

# **Determination by Consent Report**

## **Name of regulated person and call date**

Mr Zeeshan Hanjra was called to the Bar by Lincoln's Inn in March 2012. Mr Hanjra is currently a self-employed barrister at Article 6 Law, Lower Ground Floor, 2 King's Bench Walk, London, EC4Y 7DE.

## **Case reference**

PC 2019/0862/DC

## **Charges**

### **Charge 1**

#### **Statement of Offence**

Professional Misconduct contrary to Core Duty 10 and rule S8 of the Bar Standards Board's Handbook (Version 2.0 – 4.3).

#### **Particulars of Offence**

Mr Hanjra practised as a barrister when not authorised to do so from 4 July 2016 to 4 October 2019 inclusive and therefore failed to take reasonable steps to manage his practice competently and in such a way as to achieve compliance with his legal and regulatory obligations in that he practised as a barrister when he was not entitled to do so by reason of the fact that he did not have a practising certificate.

### **Charge 2**

#### **Statement of Offence**

Professional Misconduct contrary to Core Duty 5 of the Bar Standards Board's Handbook (Version 2.0 – 4.3).

#### **Particulars of Offence**

Mr Hanjra behaved in a way likely to diminish the trust and confidence which the public places in him and the profession in that he practised as a barrister when not authorised to do so from 4 July 2016 to 4 October 2019 inclusive.

## **Statement of Facts**

1. Mr Hanjra was called to the Bar of England and Wales by Lincoln's Inn in March 2012. He registered his first six pupillage with the Bar Standards Board

on 5 January 2016 with Article 6 Chambers which was completed on 4 July 2016. Mr Hanjra never registered the completion of his first six pupillage, and never registered his second six pupillage at all. Accordingly, Mr Hanjra was never issued a provisional practising certificate for his second six pupillage.

2. Mr Hanjra provided legal services as a barrister from Article 6 Chambers between 5 July 2016 and 4 October 2019, during which time he did not hold a practising certificate. According to his diary, Mr Hanjra made over 500 appearances at the Immigration Tribunals during this period.
3. On 4 October 2019, during a routine check, a Chambers clerk noted that Mr Hanjra did not hold a practising certificate. On the same day, Mr Hanjra contacted the Bar Council to report that he had practised without a practising certificate, and to register his pupillage and obtain a practising certificate.
4. Mr Hanjra was issued with a full qualification certificate on 31 October 2019 and a practising certificate on 1 November 2019.
5. The BSB wrote to Mr Hanjra on 6 November 2019 to inform him that his conduct and the potential breaches of the Handbook were being investigated, and invited him to provide a response to the summary of allegations.
6. Mr Hanjra responded on 28 November 2019. Mr Hanjra admitted the alleged breaches of the Handbook and made the following comments:
  - a. He did practise without a practising certificate.
  - b. All of his work was performed in the Immigration Tribunals.
  - c. He is ashamed of his actions and admits he was careless in managing his practising certificate, and essentially knowingly neglected the issue.
  - d. Once the issue was raised by his clerk he took steps to resolve it, and stopped practising immediately until he was issued a practising certificate.
  - e. He has not had any complaints made to or about him by clients.
7. The matter was considered by an Independent Decision-Making Panel (IDP) on 21 October 2020. The Panel decided to refer the matter to the Determination by Consent ('DBC') procedure. A letter was sent to Mr Hanjra on 26 October 2020 seeking his agreement to DBC. Mr Hanjra responded on the same day to confirm his/her agreement.

## **Previous disciplinary findings**

None.

## **Decision of the IDP**

Charges found proved.

## **Reasons for the decision**

An email dated 2 December 2020 was brought to the panel's attention in which Mr Hanjra admitted the charges in full.

The IDP find the charges proved by reason of Mr Hanjra's full admission. The panel considered the correspondence from the BSB confirming that Mr Hanjra had not applied for a practising certificate on completion of his pupillage and continued to practise for over 3 years when not authorised to do so.

## **Sanction**

The panel has had regard to the enforcement strategy as well as version 5 of the BTAS sanctions guidance, in particular sections E.2 and E.3.

In reaching its decision the IDP has taken the following aggravating and mitigating factors into account:

### Aggravating factors:

- Length of time that Mr Hanjra practised without a practising certificate
- Mr Hanjra knowingly practised without a practising certificate
- Mr Hanjra didn't self-report, and gave no explanation for conduct
- Mr Hanjra was representing particularly vulnerably clients (immigration)
- Clients would have been unable to seek redress from Legal Ombudsman
- Failure to hold a practising certificate may invalidate insurance
- Approximately 500 clients potentially impacted by the conduct
- The failure to be properly authorised makes it harder for the BSB to regulate the profession

### Mitigating factors:

- Made immediate full admission and cooperated with the BSB investigation
- Ceased practising immediately until practising certificate was issued

Mr Hanjra has provided information regarding his financial circumstances.

In all the circumstances, the following sanction is imposed:

Charge 1 and 2 – £3,000 fine

The Panel decided that the fine of £3,000 is payable within 28 days of confirmation of this decision unless otherwise agreed with the BSB.