

## **Nurul Miah**

### **Non-lawyer manager**

### **636560**

**Fined Date: 26 September 2024**

### **Decision - Fined**

Outcome: Fine

Outcome date: 26 September 2024

Published date: 15 May 2025

### **Firm details**

#### **Firm or organisation at time of matters giving rise to outcome**

Name: Kingly Solicitors Limited

Address(es): 57 Lansdowne House, Berkeley Square, London, W1J 6ER

Firm ID: 633863

### **Outcome details**

This outcome was reached by SRA decision.

#### **Decision details**

##### **Who does this disciplinary decision relate to?**

Nurul Miah, who is not a solicitor, was the owner and a manager of Kingly Solicitors Limited whose head office was at 57 Lansdowne House, Berkeley Square, London W1J 6ER between 3 April 2017 and 23 July 2020.

#### **Summary of decision**

Mr Miah was directed to pay a financial penalty of £3,984,440 and ordered to pay costs of £41,670.

A finding of dishonesty was made against Nurul Miah, and he was made subject to a disqualification order under section 99 of the Legal Services Act 2007.

The SRA has disqualified Nurul Miah from holding any of the following roles in law firms regulated by the SRA:



- Head of Legal Practice
- Head of Finance and Administration
- A manager
- An employee

#### **Facts of the misconduct Decision on disqualification**

Nurul Miah's conduct breached relevant duties that applied to him as a manager of the firm, namely, Principles 2, 4, 6, 8 and 10 of the SRA Principles 2011, Outcomes 7.3, 7.3 and 7.4 of the SRA Code of Conduct 2011, Rules 1.2(b), 1.2(e), 14.1 and 20.1 of the SRA Accounts Rules 2011, Principles 2, 5 and 7 of the SRA Principles 2019, Paragraphs 2.1, 2.5 and 5.2 of the Code of Conduct for Firms 2019 and Rules 2.4, 5.1, 5.2 and 6.1 of the SRA Accounts Rules 2019.

It was found that it would be undesirable for Nurul Miah to act as a Head of Legal Practice, Head of Finance and Administration, a manager or an employee of a body licensed in accordance with section 99 of the Legal Services Act 2007.

Nurul Miah was disqualified from holding any of these roles.

#### **Decision on financial penalty**

Mr Miah was directed to pay a financial penalty of £3,984,440 and ordered to pay costs of £41,670.

It was decided that a financial penalty was an appropriate and proportionate sanction.

This was because his conduct was serious by reference to the following factors in the SRA Enforcement Strategy:

- His conduct was intentional
- The withdrawals had caused a substantial shortfall on the firm's client account of over £10million at the date of intervention by the SRA. The shortfall had not been rectified and did not appear capable of rectification.
- Any lesser sanction would not provide a credible deterrent to Mr Miah and to others
- A financial penalty was appropriate to remove the direct benefit Mr Miah received as a result of his conduct.

In view of the above, Mr Miah's conduct was placed in conduct band D which has a financial penalty bracket of at least 65% of his annual gross income. His conduct was placed at the top of this bracket at D4 given:

- It was intentional
- It involved the misuse of client money
- It caused significant harm both to clients and personnel at the firm



- Although Mr Miah is not a solicitor, he was an experienced professional in financial services.
- He was the owner and a director at the firm and exercised considerable control over its operations.

### **SRA Principles and Outcomes**

#### **SRA Principles 2011**

Principle 2 You must act with integrity

Principle 4 You must act in the best interests of each client

Principle 6 You must behave in a way that maintains the trust the public places in you and in the provision of legal services

Principle 8 You must run your business or carry out your role in the business effectively and in accordance with proper governance and sound financial and risk management principles

Principle 10 You must protect client money and assets

#### **SRA Code of Conduct 2011**

Outcome 7.2 You have effective systems and controls in place to achieve and comply with all the Principles, rules and outcomes and other requirements of the Handbook, where applicable

Outcome 7.3 You identify, monitor and manage risks to compliance with all the Principles, rules and outcomes and other requirements of the Handbook, if applicable to you, and take steps to address issues identified

Outcome 7.4 You maintain systems and controls for monitoring the financial stability of your firm and risks to money and assets entrusted to you by clients and others, and you take steps to address issues identified

#### **SRA Accounts Rules 2011**

Rule 1.2 (b) You must keep other people's money safely in a bank or building society account identifiable as a client account

Rule 1.2 (e) You must establish and maintain proper accounting systems and proper internal controls over those systems to ensure compliance with the rules

Rule 14.1 Client money must without delay be paid into a client account, and must be held in a client account, except when the rules provide to the contrary

Rule 20.1 Client money may only be withdrawn from a client account when it is properly required

**SRA Principles 2019**

Principle 2 You act in a way that upholds public trust and confidence in the solicitors' profession and in legal services provided by authorised persons

Principle 5 You act with integrity

Principle 7 You act in the best interests of each client

**SRA Code of Conduct for Firms 2019**

Paragraph 2.1 You have effective governance structures, arrangements, systems and controls in place that ensure:

- a. you comply with all the SRA's regulatory arrangements, as well as with other regulatory and legislative requirements, which apply to you;
- b. your managers and employees comply with the SRA's regulatory arrangements which apply to them;
- c. your managers and interest holders and those you employ or contract with do not cause or substantially contribute to a breach of the SRA's regulatory arrangements by you or your managers or employees;
- d. your compliance officers are able to discharge their duties under paragraphs 9.1 and 9.2 below.

Paragraph 2.5 You identify, monitor and manage all risks to your business including those which may arise from your connected practices

Paragraph 5.2 You safeguard money and assets entrusted to you by clients and others

**SRA Accounts Rules 2019**

Rule 2.4 You ensure that client money is available on demand unless you agree an alternative arrangement in writing with the client, or the third party for whom the money is held

Rule 5.1 You only withdraw client money from a client account: (a) for the purpose for which it is being held; (b) following receipt of instructions from the client, or the third party for whom the money is held; or (c) on the SRA's prior written authorisation or in prescribed circumstances

Rule 5.2 You appropriately authorise and supervise all withdrawals made from a client account.

Rule 6.1 You correct any breaches of these rules promptly upon discovery. Any money improperly withheld or withdrawn from a client account must be immediately paid into the account or replaced as appropriate.

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