

Mahmood Malik

Employee

7011147

[Employee-related decision Date: 16 June 2023](#)

Decision - Employee-related decision

Outcome: Control of non-qualified staff (Section 43 / Section 99 order)

Outcome date: 16 June 2023

Published date: 14 November 2023

Firm details

Firm or organisation at date of publication and at time of matters giving rise to outcome

Name: Ashtons Solicitors Limited

Address(es): 60 St. Martin's Lane London WC2N 4JS

Firm ID: 614351

Outcome details

This outcome was reached by SRA decision.

Decision details

Who does this decision relate to?

Mahmood Malik of New Maldon, Southwest London.

A person who is or was involved in a legal practice but is not a solicitor.

Summary of decision

The SRA has put restrictions on where and how Mr Malik can work in an SRA regulated firm.

Mr Malik is employed as a litigation executive at Ashtons Solicitors Limited of 60 St. Martin's Lane London WC2N 4JS (the firm). It was found that between February and August 2021, he requested and accepted £2,500 from a client in payment of the firm's fees into his own bank account rather than the firm's client bank account.

The facts of the case

Mr Malik has been employed by the firm since July 2017. The firm is a recognised body.

In February 2021, the firm acted for a client in her divorce proceedings. Mr Malik had day to day conduct of the client's case.

On three occasions, between February and August 2021, Mr Malik asked the client to pay money into his own bank account totalling £2,500 in payment of the firm's fees. He also failed to properly record receipt of the client's money and the transactions carried out in respect of it on her client ledger at the firm.

Our decision on outcome

An order pursuant to section 43(2) of the Solicitors Act 1974 was imposed as Mr Malik's conduct meant that it was undesirable for him to be involved in a legal practice without the SRA's prior approval.

This was because of the serious nature of his conduct in requesting and paying client money into his own bank account rather than the firm's client bank account.

Mr Malik was also ordered to pay the SRA's costs of £600.

What our Section 43 order means

To make an order pursuant to section 43 that with effect from the date of the letter or email notifying Mr Malik of this decision:

- i. no solicitor shall employ or remunerate him in connection with his/her practice as a solicitor;
- ii. no employee of a solicitor shall employ or remunerate him in connection with the solicitor's practice;
- iii. no recognised body shall employ or remunerate him;
- iv. no manager or employee of a recognised body shall employ or remunerate him in connection with the business of that body;
- v. no recognised body or manager or employee of such a body shall permit him to be a manager of the body; and
- vi. no recognised body or manager or employee of such a body shall permit him to have an interest in the body

except in accordance with the SRA's prior written permission.

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