of the proven misconduct and impose a penalty that was fair and proportionate in the circumstances. In assessing the seriousness of the misconduct, the Tribunal considered the Respondent's level of culpability and the harm caused, alongside any aggravating or mitigating factors.
37. The Tribunal considered that the Respondent, as a solicitor and manager of the Firm, was directly responsible for disregarding a court order and wilfully refusing to allow his Firm to be regulated. 38. The impact of the Respondent's conduct was high. His failure to comply with a court order resulted in solicitors representing the party awarded wasted costs repeatedly contacting the Firm regarding unpaid sums due to their client. In addition, the Respondent's conduct had led to three separate regulatory investigations with continuous and numerous calls to and correspondence with him. As an experienced solicitor and the manager of a firm, the Respondent ought to have been aware of the consequences his conduct could have on the reputation of the legal profession.
39. An aggravating feature of the Respondent's conduct was non-compliance over a lengthy period of time, where the Respondent should have known that such conduct was a material breach of his obligations under the Codes.
40. The Tribunal acknowledged that the Respondent had an unblemished career. Additionally, during the investigation, the Respondent informed the SRA of health issues. The Tribunal applied little weight to these factors given that the Respondent had effectively failed to engage with the proceedings since the date of issue.
41. The Tribunal next considered the purpose for which sanctions are imposed, noting that an important purpose of a sanction is to maintain the reputation of the solicitors' profession (*Bolton v The Law Society* [1994] 1 WLR 512). The Tribunal further determined that the reputation of the profession was undermined where a solicitor, particularly the manager of a firm, disregarded court orders and ignored regulatory sanctions.
42. The Respondent's conduct was so serious that neither a reprimand or a fine would address the misconduct. To protect the public and the reputation of the legal profession, the Respondent should be suspended from practice.

43. The Tribunal carefully considered the appropriate length of suspension and decided on an immediate period of suspension from practice for a period of six months.
44. The Tribunal further decided that the Respondent should be subject to indefinite restrictions to protect the public interest. In the absence of the Respondent, the Tribunal was unable to hear submissions from him and proceeded to consider the appropriate restrictions. The restrictions imposed on the Respondent are that he may not:
- (a) practise as a sole practitioner, sole manager or sole owner of an authorised or recognised body; or as a freelance solicitor; or as a solicitor in an unregulated organisation;
 - (b) be a partner or member of a Limited Liability Partnership (LLP), Legal Disciplinary Practice (LDP) or Alternative Business Structure (ABS) or other authorised or recognised body; and
 - (c) be a Head of Legal Practice/Compliance Officer for Legal Practice or a Head of Finance and Administration/Compliance Officer for Finance and Administration.

Costs

45. Mr Kediya, on behalf of the SRA, applied for costs in the sum of £24,735.55 as set out in the SRA's costs schedule dated 17 March 2025.
46. After considering the SRA's cost schedule, the Tribunal concluded that the SRA's application for costs was both reasonable and proportionate.
47. Accordingly, the Tribunal ordered the Respondent to pay the SRA's costs of and incidental to this application fixed in the sum of £24,735.55.

Statement of Full Order

48. The Tribunal ORDERED that the Respondent be SUSPENDED from practice as a solicitor for the period of six months to commence on the 25th day of March 2025 and it further ordered that he do pay the costs of and incidental to this application and enquiry fixed in the sum of £24,735.55.
49. Upon the expiry of the fixed term of suspension referred to above, the Respondent shall be subject to conditions imposed indefinitely by the Tribunal as follows:
50. The Respondent may not:
- Practise as a sole practitioner or sole manager or sole owner of an authorised or recognised body; or as a freelance solicitor; or as a solicitor in an unregulated organisation;
 - Be a partner or member of a Limited Liability Partnership (LLP), Legal Disciplinary Practice (LDP) or Alternative Business Structure (ABS) or other authorised or recognised body;

- Be a Head of Legal Practice/Compliance Officer for Legal Practice or a Head of Finance and Administration/Compliance Officer for Finance and Administration;

51. There be liberty to either party to apply to the Tribunal to vary the conditions set out at paragraph 2 above.

Dated this 15th day of April 2025

On behalf of the Tribunal

R. Nicholas

R Nicholas

Chair