

Asad Arif

Solicitor

439626

Agreement Date: 29 March 2023

Decision - Agreement

Outcome: Regulatory settlement agreement

Outcome date: 29 March 2023

Published date: 4 April 2023

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: HS Lawyers Limited

Address(es): 34a Lincoln Road, Peterborough, Cambridgeshire, PE1 2RL

Firm ID: 612138

Outcome details

This outcome was reached by agreement.

Decision details

1. Agreed outcome

Asad Arif, a consultant at HS Lawyers Limited, agrees to the following outcome to the investigation of his conduct by the Solicitors Regulation Authority (SRA):

- he is rebuked
- to the publication of this agreement
- he will pay the costs of the investigation of £300.

2. Summary of facts

2.1 On 9 February 2021, Mr Arif became involved in an argument at his home address with another person. During the argument he assaulted that person.

2.2 On 22 March 2021, Mr Arif accepted a conditional caution for assault occasioning actual bodily harm, contrary to section 47 of the Offences Against the Person Act 1861.

3. Admissions

3.1 Mr Arif admits, and the SRA accepts, that by virtue of his conduct and subsequent conditional caution, he failed to act in a way that upholds public trust and confidence in the solicitors' profession, in breach of Principle 2 of the SRA Principles.

Reasons/basis

4. *Why a written rebuke is an appropriate response*

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.

4.2 When considering the appropriate sanctions and controls in this matter, the SRA has taken into account the admissions made by Mr Arif and the explanations he has put forward in mitigation. Mr Arif advances the following points by way of mitigation, but their inclusion in this document does not amount to acceptance or endorsement of such points by the SRA:

- a. This was an isolated incident and out of character.
- b. Mr Arif co-operated with the police and complied with the terms of his conditional caution.
- c. He has shown remorse into his offending, such that the risk of re-offending is low.

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

- a. Mr Arif's conduct was reckless as it had the potential to cause harm.
- b. Some public sanction is required to uphold public confidence in the solicitors' profession.

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. Mr Arif agrees to the publication of this agreement.

6. *Acting in a way which is consistent with this agreement*

6.1 Mr Arif agrees that he will not deny the admissions made in this agreement or act in any way which is inconsistent with it.

6.2 If Mr Arif 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.

6.3 Denying the admissions made or acting in a way which is inconsistent with this agreement may also constitute a separate breach of principles 2 and 5 of the Principles and paragraph 7.3 of the Code of Conduct for Solicitors, RELs and RFLs.

7. Costs

7.1 Mr Arif 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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