



The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

Report of Finding and Sanction

Case reference: PC 2018/0048/D5

Mei Leong Esq

The Director-General of the Bar Standards Board

The Chair of the Bar Standards Board

The Honourable Society of Lincoln's Inn

Disciplinary Tribunal

Mei Leong

1. In accordance with an appointment made by the President of the Council of the Inns of Court contained in a Convening Order dated 24 May 2019, I sat as Chair of a Disciplinary Tribunal on 5 December 2019 to hear and determine 3 charges of professional misconduct contrary to the Code of Conduct of the Bar of England and Wales against Mei Leong, an unregistered barrister of the Honourable Society of Lincoln's Inn.

Panel Members

2. The other members of the Tribunal were:

Mr David Crompton (Lay Member)

Ms Siobhan Heron (Barrister Member)

Ms Deborah Spring (Lay Member)

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Preliminary Matters

3. The Bar Standards Board applied to proceed in the absence of the Respondent and the application was granted.

Charges

4. The following charges were read out in the absence of Mei Leong Esq following which they were recorded as denied.

Charge 1

Statement of Offence

Professional Misconduct, contrary to Core Duty 5 and/or rC8 of the Code of Conduct of the Bar of England and Wales (9th Edition).

Particulars of Offence

Mei Leong, an unregistered barrister, behaved in a way likely to diminish the trust and confidence which the public places in a barrister or in the profession and/or which could reasonably be seen by the public to undermine his honesty, integrity and independence, in that, in around January 2014, while in practice as an Advocate and Solicitor in Malaysia and while acting for a client in the sale of the client's property he dishonestly failed to release to his client the sum of RM87,710 being all or part of the balance of the purchase price which he had received on behalf of his client. By order dated 14 April 2017, he was struck off the Roll of Advocates and Solicitors of the High Court of Malaya following a finding of the Disciplinary Committee on 16 December 2016 that he had by his dishonest conduct caused his client to lose the sum of RM87,710.

Charge 2

Statement of Offence

Professional Misconduct, contrary to Core Duty 9 and/or rC65.3 of the Code of Conduct of the Bar of England and Wales (9th Edition).

Particulars of Offence

Mei Leong, an unregistered barrister, failed to co-operate with the Bar Standards Board and/or failed to report to it promptly or at all that to his knowledge he was the subject

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of disciplinary or other regulatory or enforcement action by another regulator, in that, following a complaint made on or around 3 September 2012 by his client while he was in practice as an Advocate and Solicitor in Malaysia, on 16 December 2016 the Disciplinary Committee found that he had by his dishonest conduct caused his client to lose the sum of RM87,710, on 14 April 2017 he was ordered to be struck off the Roll of Advocates and Solicitors of the High Court of Malaya. Mei Leong failed to report any of these matters to the Bar Standards Board, which only became aware of them after the Bar Council of Malaysia notified the Honourable Society of Lincoln's Inn by letter dated 19 October 2017 that he had been struck off.

Charge 3

Statement of Offence

Professional Misconduct, contrary to rC65.7 of the Code of Conduct of the Bar of England and Wales (9th Edition).

Particulars of Offence

Mei Leong, an unregistered barrister, failed to report promptly or at all to the Bar Standards Board that he had committed serious misconduct, in that, in around January 2014, while in practice as an Advocate and Solicitor in Malaysia, and while acting for a client in the sale of the client's property, he dishonestly failed to release to his client the sum of RM87,710 being all or part of the balance of the purchase price which he had received on behalf of his client. By order dated 14 April 2017 he was struck off the Roll of Advocates and Solicitors of the High Court of Malaya, pursuant to the finding of the Disciplinary Committee on 16 December 2016 that he had by his dishonest conduct caused his client to lose the sum of RM87,710.

Parties Present and Representation

5. The Respondent was not present and was not represented. The Bar Standards Board ("BSB") was represented by Sara Jagger.

Facts

6. The background to the charges is set out in the BSB's skeleton argument dated 4 December 2019.

In a nutshell, on 20 May 2015 whilst the respondent was in practice as an Advocate and Solicitor in Malaysia, a complaint was made against him. The complaint was made by

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the seller in a property sale who alleged that the Respondent had acted for him in the sale and had failed to account to him for a substantial part of the sale proceeds.

On the 16 December 2016 at a hearing before the Disciplinary Committee the committee found that the Respondent had been dishonest, causing his client to lose RM87,710 and advised that he be struck off the Roll. On the 14 April 2017 the Disciplinary Board agreed with the committee's recommendation and ordered that the Respondent be struck off the Roll.

On 19 October 2017 the Malaysian Bar Council wrote to Lincoln's Inn informing it of the above and on 23 November 2017 Lincoln's Inn alerted the BSB. This was the first time that the BSB had been made aware.

The BSB have attempted to contact the Respondent and have instructed 2 tracing agents but despite this and having sent correspondence to his last known address, the attempts to make contact have been unsuccessful.

Evidence

7. No evidence was heard.

Submissions

8. The BSB took the panel through the skeleton argument and the background circumstances and said that the dishonesty arose through the taking of client money and a failure to return it. There were no other proceedings arising however the behaviour in failing to make the payment was dishonest.
9. The Chair noted the police report in the bundle and police involvement was discussed.

Findings

10. We are satisfied that there is evidence on which we can safely conclude that the evidence on all 3 charges is proved to the criminal standard. The Respondent has not made himself available and it is proper to proceed in his absence as all necessary attempts have been made to make him aware of the hearing in accordance with rule E184.

Sanction

11. The Tribunal ordered that the Respondent be disbarred, and no practising certificate should be issued to him in the intervening period. The finding and sanction were made in the absence of the Respondent in accordance with rE184.

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Approved: 14 January 2020

Her Honour Penny Cushing
Chairman of the Tribunal

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