

**THE SOLICITORS (SCOTLAND) ACT 1980
THE SCOTTISH SOLICITORS' DISCIPLINE TRIBUNAL
(PROCEDURE RULES 2008)**

INTERLOCUTOR

in Complaint

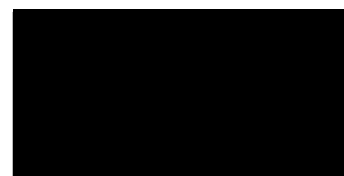
by

THE COUNCIL OF THE LAW SOCIETY OF
SCOTLAND, Atria One, 144 Morrison Street,
Edinburgh (hereinafter referred to as "the
Complainers")

against

SAAIMA KHALID, JKR Law Limited, 103
West Regent Street, Glasgow (hereinafter
referred to as "the Respondent")

By Video Conference, 21 January 2022. The Tribunal having heard submissions from both parties in relation to the Complaint at the instance of the Council of the Law Society of Scotland against Saaima Khalid, JKR Law Limited, 103 West Regent Street, Glasgow; On the application of the Complainers, the Tribunal in terms of Rule 13(1) of the Scottish Solicitors' Discipline Tribunal Procedure Rules 2008, Orders the Respondent to produce to the Complainers by 5pm on 18 February 2022 any documents in her custody or under her control falling within the list of documents contained in the Complainers' motion dated 23 November 2021; and Continues the Complaint to a virtual procedural hearing on 17 March 2022 at 11am.



Colin Bell
Chair

NOTE

This Complaint had been set down by the Tribunal for a virtual procedural hearing on 21 January 2022. On that date the Complainers were represented by their Fiscal, James Campbell, Solicitor, Edinburgh. The Respondent was not present but was represented by her solicitor, Michael Foster, Glasgow. Mr Foster explained to the Tribunal that the Respondent had advised him that she was ill and unable to attend the Tribunal on this date. He had been unable to obtain a medical certificate from her doctor given the short time available.

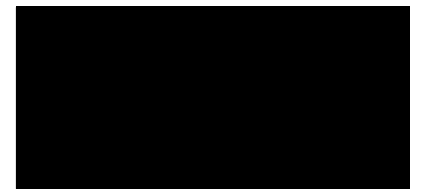
The Complainers had lodged with the Tribunal a motion dated 23 November 2021 inviting the Tribunal to direct the Respondent to produce certain documents. The Fiscal explained to the Tribunal that, shortly before the last procedural hearing, the Respondent had provided new information in response to the averments in the Complaint. The Complaint was continued to a further virtual procedural hearing to allow the Fiscal time to consider this new information. Following the virtual procedural hearing, he had written to the Respondent's agent asking for the documents now listed within his motion. No comment had been made on behalf of the Respondent until two days before this procedural hearing when it was indicated that there was a willingness on the part of the Respondent to produce documentation. Whilst the Fiscal had some sympathy in relation to the Respondent's illness, he noted that there had been significant delay in giving any response to his request for the documents contained in his motion. For that reason, he insisted in his motion. He indicated he had no objection to the Tribunal fixing a further virtual procedural hearing.

Mr Foster apologised for his failure to respond sooner. He explained difficulties with staffing of his office. He had experienced difficulty in obtaining instructions from the Respondent which he suspected was due to her increasing ill-health. It was his strong impression that there was a willingness to cooperate on the part of the Respondent and he suggested that the Fiscal's motion was not necessary. If the Tribunal was to consider the motion necessary then he suggested that the time limit for producing the documents should be four weeks.

The Tribunal gave careful consideration to the submissions of both parties. It appeared to the Tribunal that it was necessary for the proper consideration of the Complaint that the documents should be made available to the Complainers. The Fiscal's motion had been intimated to the Respondent and lodged with the Tribunal on 23 November 2021 and the Tribunal had written to Mr Foster enquiring as to whether or not the motion was opposed. None of the requested

documents had to date been produced. The Tribunal required to consider fairness to both parties and the interests of the public in having these allegations dealt with timeously. Having given careful consideration to all the circumstances, the Tribunal considered it appropriate to make an order under Rule 13 whilst giving the Respondent sufficient time to comply, namely the 4 weeks suggested by Mr Foster. Thereafter, the Tribunal considered it appropriate to fix a further virtual procedural hearing.

The Tribunal requested that should Mr Foster continue to experience difficulties in taking instructions from the Respondent due to her ill-health, a soul and conscience medical report be obtained ahead of the case next calling on 17 March 2022.



Colin Bell
Chair