



The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

Disciplinary Tribunal

Mr Amjad Hussain

Called to the Bar by: Lincoln's Inn [1999]

Type of hearing: 3 person Tribunal

Date of decision: 29 May 2024

Details of offence:

Charge 1

Statement of Offence

Professional misconduct, contrary to Core Duty 5 and/or rC8 of the Code of Conduct of the Bar Standards Board Handbook (9th Edition).

Particulars of Offence

Mr Amjad Hussain, a registered barrister, acted in a manner which was likely to diminish the trust and confidence which the public places in him or in the profession and/or acted in a way which could reasonably be seen by the public to undermine his integrity in that he failed to inform the Bar Standards Board that he was the subject of disciplinary or other regulatory or enforcement action by another Approved Regulator, the Solicitors Regulation Authority, ('SRA') upon receipt of the SRA's notice recommending disqualification dated 29th March 2021.

Charge 2

Statement of Offence

Professional misconduct, contrary to conduct rules rC65.3 and rC65.7 of the Code of Conduct of the Bar Standards Board Handbook (9th Edition).

Particulars of Offence

Mr Amjad Hussain, a registered barrister, failed to report promptly to the Bar Standards Board that he had committed serious misconduct and that he was the subject of disciplinary or other regulatory or enforcement action by another Approved Regulator having been disqualified by the Solicitors Regulation Authority ('SRA') as a Head of Legal Practice ('HOLP') and Head of Financial and Administration ('HOFA') or a manager of a licensed SRA body following the SRA's Decision of the Adjudicator dated 30 September 2021.

The Bar Tribunals & Adjudication Service

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Charge 3

Statement of Offence

Professional misconduct, contrary to Core Duty 5 of the Code of Conduct of the Bar Standards Board Handbook (9th Edition).

Particulars of Offence

Mr Amjad Hussain, a registered barrister, acted in a manner which was likely to diminish the trust and confidence which the public places in him or in the profession in that as the manager, HOLP and HOFA of Saffron Solicitors ('the firm') and during his tenure he failed to ensure that client information was kept confidential, namely 242 client wills, which having been removed from the firms premises, were stored in a manner which was not secure.

Charge 4

Statement of Offence

Professional misconduct, contrary to Core Duty 10 of the Code of Conduct of the Bar Standards Board Handbook (9th Edition).

Particulars of Offence

Mr Amjad Hussain, a registered barrister, failed to take reasonable steps to manage his practice, or carry out his role within his practice, competently and in such a way as to achieve compliance with his legal and regulatory obligations in that as the manager, HOLP and HOFA of Saffron Solicitors ('the firm') and during this tenure he failed to ensure that client information was kept confidential, namely 242 client wills, which having been removed from the firm's premises, were stored in a manner which was not secure.

Charge 5

Statement of Offence

Professional misconduct, contrary to Core Duty 5 and/or rC8 of the Code of Conduct of the Bar Standards Board Handbook (9th Edition).

Particulars of Offence

Mr Amjad Hussain, a registered barrister, acted in a manner which was likely to diminish the trust and confidence which the public places in him or in the profession and/or acted in a way which could reasonably be seen by the public to undermine his integrity in that as the manager, HOLP and HOFA of Saffron Solicitors ('the firm') and during the material time he failed to ensure that compliant account reconciliations were properly recorded in accordance with the relevant provisions of the SRA's Accounts Rules 2011 and 2019 as the firm did not have a cash book to do so.

Charge 6

Statement of Offence

Professional misconduct, contrary to Core Duty 5 and/or rC8 of the Code of Conduct of the Bar Standards Board Handbook (9th Edition).

Particulars of Offence

Mr Amjad Hussain, a registered barrister, acted in a manner which was likely to diminish the trust and confidence which the public places in him or in the profession and/or acted in a way which could reasonably be seen by the public to undermine his integrity in that as the manager, HOLP and HOFA of Saffron Solicitors ('the firm') and during the material time he failed to ensure

that the firm's dealings with client money were appropriately recorded in accordance with the relevant provisions of the SRA's Accounts Rules 2011 and 2019, as the firm did not have a cash book to do so.

Charge 7

Statement of Offence

Professional misconduct, contrary to Core Duty 5 and/or rC8 of the Code of Conduct of the Bar Standards Board Handbook (9th Edition).

Particulars of Offence

Mr Amjad Hussain, a registered barrister, acted in a manner which was likely to diminish the trust and confidence which the public places in him or in the profession and/or acted in a way which could reasonably be seen by the public to undermine his integrity in that as the manager, HOLP and HOFA of Saffron Solicitors ('the firm') he failed as soon as reasonably practicable, promptly or at all to report the following material breaches of the relevant provisions of the SRA's Code of Conduct 2011, Authorisation Rules 2011 and Code of Conduct for Firms 2019 to his Regulator, the Bar Standards Board, namely:

- i. to ensure that client information was kept confidential, namely 242 wills which were removed from the firm and not properly secured.
- ii. to ensure that the firm's dealings with client money were properly recorded
- iii. to ensure that compliant client reconciliations were undertaken at the firm

Charge 8

Statement of Offence

Professional misconduct, contrary to Core Duty 10 of the Code of Conduct of the Bar Standards Board Handbook (9th Edition).

Particulars of Offence

Mr Amjad Hussain, a registered barrister, failed to take reasonable steps to manage his practice, or carry out his role within his practice competently and in such a way as to achieve compliance with his legal and regulatory obligations, in that as the manager, HOLP and HOFA of Saffron Solicitors ('the firm') he failed, as soon as reasonably practicable, promptly or at all to report the following material breaches of the relevant provisions of the SRA's Code of Conduct 2011, Authorisation Rules 2011 and Code of Conduct for Firms 2019 to his Regulator, the Bar Standards Board, namely:

- i. to ensure that client information was kept confidential, namely 242 wills which were removed from the firm and not properly secured.
- ii. to ensure that the firm's dealings with client money were properly recorded
- iii. to ensure that compliant client reconciliations were undertaken at the firm

Findings:

Charge 1	Proved
Charge 2	Proved
Charge 3	Proved
Charge 4	Proved

Charge 5	Proved (CD5 ONLY)
Charge 6	Proved (CD5 ONLY)
Charge 7	Proved (CD5 ONLY)
Charge 8	Proved

Sanction:

£5,000 fine and Reprimanded. £2,670 costs awarded to the BSB.