

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12808-2025

BETWEEN:

HARJIT SINGH KANG

Applicant

and

SOLICITORS REGULATION AUTHORITY LTD

Respondent

Before:

Ms A E Banks (in the chair)

Mr E Nally

Mr D Kearney

Date of Hearing: 6 November 2025

Appearances

Raminder Shergill, counsel of Paternoster Chambers for the Applicant.

Montu Miah, counsel in the employ of the Solicitors Regulation Authority Ltd for the Respondent.

**JUDGMENT ON AN APPLICATION
TO REMOVE CONDITIONS**

Background

1. On 16 February 2012, the Tribunal found that Mr Kang had failed to pay the premium due for indemnity insurance in breach of Rule 16.2 of the Solicitors Indemnity Insurance Rules 2009 and 2010. The Tribunal ordered that Mr Kang be suspended from practice as a solicitor for an indefinite period.
2. On 22 August 2017, Mr Kang successfully applied to the Tribunal to determine the indefinite suspension. In order to ensure the protection of the public and the reputation of the profession, the Tribunal determined that it was necessary for Mr Kang to be subject to restrictions on his practice. Mr Kang was prohibited from:
 - (i) practising as a sole practitioner or sole manager or sole owner of an authorised or recognised body;
 - (ii) being a partner or member of a Limited Liability Partnership, Legal Disciplinary Practice or Alternate Business Structure or other authorised or recognised body;
 - (iii) Being a Compliance Officer for Legal Practice or a Compliance Officer for Finance and Administration;
 - (iv) holding client money
 - (v) being a signatory on any client account;
 - (vi) working as a solicitor other than in employment approved by the SRA.
3. On 4 October 2021, Mr Kang applied to the Tribunal to remove those conditions. The Tribunal was not satisfied that Mr Kang had sufficiently demonstrated that he was rehabilitated such that if the conditions were to be removed in whole or in part, he would not pose a risk to the public or the reputation of the profession. The Tribunal opined:

“... unless and until [Mr Kang] could demonstrate with evidence that he had the competence to manage and run his own firm then the conditions on his practise remained necessary to protect the public from future risk and avoid damage to the reputation of the `profession.”
4. In an application dated 22 July 2025, Mr Kang applied for the restrictions on his practice to be removed.

The Applicant’s Submissions

5. In his application, Mr Kang acknowledged that having reflected on his misconduct over the past several years, it had become clear that it was his lack of strategic focus and inappropriate supervision of staff that had led to the downfall of his former firm.
6. Since the indefinite suspension and the later imposition of restrictions by the Tribunal, Mr Kang had strived to maintain the professional standards required. He commenced

working for his current employer with the SRA's permission in 2015. During that time, he had gained greater insight into his regulatory and compliance obligations.

7. Following his unsuccessful application to remove the restrictions in 2021, Mr Kang had undertaken SRA approved courses in order to better understand the responsibilities and obligations of a leader and head of a firm. He had successfully completed the SRA Management Course Parts I and II in February 2022. Those courses had given Mr Kang insight into how to run a firm and how to assess risk. Mr Kang had also undertaken courses in relation to compliance roles.
8. In his application, Mr Kang detailed the steps he would take regarding managing a firm, operating a client account and supervising staff. Mr Kang explained that he had been shadowing Mr Williams (his current employer) and had seen first-hand the steps necessary for compliant management of a firm and of the firms accounts, in particular, the client account.
9. Mrs Shergill submitted that Mr Kang took full responsibility for his past failings and accepted his shortcomings. He had developed insight into his misconduct and would not repeat the same errors. Following his attendance on courses, he now recognised the importance of sound management and regulatory compliance. His observation of Mr Williams had taught him the importance of compliance with accounts rules and the importance of proper management of a client account.
10. Mr Kang, it was submitted, now had a clear understanding of his misconduct and how he should properly conduct himself in future. He accepted the Tribunal's findings unequivocally and did not seek to minimise the seriousness of his previous misconduct. Nor did he seek to blame anyone else for that misconduct. His failings were his, and his alone. Mr Kang had used his time since his indefinite suspension gainfully and had done all that he could to rehabilitate himself.
11. Mrs Shergill submitted that in the circumstances, the restrictions were no longer necessary in order to protect the public or the reputation of the profession. The removal of all of the restrictions placed on his practise by the Tribunal was appropriate taking into account his rehabilitation and sustained compliance with his regulatory obligations.

The Respondent's Submissions

12. Mr Miah confirmed that the SRA was neutral as regards the application. In its Answer to the application, the SRA noted (amongst other things) that:
 - Whilst Mr Kang's regulatory history raised concerns about his ability to be a manager, owner or partner of a firm, until Mr Kang was afforded the opportunity to do so, he would be unable to demonstrate that capability.
 - He had undertaken the SRA Management Course Part I and II, compliance role courses and other courses to assist with his understanding of legal development.
 - He had remained in approved employment, working to the full satisfaction of his employer.

- The SRA was satisfied with the progress made by Mr Kang since his indefinite suspension was lifted, and he appeared to have shown an improved level of insight into the nature and effects of his misconduct.
 - Mr Kang had been practising successfully. Together with the references provided, the SRA's confidence had increased such that it considered that the likelihood and risk of Mr Kang repeating his previous misconduct was low.
13. The sole concern was that given his regulatory history, there might be some risk were Mr Kang able to be a sole practitioner, sole manager or sole owner of an authorised body, and thus the Tribunal might consider that it was appropriate to maintain a restriction preventing him from doing so. If the Tribunal were minded to remove all of the restrictions, this did not prevent the SRA from imposing conditions on his practising certificate that it considered were necessary to protect the public interest.

The Tribunal's Decision

14. The Tribunal noted that restricted practice will only be ordered if it is necessary to ensure the protection of the public and the reputation of the legal profession from future harm by a solicitor. Accordingly, when considering any application to remove or vary a restriction, the Tribunal will assess whether the restriction remains necessary for those purposes. Whilst the factors contained in its Guidance Note on Other Powers might assist the Tribunal in that determination, it was not necessary for an Applicant to comply with those factors to demonstrate that the restriction was no longer necessary.
15. The Tribunal was satisfied that Mr Kang had demonstrated adequate learning from the training courses he had undertaken. Mr Kang was able to identify the steps that he needed to take in order to ensure regulatory compliance and to ensure that staff were properly supervised. He had clearly given thought to assessing risk and minimising any risk.
16. The Tribunal considered that Mr Kang had done all that he could in order to rehabilitate himself. It paid regard to the testimonials and references provided on his behalf and noted that he had been shadowing Mr Williams and learning best practices from him. He had fully accepted his shortcomings and had demonstrated insight and learning. The Tribunal assessed the risk of future harm as low. The Tribunal was satisfied that Mr Kang had addressed the concerns raised by the Tribunal in 2021 when it had refused to remove the conditions.
17. The Tribunal was satisfied that the restrictions placed on Mr Kang were no longer necessary for the protection of the public or the reputation of the profession. Accordingly, the Tribunal granted the application for the restrictions to be removed.

Costs

18. The parties had agreed costs in the sum of £1,781.00. The Tribunal found those costs to be reasonable and proportionate. Accordingly, the Tribunal ordered Mr Kang to pay costs in the agreed amount.

Statement of Full Order

19. The Tribunal Ordered that the application of HARJIT SINGH KANG, solicitor for the removal of the restrictions imposed by the Tribunal on 22 August 2017 be GRANTED. The Tribunal further Ordered that the Applicant do pay the costs of the response of the Solicitors Regulation Authority Ltd to this application fixed in the agreed sum of £1,781.00.

Dated this 14th day of November 2025
On behalf of the Tribunal

A.E. Banks

A.E. Banks
Chair