

Vinnasythamby Lingajothy

Employee

418378

[Employee-related decision Date: 31 July 2023](#)

Decision - Employee-related decision

Outcome: Approval of employment (section 43)

Outcome date: 31 July 2023

Published date: 31 July 2023

Firm details

Firm or organisation at time of matters giving rise to outcome

Name: Duncan Ellis Solicitors

Address(es): 686-692 London Road Hounslow, TW3 1PGEngland

Firm ID: 661060

Outcome details

This outcome was reached by SRA decision.

Decision details

Who does this decision relate to?

Mr Lingajothy whose last known address is in London

A person who is or was involved in a legal practice but is not a solicitor.

Summary of decision

The SRA has put restrictions on where and how Mr Lingajothy can work in an SRA regulated firm. It was found that:

Mr Lingajothy deliberately provided advice which would mislead the Home Office when seeking to determine his prospective client's claim for asylum due to the basis on which it would be put. Mr Lingajothy knew this to be the position as he explicitly outlined the backstory which would need to be told to firstly remove the prospective client from the small boats group and then to provide the strongest likelihood of this bogus claim for asylum being accepted.

Mr Lingajothy's conduct was dishonest.

By virtue of the above, it is undesirable for Mr Lingajothy to be involved in a legal practice without the SRA's prior written consent.

The facts

At the material time, Mr Lingajothy worked as a manager and caseworker for Duncan Ellis solicitors handling immigration cases together with criminal and civil matters.

On 9 June 2023, Mr Lingajothy met with a Daily Mail reporter posing as a client seeking advice on how to make a claim for asylum having arrived in the UK by small boat. Mr Lingajothy outlined a false narrative which would evade the consequences of the Illegal Migration Act 2023 and provide the best likelihood of the claim succeeding.

Our decision on outcome

An order pursuant to section 43(2) of the Solicitors Act 1974 was imposed as Mr Lingajothy's conduct meant that it was undesirable for him to be involved in a legal practice without the SRA's prior approval.

This was because Mr Lingajothy's conduct was serious and involved dishonesty.

Mr Lingajothy was also ordered to pay costs of £600.

What our section 43 order means

To make an order pursuant to section 43 that with effect from the date of the letter or email notifying Mr Lingajothy of this decision:

- i. no solicitor shall employ or remunerate him in connection with his/her practice as a solicitor;
- ii. no employee of a solicitor shall employ or remunerate him in connection with the solicitor's practice;
- iii. no recognised body shall employ or remunerate him;
- iv. no manager or employee of a recognised body shall employ or remunerate him in connection with the business of that body;
- v. no recognised body or manager or employee of such a body shall permit him to be a manager of the body; and
- vi. no recognised body or manager or employee of such a body shall permit him to have an interest in the body

except in accordance with the SRA's prior written permission.

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