

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12899-2026

BETWEEN:

SHADAB AHMED KHAN

Applicant

and

SOLICITORS REGULATION AUTHORITY LTD

Respondent

Before:

Mrs F Kyriacou (in the chair)

Mr U Sheikh

Dr A Richards

Date of Hearing: 14 May 2026

Appearances

Mr Jonathan Goodwin, Solicitor Advocate, 69 Ridgewood Dr, Pensby, Birkenhead, Wirral CH61 8RF for the Applicant.

Ahmed Elhusseiny, Counsel of Outer Temple Chambers, The Outer Temple, 222 Strand, London, WC2R 1BA for the Respondent.

**JUDGMENT ON AN APPLICATION
TO REMOVE CONDITIONS**

Background

1. The Applicant was admitted to the Roll of Solicitors on 3 November 1997. At the time of the conduct which gave rise to the allegations which are relevant to this application, relating to conduct between 1 May 2002 and 1 December 2005 and which led to the Applicant's criminal conviction, the Applicant was practising as a solicitor at Solicitors Direct ('the Firm').
2. The Applicant was a partner from 1 October 2001 until the Firm's closure on 30 September 2008. The Firm primarily specialised in Company/Commercial Law related work and residential conveyancing. At the material time, the Applicant also held the roles of 'Holds client money' and 'Training Principal' at the Firm.
3. The Firm was closed on 30 September 2008 as a consequence of the criminal proceedings against the Applicant referred to below.
4. In or around September 2005, an SRA Forensic Investigation Officer commenced an inspection into the Firm's books of account. The subsequent Forensic Investigation Report ('FIR') dated 1 March 2006 identified a number of breaches of the Solicitors Practice Rules 1990, which were in force at the time.
5. As a result, on or around 28 November 2006, an Adjudicator at the SRA consequently decided to refer the Applicant's conduct to the Solicitors Disciplinary Tribunal ('the Tribunal'). Conditions were imposed on the Applicant's practising certificates for practising years 2006/2007 and 2007/2008 as a result of the issues identified within the FIR.
6. On 15 February 2007, an Adjudicator at the SRA imposed the following conditions on the Applicant's 2006/2007 practising certificate:
 - *“that should he practise either in partnership or as a member of an incorporated practice or on his own account, he must lodge half yearly Accountant's Reports, such Reports to be delivered to the Law Society within 2 months of the end of the period to which they relate; and*
 - *any Cease to Hold Accountant's Report required under the Solicitors Accounts Rules is to be delivered to the Law Society within 2 months of the end of the period to which it relates; and*
 - *that he must, within 3 months of the date of the decision, attend an accredited course addressing the current Solicitors Accounts Rules. Mr Khan is also required to produce satisfactory evidence of attendance at such a course, to the Law Society, within 2 weeks of having attended that course”.*
7. On 30 November 2007, an Adjudicator decided to impose the following condition on the Applicant's 2007/2008 practising certificate, that he:
 - *“attends a course accredited by the Solicitors Regulation Authority on the new Solicitors' Code of Conduct 2007 within six months of the date of notification of this decision and provides confirmation of his attendance (in the form of a*

certificate or letter of attendance from the course provider) at such course within seven months of notification of this decision”.

8. On 3 June 2008, the Tribunal found that the Applicant had acted in breach of Rules 1 and 15 of the Solicitors Practice Rules 1990 by claiming profit costs from his clients while informing them that the sums he had taken represented disbursements made on their behalf. The Applicant admitted the allegation, and the Tribunal accordingly found it proved. The Tribunal ordered that the Applicant be reprimanded and further ordered him to pay costs fixed in the sum of £6,000.
9. On 30 September 2009, the Applicant was convicted at Leeds Crown Court, after trial, of the following criminal offences:
 - One count of Money Laundering; and
 - Two counts of Failing to disclose knowledge or suspicion of money laundering.
10. On 23 October 2009, the Applicant was sentenced at Leeds Crown Court, he received a custodial sentence of four years in respect of the Money Laundering offence and six months on each of the other counts to run concurrently to the four-year term of imprisonment. the Applicant therefore received a custodial sentence totalling four years.
11. The Applicant appeared before the Tribunal on 9 November 2011 for the second time, the allegations arising from his conviction on 30 September 2009 at Leeds Crown Court. The Applicant admitted the allegations made against him and accordingly the Tribunal found the allegations to be proved and ordered that the Applicant be struck off the Roll of Solicitors.
12. On 26 September 2017, the Applicant applied for his name to be restored to the Roll of Solicitors. His application was heard and refused on 5 January 2018. The Tribunal was not satisfied that he had demonstrated sufficient rehabilitation to mitigate the damage to the reputation of the profession that would result from his restoration to the Roll at that stage.
13. On 11 September 2020, the Applicant applied to the Tribunal for a second time restoration to the Roll of Solicitors. On 18 December 2020, the Tribunal considered and granted the application. In granting the application, the Tribunal ordered that the Applicant should be made subject to the following conditions: namely, that he may not:
 - Practise as a sole practitioner or sole manager or sole owner of an authorised or recognised body.
 - Be a partner or member of a Limited Liability Partnership (LLP), Legal Disciplinary Practice (LPD), or Alternative Business Structure (ABS) or other authorised or recognised body for a period of 3 years from the date of this Order.
 - Be a Compliance Officer for Legal Practice or a Compliance Officer for Finance and Administration.
 - Hold client money.

- Be a signatory on any client account.
- Work as a solicitor other than in employment approved by the Solicitors Regulation Authority

The Application

14. On 26 January 2026, the Applicant applied to the Tribunal pursuant to Rule 18 of The Solicitors (Disciplinary Proceedings) Rules 2019 ('SDPR 2019') to remove the conditions imposed on 18 December 2020.

Documents

15. The Tribunal reviewed all the documents submitted by the parties, which included (but was not limited to):
 - (a) Form of Application dated 26 January 2026.
 - (b) Statement in Support of the Application dated 25 January 2026.
 - (c) Exhibits to the Application (X1 – X114) dated 27 January 2026.
 - (d) The Respondent's Response to the Applicant's Application dated 11 March 2026.
 - (e) Applicant's Reply to the Respondent's Response dated 25 March 2026.
 - (f) The Respondent's Skeleton Argument dated 12 May 2026.
 - (g) The Respondent's Schedule of Costs dated 5 May 2026.

The Applicant's Submissions

16. Mr Goodwin, on behalf of the Applicant, submitted that the Applicant did not seek to minimise the seriousness of the matters that led to his conviction in 2009, his subsequent imprisonment, his strike-off from the Roll in 2011 or the conditions imposed by the Tribunal upon his restoration to the Roll in December 2020.
17. The Applicant accepted that the original misconduct was serious and that it justified grave regulatory consequences. He further accepted that, when restoring him to the Roll in 2020, the Tribunal had been entitled to adopt a cautious approach and to impose conditions upon his return to practice.
18. The application was not founded merely upon the passage of time, nor upon formal compliance with the restrictions imposed. Rather, it was based upon a substantial body of evidence demonstrating insight, rehabilitation, safe practice, regulatory compliance, employer support, the absence of any further misconduct and the absence of any evidence-based risk capable of justifying the continuation of the restrictions.

19. The Tribunal's task was to consider the position as it stood at the date of the hearing. The issue before the Tribunal was not whether the restrictions had been appropriately imposed in 2020. It was accepted that they had been. The question was whether, in May 2026, those restrictions remained necessary, reasonable, and proportionate. Mr Goodwin submitted that they did not.
20. The Applicant had been admitted as a solicitor in November 1997. The conduct that ultimately resulted in his conviction had occurred between approximately 2002 - 2005. The findings made by the Tribunal in 2011, which led to his strike-off, included findings of a lack of integrity and conduct likely to diminish the trust placed by the public in the Applicant and the profession. Those findings arose as a consequence of the criminal conviction.
21. Mr Goodwin emphasised that there were no allegations of dishonesty against the Applicant in the case advanced by the SRA and no finding of dishonesty had been made by the Tribunal. The Applicant's criminal conviction was not for offences involving dishonesty.
22. Mr Goodwin referenced the Tribunal's decision to grant the Applicant's restoration to the Roll in December 2020 which was said to be of particular significance because it expressly granted liberty to either party to apply for the variation of the conditions imposed. The present application was brought pursuant to that liberty and in accordance with the Tribunal's continuing jurisdiction to review whether restrictions remained justified.
23. One of the original conditions, namely the restriction preventing the Applicant from being a partner or member of an LLP, LDP, ABS or other authorised body, had not been imposed indefinitely. The Tribunal had directed that it should expire after a specified period and it had duly lapsed in December 2023. Mr Goodwin clarified that the present application therefore concerned only the remaining restrictions.
24. Mr Goodwin submitted that, since his restoration to the Roll, the Applicant had been employed by Hallmark Solicitors with the approval of the SRA, which had been granted in July 2021. Throughout that period, he had practised under approved arrangements and had complied fully with every restriction imposed by the Tribunal and every condition attached to his practising certificate. There had been no allegation of any breach of those conditions or restrictions, nor any suggestion of further misconduct since his restoration.
25. Mr Goodwin submitted that the evidence before the Tribunal demonstrated strong support from the Applicant's current employer. In particular, the Tribunal had before it a letter from Mr Navid Aslam dated 24 November 2025. He submitted that the letter spoke in highly favourable terms of the Applicant's professional ability, conduct, and commitment. Mr Aslam expressed unequivocal support for the application and confirmed his confidence in the Applicant's professionalism and integrity.
26. Mr Goodwin stated that the SRA had continued to impose conditions upon the Applicant's practising certificate since 2021. The SRA had recently renewed those conditions by way of an authorised officer's decision dated 15 April 2026. For completeness, Mr Goodwin informed the Tribunal that a review application challenging

that decision had also been lodged. The representations advanced in that review substantially mirrored those relied upon in the present proceedings, namely that the conditions imposed upon the Applicant were no longer necessary, reasonable, or proportionate in light of the evidence now available.

27. Turning to the applicable legal test, Mr Goodwin submitted that the correct question for the Tribunal was whether the continuing restrictions remained necessary, reasonable, and proportionate for the protection of the public and the maintenance of confidence in the profession.
28. Mr Goodwin referred to the Tribunal's guidance concerning the exercise of its powers. Although the guidance was not binding and did not fetter the Tribunal's discretion, he submitted that it provided a useful analytical framework for determining applications of this nature. Central among the relevant considerations was whether the evidence demonstrated that the original concerns giving rise to the restrictions continued to justify their existence.
29. Mr Goodwin argued that the authorities reflected the principle that regulatory restrictions were not imposed for punitive purposes. Their purpose was protective. Conditions were intended to provide a degree of oversight and supervision where that remained necessary in the public interest. They were not intended to operate as an additional punishment or as a permanent mark of censure. Rather, they existed to protect the public until a practitioner had demonstrated, over an appropriate period of time, that such supervision was no longer required.
30. Mr Goodwin submitted that, when those principles were applied to the evidence before the Tribunal, the balance fell firmly in favour of removing the remaining restrictions. The Tribunal was invited to consider the reasons advanced by the SRA in opposition to the application and to conclude that the evidence demonstrated that the restrictions were no longer necessary, reasonable, or proportionate.
31. The SRA opposed the application and Mr Goodwin noted that it placed significant reliance upon the seriousness of the original offending. Whilst that seriousness was not disputed, it was submitted that this approach failed to engage with the material question before the Tribunal. The issue was not whether the original offending had been serious; it was accepted that it plainly had been. Nor was there any dispute that it justified the criminal conviction, the sentence of imprisonment, the strike-off in 2011, the refusal of restoration in 2018 and the imposition of conditions upon restoration in 2020. Mr Goodwin submitted that the question for was whether, in light of all the evidence now available, those restrictions remained necessary, reasonable, and proportionate more than two decades after the underlying criminal conduct and more than five years after the Applicant's restoration to the Roll.
32. The SRA submitted that the offences for which the Applicant had been convicted struck at the heart of professional obligations. That proposition was accepted by the Applicant. However, Mr Goodwin argued that the seriousness of historic misconduct could not, without more, provide a sufficient basis for the indefinite continuation of restrictions. He submitted that, if historical seriousness alone were sufficient, there would be little practical purpose in Rule 18 of the SDPR 2019 or in the Tribunal's power to vary or remove conditions. Mr Goodwin submitted that any solicitor restored to practice subject

to restrictions would remain permanently subject to them regardless of subsequent conduct, rehabilitation, or the passage of time. Such an approach, he argued, would transform restrictions from protective measures into punitive ones, which was not their purpose.

33. The SRA had further characterised the Applicant's application as one resting essentially upon the passage of time and compliance with the conditions imposed upon him. Mr Goodwin submitted that this characterisation was inaccurate and failed to reflect the true nature of the application. It was not contended on behalf of the Applicant that the passage of time alone justified removal of the restrictions, nor was it suggested that compliance, by itself, was sufficient. Both matters were said to be relevant considerations, but neither constituted the entirety of his case. Rather, Mr Goodwin submitted that the application was founded upon the cumulative weight of the evidence. That evidence was said to include more than five years of safe and compliant practice, a complete absence of regulatory concerns, the support of his employer, evidence of continuing insight into the seriousness of his past misconduct, engagement with professional obligations and a demonstrated commitment to rebuilding his professional life within the framework established by the Tribunal and the SRA. These matters, he argued, were not merely formal indicators of compliance but substantive indicators of rehabilitation.
34. The SRA acknowledged that dishonesty had neither been pleaded nor found in the original proceedings but appeared to suggest that the distinction carried limited significance. Mr Goodwin submitted that this approach risked obscuring an important aspect of the case. This was not a dishonesty case and never had been. Dishonesty formed no part of the criminal conviction, no part of the disciplinary allegations and no part of the findings that resulted in the Applicant being struck off. Mr Goodwin clarified that this observation was not made in an attempt to minimise the seriousness of the underlying misconduct. Serious professional misconduct could exist in the absence of dishonesty and Mr Goodwin submitted that the Tribunal would be well acquainted with cases demonstrating precisely that. Nevertheless, dishonesty was said to occupy a distinct place within professional regulation and carried a particular regulatory significance and stigma. The Tribunal was therefore invited to determine the application on the basis of the findings actually made rather than by reference to concerns that were never alleged or established.
35. A central feature of the SRA's opposition was the assertion that the risks originally identified continued to exist because the Applicant had not demonstrated that he could safely undertake the activities currently prohibited by the restrictions. Mr Goodwin submitted that this reasoning was fundamentally flawed because it was circular in nature.
36. The SRA's position was, in essence, that the Applicant could not prove he was capable of practising safely without restrictions because he had spent the previous five years complying with restrictions that prevented him from doing so. Under that analysis, the restrictions themselves became the justification for their own continuation with compliance becoming evidence against the solicitor rather than evidence in his favour. Mr Goodwin submitted that such an approach created an impossible standard. A solicitor prohibited from acting in a particular capacity could never satisfy the regulator that he could safely perform that role because the restriction itself would prevent him

from obtaining the very experience said to be necessary. Conditions would become effectively permanent, regardless of how responsibly the solicitor conducted himself during the period of restriction. That, he argued, could not have been the intention of Rule 18 of the SDPR 2019, which existed precisely because restrictions had to remain capable of variation or removal when they were no longer justified.

37. Mr Goodwin submitted that the proper question was not whether the Applicant had been tested by performing the activities prohibited by the restrictions. Rather, it was whether the evidence before the Tribunal demonstrated that the continuation of those restrictions remained necessary to address a current and identifiable risk. The Tribunal was required to undertake a broader evaluative exercise. It had to consider the whole evidential picture and determine whether there remained any evidence-based justification for the restrictions that continued to apply. Viewed in that way, Mr Goodwin submitted that the evidence was compelling. Since his restoration, the Applicant had done exactly what would be expected of a solicitor returning to practice under supervision. He had complied scrupulously with every condition imposed upon him. He had worked only within approved arrangements. He had respected the limits placed upon him. He had not sought to evade or undermine the restrictions. He had practised responsibly and professionally throughout the period of restoration.
38. Most significantly, the SRA accepted that no further misconduct had occurred. No complaints against the Applicant had been advanced, and no regulatory concerns had arisen. Mr Goodwin submitted that this was not merely an absence of evidence. It was evidence in itself. It demonstrated a sustained period of safe, responsible, and compliant professional practice.
39. The SRA contended that the risks derived from the nature of the original offending. Whilst that might explain why restrictions had been imposed in 2020, Mr Goodwin submitted that it did not establish that those risks continued to exist in 2026. The Tribunal was invited to consider not only where matters began, but also what had occurred since.
40. What had occurred since was said to be highly significant. The Applicant had served his criminal sentence. He had been struck off the Roll. His first application for restoration had failed. Only after extensive scrutiny had he been restored to practice in 2020. Since then, he had practised under conditions for more than five years without any regulatory criticism. Those developments formed part of the evidential picture and could not be disregarded.
41. It was accepted that the original misconduct was undoubtedly the starting point for the analysis, but it was not the conclusion of it. The Tribunal was not being asked to assume that risk had disappeared merely because time had passed. Rather, it was being asked to examine all of the available evidence and determine whether any present risk had been identified that justified the continuation of the restrictions. Mr Goodwin submitted that no such risk had been identified by the SRA.
42. The application was, in large measure, said to be about rehabilitation. The restoration granted in 2020 represented a carefully considered judgment by the Tribunal that the Applicant could be permitted to return to practice, subject to appropriate safeguards. The years that followed provided an opportunity to test whether that confidence had

been justified in practice. Mr Goodwin submitted that the evidence demonstrated that it had.

43. The Tribunal was invited to conclude that the Applicant had not merely returned to practice but had done so in a manner that reflected a proper understanding of the responsibilities and obligations of the profession. His conduct since restoration was said to demonstrate insight, stability, and respect for the regulatory framework within which solicitors operated.
44. Mr Goodwin also referred to the evidence concerning the Applicant's personal circumstances. During the period surrounding his restoration application, the Applicant has suffered a family tragedy. Mr Goodwin made clear that this evidence was not advanced as a plea for sympathy, nor was it suggested that personal tragedy should determine the outcome of the application. Its relevance lay elsewhere. It demonstrated the circumstances in which the Applicant's rehabilitation had occurred. Rehabilitation was not tested only during periods of stability and ease; its true measure often emerged during periods of personal hardship and adversity.
45. Despite suffering profound personal loss shortly after his restoration to the Roll, the Applicant had remained professionally focused, compliant with all regulatory requirements, and committed to rebuilding his career. There had been no relapse into misconduct, no failure to comply with restrictions and no indication that the pressures he faced had undermined his professional judgment. On the contrary, he had continued to practise responsibly and safely throughout that period.
46. Mr Goodwin submitted that this sustained record of compliance, maintained in the face of significant personal adversity, provided further evidence of rehabilitation, resilience, and professional maturity. It demonstrated that the confidence placed in the Applicant by the Tribunal in 2020 had been justified and supported the conclusion that the restrictions had achieved the purpose for which they were originally imposed.
47. Accordingly, the Tribunal was invited to approach the remainder of the application on the basis that the evidence established a sustained and successful process of rehabilitation. The question was no longer whether safeguards had been justified in 2020. The question was whether the evidence now demonstrated that those safeguards had served their purpose and that the remaining restrictions were no longer necessary. Mr Goodwin submitted that they were not.
48. In relation to the individual conditions which remained in force the Tribunal was invited to consider each separately against the applicable test of necessity, reasonableness, and proportionality.
 - (i) *Practise as a sole practitioner or sole manager or sole owner of an authorised or recognised body.*
49. The Applicant accepted that the imposition of this restriction was understandable at the time of restoration to the Roll in 2020. At that stage, the Tribunal had been permitting him to return to practice following a lengthy absence from the profession and after a previous unsuccessful restoration application. It had therefore been reasonable to require that he practise within a structured and supervised environment.

50. However, Mr Goodwin submitted that the circumstances prevailing in 2020 were no longer those before the Tribunal. More than five years had elapsed since restoration. During that period, the Applicant had practised safely and responsibly within an approved legal practice. The restriction had therefore fulfilled the purpose for which it was imposed.
51. The ordinary regulatory framework governing solicitors would continue to apply, and so removal of the restriction would not place the Applicant beyond regulatory oversight. He would remain subject to the same professional obligations, regulatory requirements, and supervisory powers as any other solicitor. It was therefore submitted that the continuation of this condition could no longer be justified by reference to any identifiable present risk.
- (ii) Be a partner or member of a Limited Liability Partnership (LLP), Legal Disciplinary Practice (LPD), or Alternative Business Structure (ABS) or other authorised or recognised body for a period of 3 years from the date of this Order.*
52. Mr Goodwin reminded the Tribunal that the original restoration order had contained a restriction preventing the Applicant from being a partner, member, owner or manager of an LLP, ABS, or other authorised body. That condition had been expressly time-limited and had expired in December 2023.
53. There had been no adverse consequences arising from its lapse. No concerns had emerged. No evidence suggested that the removal of that restriction had created any regulatory difficulty. Mr Goodwin argued that this provided further support for the proposition that the safeguards imposed in 2020 had achieved their purpose and that continued restrictions required a fresh and evidence-based justification.
- (iii) Be a Compliance Officer for Legal Practice or a Compliance Officer for Finance and Administration.*
54. The Applicant acknowledged that these were positions carrying significant regulatory responsibilities. However, Mr Goodwin submitted that the SRA had identified no evidence demonstrating that the Applicant lacked the competence, understanding or integrity necessary to undertake such roles in the future. Nor had the SRA identified any concern arising from his conduct since restoration that would justify the continuation of the prohibition.
55. The SRA's opposition to the removal of this condition relied substantially upon the same circular reasoning advanced elsewhere in its case. The Applicant was said not to have demonstrated his ability to undertake compliance functions because he had not undertaken them. However, the reason he had not undertaken them was that the restriction itself prohibited him from doing so. It was submitted that such reasoning could not provide a satisfactory basis for maintaining this restriction indefinitely.
56. Any future appointment as a Compliance Officer for Legal Practice (COLP) or Compliance Officer for Finance and Administration (COFA) would, in any event, remain subject to regulatory scrutiny and approval and removal of the condition would not result in the Applicant automatically assuming such a role. Rather, it would restore him to the same position as other solicitors, whose suitability for those appointments

would be assessed through the ordinary regulatory process. Accordingly, Mr Goodwin submitted that there was no evidence-based justification for maintaining this condition.

(iv) Hold client money.

57. Mr Goodwin accepted that the condition required careful consideration given the nature of the original conviction and acknowledged that concerns regarding financial controls had informed the Tribunal's approach when restoration was granted in 2020.
58. However, he submitted that the Tribunal was required to assess the evidence as it stood at the date of the hearing. He emphasised that there had never been any allegation that the Applicant had stolen or misappropriated client funds or acted dishonestly in relation to client accounts. Whilst the conviction was serious, it was not a conviction for theft, fraud, or dishonesty.
59. Mr Goodwin submitted that the continuation of an absolute prohibition required a present justification. Since restoration to the Roll, the Applicant had completed more than five years of safe and compliant practice without complaint, regulatory concern or evidence of any risk relating to financial probity.
60. It was submitted that the condition had fulfilled its original purpose by allowing the Applicant's conduct to be observed over a substantial period, during which no concerns had arisen. In those circumstances, Mr Goodwin argued that the restriction could no longer be justified by reference to historic events alone and that the absolute prohibition on holding client money was no longer necessary or proportionate.

(v) Be a signatory on any client account.

61. Mr Goodwin submitted that this restriction significantly limited the Applicant's ability to assume responsibility within a legal practice, yet its continuation was said to be justified largely on the basis that he had not demonstrated an ability safely to undertake such responsibilities. This was said to reflect the same circular reasoning advanced elsewhere by the SRA. The Applicant had not gained experience as a signatory because he had been prohibited from acting as one, and the absence of that experience was then relied upon to justify maintaining the restriction.
62. As there was no evidence suggesting that the Applicant presented any current risk in relation to client accounts or financial management this condition was said to be no longer justified and its removal would be consistent with the principles of proportionality and rehabilitation.

(vi) Work as a solicitor other than in employment approved by the Solicitors Regulation Authority

63. The Applicant accepted that this condition had served an important purpose following his restoration to the Roll as it enabled the SRA to exercise oversight over the circumstances in which he returned to practice and to ensure that appropriate supervisory arrangements were in place.

64. However, Mr Goodwin submitted that the purpose of the condition had now been fulfilled. More than five years had elapsed since restoration. During that period, the Applicant had worked within approved employment without difficulty. He had complied with all regulatory requirements. There had been no concerns regarding his conduct, his performance, or his adherence to professional obligations.
65. Mr Goodwin argued that there came a point at which transitional safeguards ceased to be necessary. The purpose of restoration conditions was not to create a permanent regime of exceptional regulation. Rather, they existed to provide assurance during a period of re-establishment within the profession. Once that period had been successfully completed, the continued existence of such restrictions required separate justification. It was submitted that no such justification had been identified by the SRA.
66. The Applicant would remain fully subject to the ordinary regulatory powers of the SRA. The SRA would continue to possess the same powers of investigation, supervision and enforcement that applied to all solicitors. Removal of the condition would therefore not diminish public protection.
67. Mr Goodwin reiterated that the central flaw in the SRA's opposition to the application was its adoption of circular logic and that its reasoning effectively created an impossible standard. If accepted, that reasoning would mean that restrictions could never be removed, however exemplary a solicitor's conduct might be during the period of restriction.
68. Mr Goodwin submitted that such an approach was inconsistent with the purpose of Rule 18 of the SDPR 2019. Instead, the Tribunal's task was to assess the totality of the evidence and determine whether any current, evidence-based risk justified the continuation of those restrictions. Having regard to the entirety of the evidence, including the Applicant's compliance, rehabilitation, employer support, professional conduct, and the complete absence of regulatory concerns since restoration, Mr Goodwin submitted that the conditions were no longer necessary, reasonable, or proportionate and should therefore be removed.

Applicant's concluding submissions.

69. The broader principles of restoration, public confidence and proportionality, were referenced as being at the heart of this application. The Applicant accepted that public confidence in the profession and its regulatory framework was an important consideration. However, the Tribunal was required to consider the perspective of an informed and reasonable member of the public, aware not only of the original misconduct but of the Applicant's entire professional history.
70. Mr Goodwin submitted that such an observer would know that the Applicant had been convicted of a serious criminal offence, imprisoned, struck off the Roll, and initially unsuccessful in seeking restoration. They would also know that restoration was granted only after detailed scrutiny by the Tribunal in 2020 and was accompanied by restrictive conditions designed to protect the public whilst the Applicant re-established himself in practice. Most significantly, that observer would know that the Applicant had subsequently practised for more than five years without incident. He had complied with

every restriction imposed upon him, attracted no regulatory concerns, and earned the confidence and support of his employer.

71. Mr Goodwin submitted that, viewed as a whole, that history demonstrated the effectiveness of the regulatory process rather than the need for continuing restrictions. Public confidence was maintained not merely through the imposition of restrictions, but through a system capable of identifying misconduct, imposing appropriate sanctions, recognising rehabilitation, and responding proportionately to evidence of change over time. The public would expect regulation to be rigorous but also fair. A system that recognised genuine rehabilitation and responded to sustained compliance would enhance confidence in professional regulation. By contrast, maintaining restrictions indefinitely without reference to current evidence risked becoming disproportionate. Mr Goodwin submitted that a restriction that was proportionate in 2020 did not necessarily remain proportionate in 2026. The continuing justification for any restriction had to be assessed by reference to current evidence and current risk.
72. Mr Goodwin submitted that the Tribunal's decision to restore the Applicant in 2020 was itself significant. Restoration following strike-off was an exceptional remedy granted only after careful scrutiny of an applicant's rehabilitation and suitability to return to practice. The conditions imposed upon restoration were intended as safeguards during a transitional period rather than permanent limitations.
73. In that regard, more than five years had elapsed since restoration. During that time, the Applicant had practised under supervision without complaint, breach of condition or regulatory concern. Mr Goodwin submitted that the evidence demonstrated that the Tribunal's confidence in restoring him had been justified.
74. He further noted that one of the original restrictions had expired in December 2023, reflecting the Tribunal's expectation that restrictions might diminish over time as evidence accumulated. It was therefore entirely consistent with the restoration order for the remaining restrictions now to be reconsidered.
75. The Tribunal was therefore invited to focus on whether any present and identifiable risk had been demonstrated. Mr Goodwin submitted that, whilst the SRA relied upon the seriousness of the historic misconduct, it had identified no evidence of current risk. Historic misconduct explained why the restrictions were imposed; it did not automatically justify their indefinite continuation.
76. Mr Goodwin submitted that there must come a point at which restrictions cease to be necessary. If restoration was to have practical meaning, and if rehabilitation was to remain a genuine regulatory objective, conditions imposed as safeguards could not remain in force indefinitely in the absence of evidence supporting their continuation. He argued that that point had now been reached. Whilst the original misconduct remained an important part of the case history, it was said to be no longer sufficient to justify continuing restrictions. The Tribunal was invited to focus on present circumstances, which demonstrated successful rehabilitation, responsible professional practice, and the absence of any evidence of continuing risk.
77. Applying the principles of proportionality, Mr Goodwin submitted that the seriousness of the original misconduct had to be balanced against the substantial evidence of

rehabilitation, compliance, professional conduct, employer support, and the complete absence of regulatory concerns since restoration. When those factors were weighed together, he argued that the balance favoured removal of the remaining restrictions. Their protective purpose had been fulfilled, and the evidence no longer supported their continuation. Accordingly, he submitted that the interests of public protection, public confidence, and proportionality all pointed to the conclusion that restrictions which had been appropriate in 2020 were no longer justified in 2026.

78. The Tribunal was invited to conclude that the conditions had achieved their purpose. They had enabled the Applicant's return to practice to be monitored and provided an opportunity for his rehabilitation to be tested in a professional environment. The evidence demonstrated that the process had been successful.
79. Accordingly, Mr Goodwin submitted that the remaining restrictions were no longer necessary, reasonable, or proportionate. The primary application was therefore for the removal of all remaining conditions. In the alternative, if the Tribunal was not persuaded that complete removal was appropriate, Mr Goodwin submitted that any continuing restrictions should be limited to those that could be justified by reference to a specific and identifiable risk. The Tribunal was invited to impose the least restrictive regime consistent with the protection of the public and the maintenance of confidence in the profession.
80. For those reasons, Mr Goodwin invited the Tribunal to grant the application and remove the remaining restrictions imposed upon the Applicant following his restoration to the Roll.

The Respondent's submissions

81. The SRA's position was that the practising restrictions remained necessary and proportionate despite his compliance with them since restoration to the roll in 2020. Mr Elhusseiny, on behalf of the SRA, emphasised that the issue before the Tribunal was not whether the Applicant had complied with the restrictions—something the SRA readily acknowledged—but whether those restrictions continued to be required to protect the public and maintain confidence in the profession.
82. Mr Elhusseiny argued that the conditions arose from convictions that went to the heart of a solicitor's professional obligations. The Applicant had been convicted in 2009 of money laundering and failing to disclose knowledge or suspicion of money laundering in relation to conveyancing transactions conducted through his firm's client account. He received a four-year prison sentence and was struck off the Roll in 2011. Although he was restored to the Roll in 2020, the restoration was granted subject to carefully designed restrictions intended to address continuing regulatory risks.
83. The jury had found that the Applicant knew or suspected that the transactions involved criminal property, which was an essential element of the money laundering offence. Mr Elhusseiny emphasised that this was not merely a finding that he ought to have been suspicious or that he had acted carelessly. Leave to appeal the Applicant's conviction had been refused and his nascent appeal was later discontinued.

84. Mr Elhusseiny provided further background referring to linked confiscation proceedings in 2014 that arose from the underlying criminal proceedings. Although the judge in those proceedings concluded that the Applicant had not been shown to be fully involved in the underlying drugs operation, she described his conduct as “*undoubtedly amoral*”. Mr Elhusseiny stressed that this finding did not undermine the conviction and was not exculpatory. Rather, it described a person indifferent to moral considerations, which remained relevant when assessing the suitability of a solicitor entrusted with client funds and regulatory responsibilities.
85. Mr Elhusseiny detailed that prior to the criminal proceedings, the Applicant had already been the subject of regulatory scrutiny. In 2005, an investigation by SRA forensic officers led to conditions being imposed on his practising certificate by the SRA. In 2008, the Tribunal found that he had improperly charged profit costs to clients while representing them as disbursements, resulting in a Reprimand being imposed.
86. Since his restoration to the Roll, the Applicant practised as a solicitor with approval. The SRA accepted that he had complied with all conditions and that there had been no reports of misconduct. However, Mr Elhusseiny argued that compliance alone did not establish that the restrictions were no longer needed. The conditions had prevented the Applicant from occupying precisely the roles in which the identified risks would arise. He had not handled client money, acted as a signatory on client accounts, managed a firm, or served as a COLP/COFA. Consequently, there had been no opportunity to observe how he would perform in those capacities.
87. Mr Elhusseiny submitted that the tribunal's jurisdiction on an application of this kind derives from section 47(2) of the Solicitors Act 1974. In ***Ebhogiaye v SRA [2013] EWHC 2445 (Admin)*** (*'Ebhogiaye'*) Haddon-Cave J held that conditions imposed by the tribunal are “*concerned with both risk and reputation*” and are directed both to the protection of the public and to maintaining confidence in the profession. Regulatory sanctions are concerned not only with future risk but also with public confidence and even compelling evidence of rehabilitation, professional support and personal reform does not answer the fundamental question of whether the public can have confidence that a solicitor is a person of unquestionable integrity, probity, and trustworthiness.
88. Against that background, Mr Elhusseiny submitted that the burden rested on the Applicant to demonstrate that there had been a sufficient change in circumstances to justify removal of the conditions. The Applicant's primary argument was said to be that more than five years of compliant practice, combined with the passage of time since the original offences, justified lifting all restrictions. Mr Elhusseiny argued that this overstated the significance of those factors. Five years and five months of practice since restoration was said to be a relatively brief period when measured against the seriousness of the offending and the nine years spent off the Roll.
89. Mr Elhusseiny cited three risks that were relevant to the Tribunal's determination. First, there remained concerns about the Applicant's ability to manage a legal practice and comply with obligations concerning client and office accounts. Second, there were concerns about his suitability to perform the roles of COLP or COFA. Third, there was a broader concern about public confidence if he were permitted to practise without restrictions.

90. Notwithstanding the extensive evidence of rehabilitation, employer testimonials, and a period of incident-free practice which Mr Elhusseiny acknowledged were positive factors, the SRA's position was that the passage of time did not remove the regulatory significance of money laundering convictions and associated findings concerning integrity and financial probity. The Applicant's successful practice had occurred within a controlled environment created by the existing conditions. The absence of concerns therefore demonstrated that the safeguards were operating effectively, rather than proving that the risks had disappeared.
91. Mr Elhusseiny submitted that the conditions were not broad or onerous in their practical effect. The conditions permitted the Applicant to practise as a solicitor, advising clients, conducting conveyancing transactions, undertake legal work across his areas of expertise and to contribute fully to the work of a legal practise as an employed solicitor. The conditions prevent the Applicant from occupying positions of management, financial control, or regulatory oversight within a legal practise. Mr Elhusseiny emphasised that those positions are most directly connected to the nature of his original offending.

Sole Practitioner / Manager / Owner Restriction

92. In relation to the conditions currently in place Mr Elhusseiny submitted that the Applicant was convicted of offences that arose from his management of a legal practice. As managing partner of the Firm, he bore responsibility for the oversight of the firm's client account, its compliance with the Solicitors' Accounts Rules and its anti-money laundering obligations. Mr Elhusseiny submitted that it was in precisely that role that he failed and a restriction preventing him from occupying equivalent positions of managerial responsibility remained appropriate and necessary.
93. The Applicant had indicated that he had no intention of operating as a sole practitioner. However irrespective of that indication, Mr Elhusseiny submitted that conditions are not imposed by reference to present intention; they are imposed by reference to identifiable risk. The risk was not a specific intention to become a sole practitioner but rather that, without the restriction, he would be free to do so at any time. The condition was therefore said to provide an important regulatory safeguard against that eventuality.

COLP / COFA Restriction

94. The Applicant relied on his attendance at the SRA Compliance Officers Conferences in 2024 and 2025 as evidence that he is now fit to discharge the COLP and COFA responsibilities.
95. Mr Elhusseiny submitted that attendance at professional development events, whilst commendable, did not discharge the regulatory concern. The COLP and COFA roles carry significant legal and personal responsibility. They require not only knowledge of the applicable regulatory framework but also a history of reliably exercising judgment in the interests of the firm's clients and the public which the Applicant could not demonstrate particularly in relation to compliance oversight.
96. Mr Elhusseiny submitted that these roles required, among other things, that breaches of regulatory obligations are reported to the SRA. The Applicant's criminal conviction arose

in circumstances where he failed to report suspicious transactions to the relevant authorities as required by the Proceeds of Crime Act 2002. That was said to be the central function of the COLP role. Mr Elhusseiny submitted that a restriction preventing him from assuming that responsibility is therefore entirely warranted.

Client Money and Signatory Restrictions

97. Mr Elhusseiny submitted that the restrictions preventing the Applicant from holding client money and from being a signatory on any client account were those most directly connected to the subject matter of his original offending. Criminal property passed through the client account of the Firm during the course of the two transactions. The restrictions on holding client money and acting as a signatory, or otherwise authorising transfers, were said to address directly the mechanism by which the original offence was committed.
98. The Applicant relied upon his completion of AML training modules in January and February 2024 and his attendance at an SRA Accounts Rules event. Mr Elhusseiny acknowledged that these were commendable steps but submitted that the completion of training, without practical experience in the relevant roles, did not establish that the underlying risks have ceased to exist.
99. Mr Elhusseiny submitted that there was no evidence as to how the Applicant would exercise judgment when confronted with a suspicious transaction while personally responsible for the management of client funds. He submitted that, because of the restrictions, the Applicant's judgment has not been tested in that context.

Approved Employment Restriction

100. Mr Elhusseiny submitted that the requirement for SRA approval of employment was the least intrusive of the remaining conditions. It did not prevent the Applicant from practising but required only that any new employment arrangement be notified to and approved by the SRA. The condition was said to promote transparency in the Applicant's practice arrangements and to provide the SRA with the opportunity to assess whether any proposed employer would offer an appropriate supervisory environment in light of the Applicant's circumstances.
101. Mr Elhusseiny submitted that the Applicant has been employed with SRA approval since July 2021. The SRA did not object to the continuation of that employment. He submitted that the condition imposed no practical restriction upon the Applicant's current practice and would only become operative in the event that he sought to move to a different employer. In those circumstances, the condition was said to provide a proportionate safeguard by ensuring that any proposed change in employment arrangements could be assessed in advance by the SRA.
102. Mr Elhusseiny addressed the issue of dishonesty. He accepted that the offending was not dishonest in the strict professional sense, in that the SRA had not pleaded, and the Tribunal had not found, dishonesty as a discrete allegation. However, he submitted that the absence of such a finding did not render the offending any less serious. Mr Elhusseiny relied upon the Tribunal's observations in the 2018 restoration proceedings that offences other than dishonesty may be equally serious in their impact

upon the reputation of the profession. He further noted that the Tribunal in 2011 had found that the Applicant's offending caused severe damage to the reputation of the profession.

103. Mr Elhusseiny also relied upon findings made during the Applicant's earlier restoration application in 2018, when the Tribunal concluded that he had not demonstrated sufficient insight into the nature of his wrongdoing.
104. Finally, Mr Elhusseiny submitted that an informed and reasonable member of the public would expect restoration following misconduct of this seriousness to be accompanied by continuing safeguards. He submitted that the removal of all restrictions after only five years of supervised practice would not enhance public confidence. Rather, it risked creating the impression that the seriousness of the original misconduct had diminished before there had been sufficient opportunity to assess the Applicant's judgment in the areas connected to the offences.
105. For those reasons, Mr Elhusseiny submitted that the balance struck by the Tribunal in 2020 should remain undisturbed and that the application to remove the conditions should be dismissed.

The Tribunal's Decision

106. The Tribunal read all of the documents in the case and carefully considered the oral submissions made by the parties. The absence of any reference to particular evidence should not be taken as an indication that such evidence was not considered.
107. In determining an application under Rule 18 of the SDPR 2019 to vary or remove conditions previously imposed on a solicitor's practice, the Tribunal relied upon the established proportionality test, namely whether the conditions remained necessary, reasonable, and proportionate in order to protect the public and maintain confidence in the profession. Although this test was articulated in the context of conditions imposed by the SRA on a practising certificate in *Bryant v SRA [2012] EWHC 1475 (Admin)* at [22]– [24] ('Bryant'), the Administrative Court's reasoning reflected a broader regulatory principle which applied equally to the Tribunal's supervisory jurisdiction over practice restrictions imposed on solicitors.
108. The Tribunal had regard for Ebhogiaye. When seeking variations of conditions an applicant had to demonstrate that the circumstances which originally justified the imposition of conditions had materially changed. The Applicant was required to satisfy the Tribunal that he had remedied the deficiencies or risks previously identified and had demonstrated a sustained period of compliance, rehabilitation, or improved conduct.
109. The Tribunal noted that the Guidance Note "Other powers of the Tribunal – 7th Edition" (February 2025) ('The Guidance Note ') was drafted principally for applications concerning the termination of suspension. However, it accepted that the factors identified at paragraph 5 of The Guidance Note provided a useful analytical structure for assessing, in the context of applications made under Rule 18 of the SDPR 2019, whether any residual risk justified the continuation of conditions. The Guidance Note is expressly non-binding and did not fetter the Tribunal's discretion; nonetheless, it

assisted the Tribunal in evaluating whether the proportionality test in **Bryant** was met on the facts of this case.

110. The Tribunal noted the Applicant's regulatory history and the seriousness of the offences that had led to his being struck off the Roll in 2011. The offending arose in the course of the Applicant's professional practice, namely conveyancing transactions through which criminal property representing the proceeds of illegal drug dealing was laundered. The Applicant was subsequently convicted of failing to disclose his knowledge or suspicion that those transactions involved money laundering. The Applicant ought to have appreciated the potential harm arising from his conduct and the damage that such offending would cause to public confidence in the profession.
111. The Tribunal had careful regard to the Applicant's professional rehabilitation and conduct since the imposition of the conditions in December 2020. In determining whether there remained a continuing justification for restrictions upon the Applicant's practice, the Tribunal regarded its assessment as a forward-looking and evaluative exercise.
112. Five years had elapsed since his restoration to the Roll and during that period the Applicant had practised as a solicitor in roles approved by the SRA. The application was supported by the Applicant's current employer and a reference submitted by Mr Navid Aslam, a director of Hallmark Legal Solicitors, detailed the Applicant's competence, integrity, and compliance with his ethical duties in the course of his work on behalf of his client's.
113. The Tribunal considered the Applicant's submission that there was an element of circularity in the SRA's position. It was argued on his behalf that the SRA criticised the absence of evidence demonstrating his ability to undertake senior management, compliance, and client account responsibilities, whilst at the same time relying upon restrictions that prevented him from conducting those functions. The Applicant submitted that he could not reasonably be expected to produce evidence of performance in roles from which he had been excluded by the very conditions under review.
114. The Tribunal accepted that the restrictions had limited the opportunities available to the Applicant to demonstrate his competence in those specific areas of legal practice. However, the Tribunal did not accept that this rendered the SRA's position circular or unfair. It remained open to the Applicant to provide evidence from other aspects of his professional or personal life demonstrating the exercise of leadership, responsibility, sound judgment, financial management and regulatory compliance. Such evidence would not necessarily have replicated the material responsibilities, but it could nevertheless have assisted the Tribunal in assessing whether the concerns that originally gave rise to the restrictions had diminished.
115. The Tribunal considered both the evidence provided and the evidence that might reasonably have been expected. Whilst the Applicant had demonstrated compliant practice, completed training, and received positive support from his employer, there was limited evidence of the exercise of responsibility and judgment in contexts analogous to those from which he remained restricted. The Tribunal regarded that as a relevant factor in determining whether the remaining restrictions had ceased to be necessary.

116. The Applicant bore the burden of satisfying the Tribunal that he had been rehabilitated and that the conditions imposed upon his practice were no longer necessary, reasonable, or proportionate for the protection of the public and the maintenance of public confidence in the profession.
117. Having considered the evidence before it, including the Applicant's conduct since restoration, his compliance with the existing restrictions, the training he had undertaken and the support expressed by his employer, the Tribunal concluded that the Applicant had demonstrated progress in his professional rehabilitation. The Tribunal also acknowledged that there had been no allegation of further misconduct and no suggestion that he had breached any condition or restriction imposed upon him since his restoration to the Roll.
118. However, the Tribunal was not satisfied that the evidence established that all of the remaining conditions had ceased to be necessary. In particular, the Tribunal considered that public confidence in the profession would be undermined were the Applicant permitted to practise entirely free from restrictions. The Tribunal was not persuaded that the concerns arising from the original misconduct had diminished to such an extent as to justify the complete removal of all safeguards.
119. Nevertheless, the Tribunal considered that the conditions should be reviewed in light of the evidence of the Applicant's rehabilitation and the period during which he had practised compliantly under supervision. The Tribunal concluded that the restrictions preventing the Applicant from holding client money and acting as a signatory on a client account no longer remained necessary or proportionate. The Tribunal was satisfied that those restrictions could properly be removed.
120. The Tribunal further concluded, however, that the remaining conditions continued to represent appropriate and proportionate safeguards. Those conditions remained properly calibrated to the specific risks they were intended to address and continued to serve the public interest in maintaining confidence in the profession.
121. Accordingly, the Tribunal determined that the conditions preventing the Applicant from practising as a sole practitioner, sole manager or sole owner of an authorised or recognised body, from acting as a Head of Legal Practice/Compliance Officer for Legal Practice or a Head of Finance and Administration/Compliance Officer for Finance and Administration, and from practising other than in employment approved by the Solicitors Regulation Authority, should remain in force. The application was therefore granted in part.

Costs

122. The Respondent applied for its costs of responding to the application in the sum of £7,520.00. Mr Elhousseiny submitted that the costs claimed were modest and proportionate having regard to the nature of the application, the volume of material considered, and the work required in preparing the SRA's response. He submitted that the application had been listed for a full day hearing and had involved detailed written submissions addressing a substantial body of evidence. Mr Elhousseiny further submitted that the costs schedule had already been substantially reduced and did not reflect all of the time costs incurred by the SRA.

123. The Applicant accepted that the SRA was a necessary respondent to an application of this nature and that the Tribunal had jurisdiction to make such order for costs as it considered just. However, Mr Goodwin submitted that the costs claimed were excessive and disproportionate.
124. Mr Goodwin submitted that the application involved no new allegations of misconduct, no extensive witness or expert evidence, and no novel legal issues. He further submitted that the SRA possessed substantial internal legal resources and questioned whether the instruction of external counsel had been necessary. Mr Goodwin invited the Tribunal, if minded to make an order for costs, to limit any award to the SRA's internal costs and to exclude counsel's fees. He also submitted that the Applicant had achieved a measure of success in the application and that this should be reflected in any costs order.
125. In accordance with Rule 43 of the SDPR 2019, the Tribunal considered it appropriate to make an order for costs. The issue for determination was therefore quantum. The Tribunal accepted that the Respondent, as a necessary party to the proceedings, was required to prepare its case and attend the hearing and therefore went on to consider whether the work undertaken had been reasonably incurred. The Tribunal was satisfied that the SRA had acted reasonably in responding to the application and in instructing counsel. Having considered the nature of the proceedings, the volume of documentation, the written submissions, and the hearing itself, the Tribunal was satisfied that the costs claimed were reasonable and proportionate.
126. Accordingly, the Tribunal ordered that the Applicant pay the costs of the SRA's response to the application, fixed in the sum of £7,520.00.

127. **Statement of Full Order**

1. The Tribunal ORDERED that the application of SHADAB AHMED KHAN , solicitor, for the variation or removal of the conditions imposed by the Tribunal on 18 December 2020 be GRANTED in part and it further Ordered that the Applicant do pay the costs of the response of the Solicitors Regulation Authority Ltd to this application fixed in the sum of £7,520.00.
2. The Tribunal varies the conditions imposed by the Tribunal on 18 December 2020. The Applicant shall now be subject to conditions imposed by the Tribunal, until further order, as follows:
 - 2.1 The Applicant may not:
 - 2.1.1 Practise as a sole practitioner or sole manager or sole owner of an authorised or recognised body:
 - 1.1.2 Be a Head of Legal Practice/Compliance Officer for Legal Practice or a Head of Finance and Administration/Compliance Officer for Finance and Administration.
 - 1.1.3 Work as a solicitor other than in employment approved by the Solicitors Regulation Authority.

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

DATED AND FILED WITH THE LAW SOCIETY
This 22nd day of June 2026

On behalf of the Tribunal

F Kyriacou

F Kyriacou
Chair