

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No 12893-2026

BETWEEN:

EHSAN KABIR

Applicant

and

SOLICITORS REGULATION AUTHORITY LTD

Respondent

Before:

Mr E Nally (in the Chair)

Ms O Davies

Mr D Kearney

Date of Hearing: 20–21 April 2026

Appearances

Geoffrey Williams KC, Farrar’s Building, Temple, London EC4Y 7BD (instructed by the Applicant).

James Smith, barrister, Outer Temple Chambers, The Outer Temple, 222 Strand, London WC2R 1BA (instructed by the Respondent).

JUDGMENT

Relevant Background

1. The Applicant was a solicitor having been admitted to the Roll on 1 May 2013.
2. Between March and June 2019, the Applicant appeared before the Solicitors Disciplinary Tribunal in proceedings brought by the Solicitors Regulation Authority.
3. The proceedings concerned nine allegations arising from the Applicant's conduct during the operation of No. 1 Solicitors Limited and his dealings with the regulator.
4. Of the nine allegations pursued by the Respondent, allegations 1–8 were not proved and were dismissed by the Tribunal.
5. No findings of misconduct were made in respect of client handling, misuse of client money, or improper personal gain.
6. Allegation 9 concerned the provision of misleading information to the Solicitors Regulation Authority during the period 27 August 2015–4 May 2017, specifically in relation to:
 - (a) the termination of a co-director's directorship; and
 - (b) the status of a shareholder's agreement.
7. In respect of Allegation 9, the Tribunal found that the Applicant's conduct was dishonest. The Tribunal concluded that the Applicant had knowingly provided misleading information to the regulator and that ordinary decent people would regard such conduct as dishonest.
8. On 18 June 2019, the Tribunal ordered that the Applicant be struck off the Roll of solicitors.
9. The Applicant was also ordered to pay the Respondent's costs in the sum of £35,473.91.

Application for Restoration

10. On 17 April 2025 the Applicant, filed an application to the Tribunal for restoration on the Roll of Solicitors ("the Application").
11. Accompanying the Application was a document titled: "Statement of the Applicant for Readmission to the Roll of Solicitors" ("the Statement") which detailed the grounds to be considered concerning the application.

Documents Considered by the Tribunal

12. The Tribunal considered the documents in the electronic case file. In particular it had regard to the following:
 - The Application, the Statement, and exhibits.
 - The Respondent's answer dated 19 February 2026 and exhibits.

- The Applicant's outline submissions dated 9 April 2026.
- The Respondent's skeleton argument dated 14 April 2026.
- The Respondent's schedule of costs dated 13 April 2026.
- Confidential psychiatric reports dated 21 October 2022, 9 July 2024; and
- Confidential second addendum psychiatric report dated 7 April 2026.

The Applicant's Submissions

13. The Applicant applied for restoration to the Roll pursuant to section 47(2)(f) of the Solicitors Act 1974.
14. The Applicant had paid the costs of £35,473.91 fixed by the judgment dated 5 August 2019.
15. The Applicant submitted that he did not seek to challenge, reopen, or go behind the Tribunal's findings made in 2019, which he accepted as final for the purposes of the present application. He acknowledged that his conduct in respect of Allegation 9 had been dishonest.
16. The Applicant further submitted, however, that at the time of the matters giving rise to Allegation 9 he was suffering from mental illness which was then undiagnosed and unknown to the Tribunal, his legal representatives, and himself. He submitted that this illness bore directly upon his conduct at that time, including the conduct which the Tribunal found to have been dishonest.
17. The Applicant recognised that an application for restoration was not an appeal and that, where a finding of dishonesty has been made, restoration will be ordered only in the most exceptional circumstances.

Oral Evidence of the Applicant

18. The Applicant confirmed that he accepted the findings of the Tribunal made in 2019 in full and had not appealed those findings. He confirmed in cross-examination that he accepted that he had knowingly and deliberately misled the Solicitors Regulation Authority, and that such conduct was completely unacceptable.
19. The Applicant gave evidence about his mental health at the time of the SRA investigation and the Tribunal hearing in 2019, referring in particular to the passages in his statement describing his presentation during the hearing. He recalled being given frequent breaks, being cautioned by his counsel, Mr Nesbitt QC, about continuing to give evidence, and being asked by the Tribunal Chair to compose himself. He described the impact of the Tribunal environment, including the lighting, on his ability to function. He accepted that at the time he had not disclosed any mental health difficulties to his legal representatives or sought an adjournment and that no diagnosis had then been made or communicated to the Tribunal or the SRA.
20. The Applicant explained that following the conclusion of the proceedings he reflected on his mental health and, for the purposes of the present application, had been assessed by Dr John Wilkins on three occasions. He stated that after the first assessment Dr Wilkins considered him unfit to work, let alone practise, but following his

subsequent assessment had concluded that he was fit to practise. The Applicant maintained that he was not himself medically qualified and did not seek to offer his own diagnosis, relying instead on Dr Wilkins' reports as expert evidence.

21. The Applicant gave evidence about his work since being struck off, primarily through Kabir Family Law, which he described as an unregulated business providing unreserved family law support. He explained that his role involved providing legal information, conducting legal research, and assisting clients to understand documents and court processes. He clarified that he did not undertake reserved legal activities and referred clients to solicitors or direct-access counsel where appropriate. With reference to the letter from Mr Iqbal of Kabir Family Law the Applicant confirmed that it fairly summarised his activities and the safeguards in place.
22. He stated that he had known Mr Iqbal since 2014 in a professional capacity whilst working at his old law firm. He confirmed that Mr Iqbal was not a qualified solicitor but had completed the LLB Law degree and the LPC and was seeking to qualify as a solicitor via the ILEX route.
23. He accepted that he had remained the sole director of Kabir Family Law until February 2023 and explained that his decision to step down was influenced by a combination of health issues, family responsibilities, and a desire to reduce pressure. He currently worked flexibly, typically three to four days per week.
24. The Applicant also gave evidence about his efforts to keep himself up to date with developments in the law since being struck off. He stated that while there had been a period following the disciplinary proceedings during which he had not undertaken formal continuing professional development, which he attributed to his ill health at that time, he had subsequently completed a number of legal training courses. He referred to documentary evidence of those courses placed before the Tribunal stating that these were undertaken in order to maintain and improve his legal knowledge and competence in anticipation of a return to practice.
25. The Applicant gave evidence about third-party testimonials and proposed supervision. He confirmed his professional relationship with Mr Chessel and described it as longstanding and professional rather than social and clarified that he did not refer work to him. He confirmed that, should he be restored, he intended to pursue Mr Chessel's expressed willingness to explore supervision and mentorship.
26. The Applicant also gave evidence about his voluntary work with The Island, a children's charity, describing his role as a mentor to children with developmental difficulties under a structured supervisory framework lasting over a sustained period. He stated that he had been asked to take on additional mentoring responsibilities.

The Oral Evidence of Dr Anthony John Wilkins

27. Dr Wilkins, consultant psychiatrist confirmed that he had examined the Applicant on three occasions and had produced three reports, dated October 2022, July 2024, and March 2026 respectively which accurately reflected his opinions at the time they were written.

28. Dr Wilkins explained that when he first assessed the Applicant in 2022, he was struck by the severity of the Applicant's depressive symptoms, which he regarded as the primary clinical problem at that time. Although the Applicant had previously undergone assessments suggesting ADHD and autism, Dr Wilkins considered that the Applicant's presentation was overwhelmingly dominated by depression. At that point, he did not consider the Applicant fit to work in any capacity, let alone to practise as a solicitor, and would have signed him off work had he been treating him clinically and might have sought to persuade him to accept inpatient treatment. He considered that the Applicant's depression required urgent clinical attention.
29. In his oral evidence, Dr Wilkins qualified aspects of the neurodevelopmental diagnoses referred to in his earlier reports, expressing reservations about the quality of some private assessments in that field and acknowledging that he may initially have placed too much reliance upon them. He explained that he had not himself conducted a full diagnostic assessment for ADHD and that, in his view, that was unlikely to have been a significant factor and might not have been present at all. He accepted that the Applicant might display some autistic traits, but considered that, if present, these were likely to be at the milder end of the spectrum and of lesser clinical significance than previously suggested. He reiterated that depression was the most significant and plausible explanation for the Applicant's difficulties.
30. Dr Wilkins described his consideration of the Applicant's GP records, which demonstrated a longstanding history of physical complaints, including abdominal pain, sleep disturbance, and symptoms of stress and anxiety, extending back to around 2010. He explained that such somatic presentations were commonly associated with underlying mood and anxiety disorders, particularly within South Asian communities, where emotional distress was often expressed in physical rather than psychological terms. He also referred to family-related stressors, which he considered would have increased the Applicant's vulnerability to mental health difficulties over time.
31. In relation to the period 2015–2017, Dr Wilkins accepted that there was no contemporaneous independent medical evidence demonstrating that the Applicant was suffering from depression at that time. He stated that he was therefore unable to confirm or refute definitively whether the Applicant had been depressed during the relevant period. However, on the basis of the longitudinal medical records, the Applicant's reported history, and his own clinical experience, he considered it likely, and more likely than not, that the Applicant was experiencing significant depressive symptoms during that period, albeit not formally diagnosed.
32. Dr Wilkins explained that in cases of severe depression, particularly in stressful or investigative circumstances, individuals may experience impairments in concentration, memory, and the ability to process and retain information. He observed that patients may, at times, adopt what he described as a "line of least resistance" when responding to questioning, providing answers they perceive as most likely to bring the questioning to an end rather than engaging fully with detail or accuracy. He had not examined the Applicant during the period of the misconduct or the SRA investigation and, while he considered it possible that the Applicant's depressive condition existed over a prolonged period, he could not be certain as to its presence prior to 2018 in the absence of contemporaneous medical evidence.

33. Dr Wilkins further explained that by the time of his later assessments in 2024 and 2026, the Applicant had made a substantial and complete recovery from depressive symptoms. He described the Applicant as coherent, focused, and functioning well, with no significant symptoms of psychiatric disorder. He attributed that improvement primarily to psychological therapy, particularly cognitive behavioural therapy, together with lifestyle changes, rather than to medication. He stated that from a psychiatric perspective there was no reason why the Applicant could not practise as a solicitor.
34. Dr Wilkins addressed issues of prognosis and supervision. In earlier reports he had recommended that, if the Applicant were to return to practice, he should do so in a supervised role. In his oral evidence he refined that view, stating that supervision was now less clinically necessary than it had been previously, and was proposed primarily as a supportive measure to assist with any transition back into practice. He expressed the view that the Applicant's recovery had been genuine, sustained and clinically, the outcome had been positive.

The Respondent's Submissions

35. The Respondent relied on the Respondent's written answer to the Application and the Respondent's skeleton argument in addition to submissions made during the hearing. He opposed the application for restoration, submitting that strike-off for dishonesty represented one of the most serious sanctions available to the Tribunal and that restoration following such a finding would be ordered only in the most exceptional circumstances. Mr Smith relied on established authority, including *Bolton v Law Society* [1994] 1 WLR 512 and *Solicitors Regulation Authority v Kaberry* [2012] EWHC 3883 (Admin), and emphasised that the overriding consideration was whether restoration would undermine public confidence in the solicitors' profession.
36. The Respondent submitted that the dishonesty found proved in 2019 was serious, sustained, and knowing. It relied on the Tribunal's findings that the Applicant had provided multiple flatly contradictory accounts to the regulator over an extended period, that those accounts varied according to his perceived self-interest, and that the Tribunal had rejected as highly implausible any suggestion that he was genuinely confused about simple and fundamental matters. The dishonesty was directed towards the regulator itself, which the Respondent submitted struck at the heart of the trust placed in solicitors.
37. The Respondent further contended that the Applicant's acceptance of the findings, payment of costs, and expressions of remorse were matters properly expected of any applicant seeking restoration and were not, of themselves, exceptional. It noted that character references and supportive evidence had also been available at the time of the 2019 proceedings and had not prevented the Tribunal from concluding that strike-off was the appropriate sanction.
38. In relation to the medical evidence, the Respondent submitted that it could not be relied upon to characterise the case as exceptional or to mitigate the dishonesty found proved. It emphasised that there was no contemporaneous medical evidence of mental illness at the time of the misconduct or the 2019 hearing. Further the Respondent asserted that Dr Wilkins could not confirm the Applicant's mental state during the relevant period, and that the medical evidence did not suggest that the Applicant lacked capacity or

awareness that his conduct was wrong. The Respondent argued that the Tribunal must therefore proceed on the basis that the Applicant had been fully culpable.

39. The Respondent accepted that the medical evidence addressed the Applicant's condition from 2022 onwards but submitted that, even taken at its highest, it could not justify restoration where public confidence would nevertheless be undermined. It relied in particular on authority to the effect that sympathy arising from illness or medication could not displace the public confidence test where dishonesty had been established.
40. The Respondent contended that the Applicant's post-strike-off activities did not amount to exceptional rehabilitation. It contended that unregulated work within Kabir Family Law did not demonstrate restored trustworthiness within a regulated environment and raised concerns about the way in which the Applicant had been described to clients, including references to being a "non-practising solicitor." It further submitted that the Applicant's voluntary work and mentoring, while commendable, did not amount to exceptional circumstances capable of outweighing the seriousness of the dishonesty.
41. In relation to future employment and supervision, the Respondent submitted that the evidence fell short of demonstrating a clear, concrete pathway back into regulated practice. It noted that the offer of supervision was qualified and did not amount to an offer of employment and submitted that the Tribunal should be cautious about restoring an individual to the Roll in circumstances where appropriate safeguards remained uncertain and would require further regulatory intervention.
42. The Respondent concluded that, notwithstanding the passage of time and the absence of further misconduct, the Applicant's deliberate dishonesty towards the regulator created an almost insurmountable barrier to restoration. It submitted that a fair-minded and informed member of the public, aware of the Applicant's disciplinary history, would not have confidence in the profession if the Applicant were restored to the Roll, and that the application should therefore be refused.

The Decision of the Tribunal

43. The Tribunal considered all of the evidence placed before it, including the written evidence and oral testimony of the Applicant, the expert evidence of Dr Anthony John Wilkins, and the submissions made on behalf of both parties, whether in writing or orally at the hearing. The Tribunal also had regard to the relevant statutory framework, the principles set out in the established authorities governing applications for restoration to the Roll following strike-off for dishonesty, and its own *Guidance Note on Other Powers* (February 2025), in particular pages 5–7 relating to restoration to the Roll. The Tribunal approached its task by applying those authorities and guidance to the facts of the case as found, bearing in mind that an application for restoration is not an appeal and that the overriding considerations are the protection of the public and the maintenance of public confidence in the profession.

Legal Framework and Approach Taken by the Tribunal

44. The Tribunal accepted the submission made by Mr Williams that there is no hard-and-fast rule that a solicitor who has been struck off for dishonesty can never be

restored to the Roll. The Tribunal recognised that strike-off is not, in law, a life sentence and that the Solicitors Act 1974 confers a discretion upon the Tribunal to restore a solicitor to the Roll in an appropriate case. However, the Tribunal also noted that where dishonesty has been proved, the exercise of that discretion will require the demonstration of most exceptional circumstances, as reflected in long-standing authority, including *Case No. 5* of 1987 (unreported), and consistently emphasised in subsequent jurisprudence.

45. The Tribunal further reminded itself of the guidance derived from the established authorities as to how that discretion must be exercised in practice. In *Bolton v Law Society* [1994] 1 WLR 512, paras 18–19, the court emphasised that the overriding purpose of disciplinary sanction is the protection of the public and the maintenance of public confidence in the profession, and that the personal consequences for the solicitor are necessarily secondary. The Tribunal also had regard to authority confirming that the question on restoration is a forward-looking one, requiring an evaluation of current fitness, future risk, and public confidence, rather than a reassessment of past culpability. The Tribunal acknowledged that the authorities recognise that hard cases may arise, but that sympathy, hardship, or personal mitigation cannot displace the public-confidence test in cases involving dishonesty (*Solicitors Regulation Authority v Kaberry* [2012] EWHC 3883 (Admin), para 64).

Matters Relied Upon as Exceptional

46. The Tribunal then considered whether the matters relied upon by the Applicant could amount, whether individually or cumulatively, to exceptional circumstances justifying restoration notwithstanding the dishonesty found proved. Those matters included the medical evidence concerning the Applicant's mental health, his conduct, and circumstances since strike-off, including work undertaken in an unregulated legal setting, voluntary and charitable activity, steps taken to maintain legal knowledge, testimonials and references, and the proposed arrangements for future supervision and support were he to be restored to the Roll.
47. The Tribunal began by considering the medical evidence, which constituted a central plank of the Applicant's case and was relied upon by him to explain his past difficulties and to demonstrate his present fitness to practise. The Tribunal assessed that evidence with care, bearing in mind both its potential relevance to future risk and current insight, and the limits upon its use in proceedings which are not an appeal and in which the findings made in 2019 must be treated as final.
48. The Tribunal accepted that Dr Anthony John Wilkins was a suitably qualified and experienced consultant psychiatrist and that his evidence was given with appropriate professional restraint. In particular, the Tribunal accepted Dr Wilkins' evidence that when he first assessed the Applicant in 2022, the Applicant was suffering from severe depression, was at a very low ebb, and was not fit to work in any capacity at that time. The Tribunal also accepted that by the time of Dr Wilkins' later assessments, the Applicant had made a substantial recovery from depressive symptoms and was, from a psychiatric perspective, fit to practise.
49. The Tribunal also had regard to the limits of the medical evidence. Dr Wilkins accepted that he had not examined the Applicant during the period of the misconduct or the SRA

investigation and that there was no contemporaneous medical evidence demonstrating depressive illness during 2015–2017. The Tribunal treated the medical evidence as incapable of qualifying, diluting, or undermining the findings made in 2019, and considered it only insofar as it bore upon the Applicant’s present fitness to practise and the assessment of future risk.

50. The Tribunal then turned to the remaining matters relied upon by the Applicant. These included his conduct since strike-off, work undertaken in an unregulated legal setting, voluntary and charitable activity, steps taken to maintain legal knowledge, testimonials and references provided on his behalf, and proposals for future supervision and support should he be restored to the Roll. The Tribunal considered each of those matters both individually and cumulatively, bearing in mind the very high threshold applicable in cases involving dishonesty.
51. The Tribunal first considered the Applicant’s conduct since strike-off, including the work he had undertaken in an unregulated legal setting. The Tribunal accepted that the Applicant had not engaged in any reserved legal activities and that safeguards were said to be in place to ensure compliance with the regulatory framework. The Tribunal also accepted that there was no objective evidence to support the suggestion, put to the Applicant by the Respondent, that he had deliberately held himself out to clients as a solicitor following his removal from the Roll. The Tribunal further accepted that the Applicant had not committed any further misconduct since being struck off. However, it reminded itself that the Applicant’s post-strike-off conduct, including the fact that he had not acted in breach of the restrictions arising from his removal from the Roll, was not of itself capable of amounting to exceptional circumstances justifying restoration.
52. The Tribunal next considered the Applicant’s evidence that he had taken steps to maintain his legal knowledge following strike-off, including by undertaking continuing professional development in the period leading up to the Application. The Tribunal accepted that the Applicant had completed a number of training courses and regarded those steps as commendable insofar as they reflected an effort to remain informed about developments in the law. While the Applicant explained that there had been periods during which he was unwell and not in a position to undertake such training, the Tribunal noted that the training relied upon was undertaken relatively recently and in the context of the present Application. In any event, the Tribunal proceeded on the basis that maintaining legal knowledge, whether through formal training or otherwise, represents a baseline expectation of any applicant seeking restoration to the Roll and does not amount, either alone or cumulatively, to exceptional circumstances justifying restoration.
53. The Tribunal also considered the testimonials and references submitted on the Applicant’s behalf, together with his involvement in voluntary and charitable activity since strike-off. The Tribunal accepted that the Applicant was spoken of positively by those who provided references and that his work with charitable organisations was genuine and undertaken over a sustained period. The Tribunal gave due credit to those matters and did not doubt the sincerity of the Applicant’s efforts to rehabilitate himself and contribute positively. However, the Tribunal reminded itself that supportive testimonials, good works, and charitable activity, even when commendable, are frequently present in applications of this nature and, whether considered individually or cumulatively with the other matters relied upon, are not capable of meeting the very

high threshold required to establish exceptional circumstances in a case involving dishonesty.

Overall Assessment and Conclusion

54. Having considered all of the matters relied upon by the Applicant, both individually and cumulatively, the Tribunal stood back to assess whether the very high threshold required to establish exceptional circumstances had been met. The Tribunal accepted that the Applicant had made genuine efforts to rehabilitate himself, that his health had improved significantly, and that he had taken a number of positive steps since strike-off. However, the Tribunal was not satisfied that those matters, whether viewed in isolation or cumulatively, were capable of justifying restoration given the misconduct which led to the Applicant's strike-off and the overriding requirements of maintaining public confidence in the integrity of the solicitors' profession.
55. Applying the principles set out in the established authorities, the Tribunal concluded that a fair-minded and informed member of the public would be likely to regard restoration in the present circumstances as undermining confidence in the profession and failing to provide appropriate assurance as to the protection of the public. The Application was therefore refused.

Costs

56. The Tribunal then considered the question of costs. The Respondent applied for an order that the Applicant pay its costs as set out in the Cost Schedule dated 13 April 2026. It was submitted on behalf of the Respondent that the Solicitors Regulation Authority was a necessary party to an application for restoration to the Roll and that, where such an application is unsuccessful, an order for costs should ordinarily follow.
57. The Tribunal, having refused the Application and having regard to the Respondent's status as the regulator and a necessary party to the proceedings, was satisfied that an order for costs should be made.
58. The Tribunal granted the application for costs in the sum of £8,434.00, which it determined was just and reasonable.

Statement of Full Order

59. The Tribunal ORDERED that the application for restoration to the Roll of Solicitors be **REFUSED** and it further Ordered that the Applicant do pay the costs of and incidental to the response to this application fixed in the sum of £8,434.00.

Dated this 15th day of May 2026

On behalf of the Tribunal

E Nally

E Nally
Chair