

Shideh Mirshamsi

Solicitor

365290

[Agreement Date: 18 June 2023](#)

Decision - Agreement

Outcome: Regulatory settlement agreement

Outcome date: 18 June 2023

Published date: 28 June 2023

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Chris Bennett & Co LLP

Address(es): The Town House, 3 Park Terrace, Manor Road, Luton, LU1 3H

Firm ID: 597786

Firm or organisation at date of publication

Name: Spartans Law Limited

Address(es): 30a King Street, Luton, England, LU1 2DP

Firm ID: 649322

Outcome details

This outcome was reached by agreement.

Decision details

Agreed outcome

1.1 Shideh Mirshamsi, a solicitor of Spartans Law Limited (SRA NUMBER: 649322), agrees to the following outcome to the investigation of her conduct by the Solicitors Regulation Authority (SRA):

- a. she is rebuked
- b. to the publication of this agreement
- c. she will pay the costs of the investigation of £300.



2. Summary of Facts

2.1 On 4 February 2022, Miss Mirshamsi was pulled over by the police and was breathalysed. Miss Mirshamsi was arrested and taken to the Hertfordshire Police Station. She was charged with driving a motor vehicle after consuming excess alcohol contrary to Section 5(1)(a) of the Road Traffic Act 1998 and Schedule 2 of the Road Traffic Offenders Act 1988.

2.2 On 25 March 2022, Miss Mirshamsi pleaded guilty at Cambridgeshire Magistrates' Court.

2.3 On 8 July 2022, Miss Mirshamsi was disqualified from driving for 16 months to be reduced by 4 months on completion of a course approved by the secretary of state and fined £600.

2.4 On 12 July 2022, Miss Mirshamsi appealed the sentence.

2.5 On 2 September 2022, before the Crown Court at Cambridge, Miss Mirshamsi's appeal was heard, and her sentence was reduced to 12 months disqualification and her fine was reduced to £120.

2.6 Miss Mirshamsi notified the SRA on 8 February 2022.

3. Admissions

3.1 Miss Mirshamsi makes the following admissions which the SRA accepts:

- a. By virtue of her conduct and conviction for driving a motor vehicle when her alcohol level was above the prescribed limit, she failed to behave in a way which upholds public trust and confidence in the solicitors' profession and in legal services provided by authorised persons in breach of Principle 2 of the SRA Principles.

4. Why a written rebuke is an appropriate outcome

4.1 The SRA's Enforcement Strategy sets out its approach to the use of its enforcement powers where there has been a failure to meet its standards or requirements. The topic guide for driving with excess alcohol conviction also provides insight on the approach to enforcement and indicative sanctions guidelines.

4.2 When considering the appropriate sanctions and controls in this matter, the SRA has taken into account the admissions made by Miss Mirshamsi and the following mitigation which she has put forward:

- a. This was an isolated incident.
- b. She promptly reported her conviction to the SRA and she has cooperated fully with the investigation.



- c. She has shown insight and remorse for her actions and pleaded guilty at the first opportunity.
- d. She has paid her fine of £120 in full and has completed the driving course in December 2022.
- e. There was no harm caused to persons or property because of the offence.

4.3 The SRA considers that a written rebuke is the appropriate outcome because:

- a. Miss Mirshamsi demonstrated a disregard for the potential risk of harm.
- b. Miss Mirshamsi was directly responsible for her actions.

4.4 A rebuke is appropriate to uphold public confidence in the delivery of legal services. Any lesser sanction would not provide a credible deterrent to Miss Mirshamsi and others. A rebuke therefore meets the requirements of rule 3.1 of the Regulatory and Disciplinary Procedure Rules.

5. Publication

5.1 The SRA considers it appropriate that this agreement is published in the interests of transparency in the regulatory and disciplinary process. Miss Mirshamsi agrees to the publication of this agreement.

6. Acting in a way which is inconsistent with this agreement

6.1 Miss Mirshamsi agrees that she will not deny the admissions made in this agreement or act in any way which is inconsistent with it.

6.2 If Miss Mirshamsi denies the admissions or acts in a way which is inconsistent with this agreement, the conduct which is subject to this agreement may be considered further by the SRA. That may result in a disciplinary outcome or a referral to the Solicitors Disciplinary Tribunal on the original facts and allegations.

7. Costs

7.1 Miss Mirshamsi agrees to pay the costs of the SRA's investigation in the sum of £300. Such costs are due within 28 days of a statement of costs due being issued by the SRA.

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