



The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

Disciplinary Tribunal

ZEESHAN SAQIB MIAN

Called to the Bar by: Lincoln's Inn, November 2016

Type of hearing: 5 Person Tribunal

Date of decision: 16 June 2022

In breach of:

Core Duties 3, 5 and 9 and Rules rQ117, rC8 and rC65.3 of the Bar Standards Board Handbook.

Details of Offence:

See Attached Charge Sheet.

Sanction: Disbarred. Costs of £2,670.00 to be paid to the BSB. Time to pay to be negotiated with the BSB.

Status: Open to Appeal.

The Bar Tribunals & Adjudication Service

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The Council of the Inns of Court. Limited by Guarantee
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FIVE-PERSON DISCIPLINARY TRIBUNAL

Mr Z S Mian

Lincoln's Inn 24 November 2016

Charge Sheet

Charge 1

Preamble – rQ117 (9th Edition of the Code of Conduct, Version 2.1.):

Where it is alleged that the call declaration made by a barrister on call is false in any material respect...or where any undertaking given by a barrister on call to the Bar is breached in any material respect that shall be treated as an allegation of a breach of this Handbook and will be subject to the provisions of Part 5.

Statement of Offence

Professional misconduct, contrary to Core Duty 5 in line with rQ117 of the Code of Conduct of the Bar of England and Wales (9th Edition).

Particulars of Offence

On around 6 May 2016, Mr Zeeshan Saqib Mian submitted to Lincoln's Inn i) an Admission Declaration, signed 4 May 2016, and a Call Declaration, also signed 4 May 2016. He was admitted as a student member of the Inn on 23 May 2016. On 2 September 2016, the Solicitors Regulation Authority (SRA) imposed initial conditions on Mr Mian's practising certificate as a solicitor. On 24 November 2016, Mr Zeeshan Saqib Mian was called to the Bar.

The Call Declaration made by Mr Mian for the purpose of being called to the Bar was materially false in that:

- (a) At the time of signing the Call Declaration on around 4 May 2016, Mr Mian knew and failed to declare that he was the subject of pending proceedings by a professional or regulatory body, the SRA; and/or
- (b) At the time of signing the Call Declaration on around 4 May 2016, Mr Mian declared that the Admission Declaration was true in every respect when he made it. This was false, because on the Admission Declaration:
 - i. Mr Mian declared that there were no disciplinary proceedings pending against him by a professional or regulatory body. This was false as Mr Mian was and knew he was the subject of pending proceedings by the SRA.
 - ii. Mr Mian declared that he was not aware of any matter which might reasonably be thought to call into question his fitness to become a practising barrister, and did not disclose the following matters which would reasonably be thought to call into question his fitness to become a practising barrister:
 - a. He was the subject of formal investigation by the SRA;
 - b. He was potentially to be the subject of referral to the Solicitors Disciplinary Tribunal and/or the imposition of conditions;

and/or

- (c) The Call Declaration made for the purpose of being called to the Bar was materially false by the time Mr Mian was called to the Bar on 24 November 2016, because the SRA had imposed conditions on his practising certificate as a solicitor:
 - a. This rendered false the declaration that since the Admission Declaration, he had not been the subject of any pending proceedings for a disciplinary offence by a professional or regulatory body; and/or
 - b. This rendered false the declaration that he was not aware of any circumstance which had occurred while he had been a student member of the Inn which might reasonably be thought to call into question his fitness to become a practising barrister.

By virtue of the Call Declaration being materially false, or by virtue of Mr Mian failing to inform Lincoln's Inn that the Call Declaration had become materially false at the time he was called to the Bar, Mr Mian behaved in a way which is likely to diminish the trust and confidence which the public places in him or in the profession.

Charge 2

Preamble – rQ117 (9th Edition of the Code of Conduct, Version 2.1.):

Where it is alleged that the call declaration made by a barrister on call is false in any material respect... or where any undertaking given by a barrister on call to the Bar is breached in any material respect that shall be treated as an allegation of a breach of this Handbook and will be subject to the provisions of Part 5.

Statement of Offence

Professional misconduct, contrary to rC8 in line with rQ117 of the Code of Conduct of the Bar of England and Wales (9th Edition).

Particulars of Offence

On around 6 May 2016, Mr Zeeshan Saqib Mian submitted to Lincoln's Inn i) an Admission Declaration, signed 4 May 2016, and a Call Declaration, also signed 4 May 2016. He was admitted as a student member of the Inn on 23 May 2016. On 2 September 2016, the Solicitors Regulation Authority (SRA) imposed initial conditions on Mr Mian's practising certificate as a solicitor. On 24 November 2016, Mr Zeeshan Saqib Mian was called to the Bar.

The Call Declaration made by Mr Mian for the purpose of being called to the Bar was materially false in that:

- (a) At the time of signing the Call Declaration on around 4 May 2016, Mr Mian knew and failed to declare that he was the subject of pending proceedings by a professional or regulatory body, the SRA; and/or
- (b) At the time of signing the Call Declaration on around 4 May 2016, Mr Mian declared that the Admission Declaration was true in every respect when he made it. This was false, because on the Admission Declaration:
 - i. Mr Mian declared that there were no disciplinary proceedings pending against him by a professional or regulatory body. This was false as Mr Mian was and knew he was the subject of pending proceedings by the SRA.
 - ii. Mr Mian declared that he was not aware of any matter which might reasonably be thought to call into question his fitness to become a practising barrister, and did not disclose the following matters which would reasonably be thought to call into question his fitness to become a practising barrister:
 - a. He was the subject of formal investigation by the SRA;
 - b. He was potentially to be the subject of referral to the Solicitors Disciplinary Tribunal and/or the imposition of conditions;

and/or

(c) The Call Declaration made for the purpose of being called to the Bar was materially false by the time Mr Mian was called to the Bar on 24 November 2016, because the SRA had imposed conditions on his practising certificate as a solicitor:

- a. This rendered false the declaration that since the Admission Declaration, he had not been the subject of any pending proceedings for a disciplinary offence by a professional or regulatory body; and/or
- b. This rendered false the declaration that he was not aware of any circumstance which had occurred while he had been a student member of the Inn which might reasonably be thought to call into question his fitness to become a practising barrister.

By virtue of the Call Declaration being materially false, or by virtue of Mr Mian failing to inform Lincoln's Inn that the Call Declaration had become materially false at the time he was called to the Bar, Mr Mian behaved in a way which could reasonably be seen by the public to undermine his honesty, and/or integrity.

Charge 3

Statement of Offence

Professional misconduct, contrary to CD3 of the Code of Conduct of the Bar of England and Wales (9th Edition, versions 2.1, 2.2, 3.0, 3.1, 3.2, 3.3).

Particulars of Offence

Mr Zeeshan Saqib Mian, a barrister, from 24 November 2016 onwards to 20 December 2018, failed to act with honesty, and/or integrity in that having been called to the Bar by Lincoln's Inn on 24 November 2016, Mr Mian failed to inform the Bar Standards Board that the Solicitor's Regulation Authority had imposed conditions on his practising certificate as a solicitor prior to his call to the Bar and which continued to be in place.

Charge 4

Statement of Offence

Professional misconduct, contrary to CD5 of the Code of Conduct of the Bar of England and Wales (9th Edition, versions 2.1, 2.2, 3.0, 3.1, 3.2, 3.3).

Particulars of Offence

Mr Zeeshan Saqib Mian, a barrister, from 24 November 2016 onwards to 20 December 2018, behaved in a way which is likely to diminish the trust and confidence which the public places in him or in the profession in that, having been called to the Bar by Lincoln's Inn on 24 November 2016, Mr Mian failed to inform the Bar Standards Board that the Solicitor's Regulation Authority had imposed conditions on his practising certificate as a solicitor prior to his call to the Bar and which continued to be in place.

Charge 5

Statement of Offence

Professional misconduct, contrary to CD9 of the Code of Conduct of the Bar of England and Wales (9th Edition, versions 2.1, 2.2, 3.0, 3.1, 3.2, 3.3).

Particulars of Offence

Mr Zeeshan Saqib Mian, a barrister, from 24 November 2016 onwards to 20 December 2018, failed to be open and co-operative with his regulators in that, having been called to the Bar by Lincoln's Inn on 24 November 2016, Mr Mian failed to inform the Bar Standards Board that the Solicitor's Regulation Authority had imposed conditions on his practising certificate as a solicitor prior to his call to the Bar and which continued to be in place.

Charge 6

Statement of Offence

Professional misconduct, contrary to rC8 of the Code of Conduct of the Bar of England and Wales (9th Edition, versions 2.1, 2.2, 3.0, 3.1, 3.2, 3.3).

Particulars of Offence

Mr Zeeshan Saqib Mian, a barrister, from 24 November 2016 onwards to 20 December 2018, acted in a way which could reasonably be seen by the public to undermine his honesty, and/or integrity in that, having been called to the Bar by Lincoln's Inn on 24 November 2016, Mr Mian failed to inform the Bar Standards Board that the Solicitor's Regulation Authority had imposed conditions on his practising certificate as a solicitor prior to his call to the Bar and which continued to be in place.

Charge 7

Statement of Offence

Professional misconduct, contrary to rC65.3 of the Code of Conduct of the Bar of England and Wales (9th Edition, versions 2.1, 2.2, 3.0, 3.1, 3.2, 3.3).

Particulars of Offence

Mr Zeeshan Saqib Mian, a barrister, failed to report promptly from 24 November 2016 onwards to 20 December 2018 to the Bar Standards Board that he was the subject of disciplinary or other regulatory or enforcement action by another Approved regulator or other regulator, including being the subject of disciplinary proceedings, in that having been called to the Bar by Lincoln's Inn on 24 November 2016, Mr Mian failed to inform the Bar Standards Board that:

- a. the SRA had imposed conditions on his practising certificate as a solicitor; and/or
- b. His conduct was the subject of ongoing investigation by the SRA; and/or
- c. The SRA was considering whether to refer his conduct to the Solicitors Disciplinary Tribunal (SDT).

Charge 8

Statement of Offence

Professional misconduct, contrary to CD3 of the Code of Conduct of the Bar of England and Wales (9th Edition, versions 3.2, 3.3).

Particulars of Offence

Mr Zeeshan Saqib Mian, a barrister, failed to act with honesty and/or integrity in that, having been informed by the Solicitor's Regulation Authority, on or around 3 April 2018, that he was being referred to Solicitor's Disciplinary Tribunal (SDT), Mr Mian failed to inform the Bar Standards Board promptly that he had been referred to the SDT as required by Rule C65.3.

Charge 9

Statement of Offence

Professional misconduct, contrary to CD5 of the Code of Conduct of the Bar of England and Wales (9th Edition, versions 3.2, 3.3).

Particulars of Offence

Mr Zeeshan Saqib Mian, a barrister, behaved in a way which is likely to diminish the trust and confidence which the public places in him or in the profession in that, having been informed by the Solicitor's Regulation Authority, on or around 3 April 2018, that he was being referred to Solicitor's Disciplinary Tribunal (SDT), Mr Mian failed to inform the Bar Standards Board promptly that he had been referred to the SDT as required by Rule C65.3.

Charge 10

Statement of Offence

Professional misconduct, contrary to CD9 of the Code of Conduct of the Bar of England and Wales (9th Edition, versions 3.2, 3.3).

Particulars of Offence

Mr Zeeshan Saqib Mian, a barrister, failed to be open and co-operative with his regulators in that, having been informed by the Solicitor's Regulation Authority, on or around 3 April 2018, that he was being referred to Solicitor's Disciplinary Tribunal (SDT), Mr Mian failed to inform the Bar Standards Board promptly that he had been referred to the SDT as required by Rule C65.3.

Charge 11

Statement of Offence

Professional misconduct, contrary to rC8 of the Code of Conduct of the Bar of England and Wales (9th Edition, versions 3.2, 3.3).

Particulars of Offence

Mr Zeeshan Saqib Mian, a barrister, behaved in a way which could reasonably be seen by the public to undermine his honesty and/or integrity in that, having been informed by the Solicitor's Regulation Authority, on or around 3 April 2018, that he was being referred to Solicitor's Disciplinary Tribunal (SDT), Mr Mian failed to inform the Bar Standards Board promptly that he had been referred to the SDT as required by Rule C65.3.

Charge 12

Statement of Offence

Professional misconduct, contrary to rC65.3 of the Code of Conduct of the Bar of England and Wales (9th Edition, versions 3.2, 3.3).

Particulars of Offence

Mr Zeeshan Saqib Mian, a barrister, failed to report promptly to the Bar Standards Board that he was the subject of any disciplinary or other regulatory or enforcement action by

another Approved Regulator or other regulator, including being the subject of disciplinary proceedings in that, having been informed by the Solicitor's Regulation Authority, on or around 3 April 2018, that he was being referred to Solicitor's Disciplinary Tribunal (SDT), Mr Mian failed to inform the Bar Standards Board promptly that he had been referred to the SDT.