

Chief Registrar v Singh (No 2)
ILSCJ04/2017; [2017] FJILSC 3 (13 February 2017)

This summary is not intended to be a substitute for the reasons of the Independent Legal Services Commission or to be used in any later consideration of the Commission's reasons

Facts

Mr Raman Singh was charged with professional misconduct in relation to the conveyance of a cane farm, for which he was engaged to administer over 18 years ago. It was alleged that the sale and purchase agreement was never finalised, and as such land not transferred to the purchaser. The two counts for this case are same as in *Chief Registrar v Singh (No 1)* [2016] FJILSC 3 (7 June 2016). Mr Singh filed an application to dismiss Count 1. He entered a guilty plea in relation to Count 2 and offered to refund the fees and pay the complainant any costs reasonably incurred.

Judgment

The Commissioner highlighted that the complainant has been waiting for some 6,808 days for the land to be transferred and emphasised that what had occurred was a disgrace.

Count 1 was dismissed, as it was held that the Chief Registrar had not adduced evidence capable of proving such a specific allegation. However, Count 2 was upheld, as Mr Singh was found to be guilty of professional misconduct under section 83(1)(a) of the *Legal Practitioners Act 2009* ('LPA') by reason of his breach of rules 8.1(1)(b) and (d) of the *Rules of Professional Conduct and Practice (Schedule of the LPA)*.

The Commissioner declared that this case should be taken as a warning to practitioners about the unacceptability of such conduct, thereby encouraging them to keep detailed file notes.