

**IN THE COURT OF 3 SUPREME COURT JUDGES OF
THE REPUBLIC OF SINGAPORE**

[2025] SGHC 175

Originating Application No 9 of 2024

Between

Law Society of Singapore

... Applicant

And

Dhanwant Singh

... Respondent

GROUNDS OF DECISION

[Legal Profession — Disciplinary proceedings]
[Legal Profession — Professional conduct — Breach]

TABLE OF CONTENTS

INTRODUCTION.....	1
BACKGROUND FACTS	2
THE CHARGES AGAINST THE RESPONDENT.....	8
THE DT'S DECISION	11
THE PARTIES' SUBMISSIONS	13
ISSUES TO BE DETERMINED	14
OUR DECISION	14
DUE CAUSE WAS ESTABLISHED UNDER S 83(2) OF THE LPA	14
THE APPROPRIATE SANCTION WAS A FIVE-YEAR SUSPENSION.....	19
<i>Aggravating factors.....</i>	<i>19</i>
<i>Mitigating factors.....</i>	<i>21</i>
<i>Calibrating the appropriate sentence with reference to precedent cases</i>	<i>23</i>
CONCLUSION.....	25

This judgment is subject to final editorial corrections to be approved by the court and/or redaction pursuant to the publisher's duty in compliance with the law, for publication in LawNet and/or the Singapore Law Reports.

**Law Society of Singapore
v
Dhanwant Singh**

[2025] SGHC 175

Court of 3 Supreme Court Judges — Originating Application No 9 of 2024
Tay Yong Kwang JCA, Steven Chong JCA and Ang Cheng Hock J
13 May 2025

4 September 2025

Tay Yong Kwang JCA (delivering the grounds of decision of the court):

Introduction

1 The respondent, an advocate and solicitor, faced two charges before a Disciplinary Tribunal (“DT”) concerning his failure to supervise a conveyancing clerk in his law firm, Mr Ram S Naidu (“Mr Ram”). Such failure enabled Mr Ram to misappropriate conveyancing money paid by a client to the law firm and to cover up his wrongdoing.

2 At the conclusion of the DT proceedings, the DT found both charges to be proved beyond reasonable doubt and decided that there was cause of sufficient gravity pursuant to s 83 of the Legal Profession Act 1966 (2020 Rev Ed) (“LPA”) for the matter to be referred to the Court. The DT’s report is set out in *The Law Society of Singapore v Dhanwant Singh* [2024] SGDT 8 (“DT Report”). Accordingly, the Law Society of Singapore (the “Law Society”) filed

the present application under s 94(1) read with s 98(1) of the LPA for an order that the respondent be sanctioned under s 83(1) of the LPA.

3 The DT disagreed with the Law Society's submission that there was no cause of sufficient gravity shown to warrant a reference to the Court. Before us, the Law Society maintained its position and argued that the DT was wrong in its assessment. The Law Society's primary position was that the matter should be remitted to the DT to determine the appropriate sanction under s 93(1)(b) of the LPA. In the alternative, if the Court was satisfied that there was cause shown under s 83 of the LPA, the Law Society submitted that a penalty of \$15,000 be imposed on the respondent. Before us, the respondent, who had contested the charges before the DT, decided not to contest the charges. Instead, he aligned himself with the Law Society's position.

4 After hearing the parties, it was clear to us that there was cause for the respondent to be sanctioned. We ordered that the respondent be suspended from law practice for a period of five years. As the parties confirmed that the respondent remained an undischarged bankrupt and therefore could not practise as an advocate and solicitor, we ordered the period of suspension to commence from the date of the respondent's discharge from bankruptcy.

Background facts

5 The respondent practised at S K Kumar Law Practice LLP ("S K Kumar LLP") from 18 October 2013 to 23 February 2022. He joined the law firm after his reinstatement to the roll of advocates and solicitors following a previous striking-off. He was employed as an Associate of the law firm from 18 October 2013 to 31 March 2014 and became a Legal Assistant on 1 April 2014. On 11 April 2017, he took on the position of partner and manager of S K Kumar LLP. According to the respondent, he took over as partner and manager from Mr

Udeh Kumar s/o Sethuraju (“Mr Kumar”) after Mr Kumar was struck off the roll and withdrew from the firm in March 2017: see *Law Society of Singapore v Udeh Kumar s/o Sethuraju and another matter* [2017] 4 SLR 1369. The respondent continued in this role until he ceased practice on 24 February 2022 as he was adjudicated a bankrupt on that date. As mentioned above, the respondent remained an undischarged bankrupt as at the date of the hearing of this application.

6 The alleged misconduct concerned the respondent’s failure to supervise Mr Ram, who worked in S K Kumar LLP as a conveyancing clerk for more than 20 years. The failure to supervise was in respect of Mr Ram’s (and the firm’s) handling of a property transaction (the “Property” and the “Transaction”) on behalf of a company known as His Bounty Associates Pte Ltd (“HBA”). The present proceedings against the respondent arose out of a complaint lodged by HBA’s sole director, Ms Wong Tsi Yan (“Ms Wong”), with the Law Society.

7 Sometime in 2014, Ms Wong engaged S K Kumar LLP to act on HBA’s behalf in relation to the purchase of the Property from a developer (the “Seller”). According to the respondent, he was not involved in acting for HBA. The solicitor at S K Kumar LLP who had conduct of the Transaction was Mr Kumar who was assisted by Mr Ram. The respondent claimed that Mr Kumar was the only lawyer at S K Kumar LLP who did conveyancing work.

8 In early February 2017, Mr Ram forwarded to Ms Wong two invoices issued by the Seller for the sum of \$167,600, representing the last 10% of the purchase price for completion of the purchase of the Property. Mr Ram instructed HBA to pay this sum to S K Kumar LLP. HBA duly issued two cheques in favour of S K Kumar LLP’s office account for this sum. The respondent claimed that all this went on without his knowledge.

9 Despite receiving funds from HBA, S K Kumar LLP did not pay the balance of the purchase price to the Seller. Instead, Mr Ram misappropriated the money for his personal use, for which he was subject to investigations by the Commercial Affairs Department.

10 Subsequently, between 5 December 2017 and 6 February 2018, S K Kumar LLP issued three letters to the Seller's solicitors, Dentons Rodyk & Davidson LLP ("Dentons"), purporting to request, on HBA's behalf, extensions of time for HBA to pay the balance of the purchase price and to complete the purchase of the Property (the "Extension of Time Letters"):

- (a) On 5 December 2017, the scheduled date of completion, S K Kumar LLP sent a letter to Dentons stating that S K Kumar LLP had been "instructed to appeal to [the Seller] to grant [HBA] an extension of time until 26 December 2017" to pay the balance of the purchase price and complete the purchase as HBA was "purchasing the property without any bank loan" and "expecting its funds to arrive by 23 December 2017".
- (b) On 26 December 2017, S K Kumar LLP sent a letter to Dentons stating that HBA had "yet to receive the funds as earlier anticipated due to the holiday season" and was seeking a "final extension ... until 5 January 2018 to effect the payments in exchange for the Transfer and title deed."
- (c) On 6 February 2018, S K Kumar LLP sent a letter to Dentons stating that it had been "instructed to appeal to [the Seller] to grant [HBA] until the 28th of February 2018" to pay the outstanding balance as HBA was "expecting the funds for the balance purchase price to be ready by then".

11 The Extension of Time Letters contained false representations as (a) HBA had already paid the required funds to S K Kumar LLP for the completion of the purchase of the Property in February 2017; and (b) HBA had not given any instructions to S K Kumar LLP to issue the Extension of Time Letters. The respondent claimed that the Extension of Time Letters were sent by Mr Ram who went on a “frolic of his own” without his knowledge. This was corroborated by Mr Ram, who admitted before the DT that he had sent the Extension of Time Letters to stall for time while he raised money to repay HBA’s funds which he had misappropriated.

12 S K Kumar LLP only paid the final instalment of the purchase price on HBA’s behalf on or around 27 March 2018, more than a year after HBA paid the funds to the law firm. The payment was made by Mr Ram, who did so partly by drawing on funds from S K Kumar LLP’s office account using two cheques that the respondent had previously signed in blank at Mr Ram’s request. The respondent admitted that he signed two blank cheques “for some completion” because Mr Ram requested him to do so. However, he claimed that he was “not aware of the delay in completion or other irregularities” or that the cheques were drawn on the firm’s office account.

13 S K Kumar LLP’s late payment of the balance of the purchase price was, however, not the end of Ms Wong’s problems in the Transaction. Even after the purchase price was paid, ownership of the Property was not transferred to HBA. According to Ms Wong, she discovered in or around July 2021 that the legal title to the Property had not been transferred to HBA and remained registered in the name of the Seller. She contacted Mr Ram and pressed him to deliver the title deed of the Property to HBA. However, this was not done.

14 On or about 11 October 2021, Ms Wong lodged a complaint by e-mail to the Law Society against Mr Ram. She discovered, upon receiving the Law Society's response in its letter dated 20 October 2021 that the Law Society did not have any records of a "Mr Ram" holding a valid Practising Certificate in S K Kumar LLP. The only persons recorded as holding Practising Certificates with the firm were the respondent (as Partner) and Mr Chan Chun Hwee Allan (as Legal Assistant). This came as a shock to Ms Wong as she had been told by Mr Kumar and the respondent sometime in 2009, when instructing S K Kumar LLP to act for her in an earlier conveyancing transaction, that "Mr Ram was the lawyer in charge of conveyancing and commercial matters in [S K Kumar LLP]". Ms Wong had therefore believed for over a decade that Mr Ram was a qualified lawyer.

15 On 28 October 2021, Ms Wong messaged the respondent by WhatsApp asking, among other things, how long Mr Ram had been working as a lawyer with S K Kumar LLP. Ms Wong also complained about Mr Ram's conduct of the Transaction and that he had repeatedly made empty promises to her. The respondent replied to Ms Wong stating that he was "sorry to hear it" but as he was in the midst of a Zoom hearing, he wanted to "finish the matter first". However, the respondent did not get back to Ms Wong thereafter.

16 According to the respondent, he "only became aware that something was amiss" when he received Ms Wong's messages on 28 October 2021. The respondent claimed that he was "shocked by [Ms Wong's] questions", and immediately after his Zoom hearing concluded, he went to Mr Ram's room and asked Mr Ram why he had received such messages from Ms Wong. Mr Ram reassured the respondent that he would handle the matter. However, Mr Ram did not inform the respondent what actions he would take to deal with the matter.

17 On 15 November 2021, Ms Wong’s solicitors, Khor Law LLC, wrote to S K Kumar LLP requesting, among other things, the title deed as well as the transfer instrument lodged with the Singapore Land Authority in respect of the Property (“Khor Law LLC’s Letter”). The letter also stated that: (a) S K Kumar LLP had represented to HBA since around 2010 that Mr Ram was a solicitor with the firm; (b) Mr Ram had repeatedly failed to deliver the title documents despite various assurances that he would do so; and (c) HBA only discovered in October 2021 that Mr Ram did not hold a valid practising certificate and was not a solicitor with S K Kumar LLP.

18 Between 3 December 2021 and 30 December 2021, a series of correspondence was sent from S K Kumar LLP, some purportedly by the respondent, to Khor Law LLC and Ms Wong to provide updates on the progress of the Transaction (the “Inaccurate Updates”):

- (a) On 3 December 2021, S K Kumar LLP sent a letter to Khor Law LLC explaining that the law firm had “just retrieved the Title Deed at [its] end and will proceed to perfect the Transfer and arrange for lodgment early next week and forward the evidence of lodgment immediately thereafter”.
- (b) On 16 December 2021, an e-mail was sent in the respondent’s name from the e-mail address “skkumarlawllp@gmail.com” to Khor Law LLC stating that S K Kumar LLP was “finalizing the perfection of the Transfer in respect of the … property and will be submitting it to the [Singapore Land Authority] by next week …”. Khor Law LLC responded by e-mail on the same day reiterating its request for S K Kumar LLP to “resolve the matter” and furnish the requested documents. It also lamented the “severe lack of professional service

standards” on the respondent’s part which had caused Ms Wong “great distress” given S K Kumar LLP’s history of “empty promises”, “various delay tactics” and “all sorts of excuses” for its omissions.

(c) On 30 December 2021, two e-mails were sent from the e-mail address “skkumarlawllp@gmail.com” to Ms Wong. The first e-mail was an incomplete version of the second. The second e-mail, which was sent in the respondent’s name, communicated that S K Kumar LLP was “in the process of completing [its] exhaustive searches … to locate the title deed” and would complete the same by 6 January 2022 before providing Ms Wong an update by 7 January 2022.

19 As with the case of the Extension of Time Letters, the respondent averred that he was not aware at the material time of the Inaccurate Updates as they were sent by Mr Ram (sometimes using the respondent’s name). Before the DT, Mr Ram conceded that he sent the Inaccurate Updates without the respondent’s knowledge to stall for time while he raised the funds, which he had misappropriated, for the stamp duty payable on the Property so as to perfect the transfer of the Property to HBA.

The charges against the respondent

20 Originally, there were five charges put up by the Law Society. The Law Society withdrew three charges during the course of the DT proceedings and proceeded on two amended charges against the respondent for improper supervision over Mr Ram. One charge pertained to the Extension of Time Letters and the other related to the Inaccurate Updates (the “Charges”). The primary charges were brought under s 83(2)(b) of the LPA (for “improper conduct or practice as an advocate and solicitor”) with alternative charges brought under s 83(2)(h) of the LPA (for “misconduct unbefitting an advocate

and solicitor as an officer of the Supreme Court or as a member of an honourable profession"). Both the primary and the alternative charges relied on the same factual allegations.

21 The primary charge concerning the Extension of Time Letters read as follows:

That you, Dhanwant Singh ... an Advocate and Solicitor of the Supreme Court of Singapore, are charged that you failed to exercise proper supervision over the staff working under you in Messrs S K Kumar Law Practice LLP (the "Firm"), namely, one Ram S Naidu ("Mr Ram"), from on or around 11 April 2017 to 23 February 2022, thereby allowing Mr Ram to act without authority of the client or contrary to instructions from the client, by requesting extensions of time for payment of balance due in relation to a purchase of [the Property] via Mr Ram's issuance of:

- (1) a letter on the letterhead of the Firm and signed by Mr Ram in the name of the Firm dated 5 December 2017 to solicitors acting for the seller/developer of the Property, Messrs Dentons Rodyk & Davidson LLP ("Dentons");
- (2) a letter on the letterhead of the Firm and signed by Mr Ram in the name of the Firm dated 26 December 2017 to Dentons; and/or
- (3) a letter on the letterhead of the Firm and signed by Mr Ram in the name of the Firm dated 6 February 2018 to Dentons;

and you are thereby guilty of a breach of Rule 32 of the Legal Profession (Professional Conduct) Rules, such breach amounting to improper conduct or practice as an advocate and solicitor within the meaning of Section 83(2)(b) of the Legal Profession Act 1966.

22 The primary charge relating to the Inaccurate Updates read as follows:

That you, Dhanwant Singh ... an Advocate and Solicitor of the Supreme Court of Singapore, are charged that you failed to exercise proper supervision over the staff working under you in Messrs S K Kumar Law Practice LLP (the "Firm"), namely, one Ram S Naidu ("Mr Ram"), from on or around 11 April 2017 to 23 February 2022, thereby allowing Mr Ram to issue letters and

emails to [HBA] (the “Client”), a conveyancing client of the Firm, which inaccurately set out the status of completion of [the Property], specifically that:

- (1) by way of a letter dated 3 December 2021, issued on the letterhead of the Firm and signed by Mr Ram in the name of the Firm, to Messrs Khor Law LLC (“Khor Law”), the Client was informed that the title deed of the Property had just been retrieved and that the Firm would proceed to perfect the transfer and arrange for lodgement the following week;
- (2) by way of an email dated 16 December 2021 at 9:16am, sent by Mr Ram but signed off in the Respondent’s name, to Khor Law, the Client was informed that the Firm was finalizing the perfection of the transfer in respect of the Property and would be submitting it to the Singapore Land Authority by the following week;
- (3) however, by way of emails dated 30 December 2021 at 11:22am and 11:37am to Khor Law, the Client was informed that the Firm was in the process of completing searches to locate the title deed of the Property, and would be completing the searches by the following week;

and you are thereby guilty of a breach of Rule 32 of the Legal Profession (Professional Conduct) Rules 2015, such breach amounting to improper conduct or practice as an advocate and solicitor within the meaning of Section 83(2)(b) of the Legal Profession Act 1966.

23 We pointed out to the parties at the hearing that the second charge contained a factual error as it referred to one of the Inaccurate Updates as “emails dated 30 December 2021 at 11:22am and 11:37am to Khor Law” when those e-mails were in fact sent to Ms Wong and not to Khor Law LLC. As the respondent’s counsel, Mr Mohamed Arshad bin Mohamed Tahir, confirmed before us that the respondent was not taking any issue with the factual error, we proceeded accordingly.

The DT's decision

24 The DT found that both charges were made out and that the respondent breached his duty to supervise Mr Ram under r 32 of the Legal Profession (Professional Conduct) Rules 2015 (“PCR”). A summary of its findings, which the respondent did not dispute before us, is as follows:

- (a) After Mr Kumar was struck off the roll, he withdrew from S K Kumar LLP and the respondent assumed responsibility over Mr Ram in respect of the law firm’s conveyancing matters, including the Transaction: DT Report at [80] and [85].
- (b) The respondent must have known that S K Kumar LLP continued to deal with conveyancing matters after Mr Kumar’s departure, not least because Mr Ram, a conveyancing clerk, continued to be in the law firm’s employ: DT Report at [84].
- (c) There was “precious little evidence” to suggest that the respondent had put in place a system to supervise Mr Ram’s conveyancing work. Indeed, the respondent’s own evidence was that he had operated on the basis that it was for Mr Ram to raise issues to him. Therefore, unless Mr Ram took the initiative to do so, the respondent would have been none the wiser about the status of Mr Ram’s conveyancing work: DT Report at [88]–[92].
- (d) The respondent was not jolted into action to supervise Mr Ram even in the face of red flags which suggested that something was amiss. These included: (i) his signing of blank cheques at Mr Ram’s request; and (ii) his failure to respond to Ms Wong’s inquiries and complaints about Mr Ram when she contacted him on 28 October 2021. Despite claiming that he was “shocked” by Ms Wong’s messages, the respondent

did not take any active steps to investigate or supervise Mr Ram's work: DT Report at [93]–[106].

(e) As the respondent's lack of supervision meant that Mr Ram had "free and unbridled reign" over his conveyancing work, Mr Ram was able to issue the Extension of Time Letters and Inaccurate Updates to cover his tracks after misappropriating money paid by HBA to S K Kumar LLP for the Transaction. Although the respondent had no knowledge of this, this was precisely because he had not supervised Mr Ram. The Charges were accordingly proved beyond reasonable doubt: DT Report at [107]–[108].

25 The DT held the view that there was cause of sufficient gravity to refer this matter to the Court under s 93(1)(c) of the LPA for the following reasons:

(a) First, the respondent was a senior lawyer but had effectively allowed Mr Ram to run the Transaction as if he was a qualified person. The respondent's breach of r 32 of the PCR was a serious matter as he had encouraged a belief on Ms Wong's part that Mr Ram was a qualified solicitor and had not corrected this misconception even when the opportunity arose to do so. This was when Ms Wong contacted him to inquire about Mr Ram's status and to complain about Mr Ram's handling of the Transaction: DT Report at [116].

(b) Second, it was an aggravating factor that the respondent's lack of supervision allowed Mr Ram to cover up the tracks of his misappropriation of HBA's money by issuing the Extension of Time Letters and Inaccurate Updates to buy time. It was also egregious that the respondent had signed blank cheques drawn on S K Kumar LLP's office account for completion purposes as this allowed Mr Ram to hide

his earlier misappropriation by using the law firm's money to pay the balance purchase price to the Seller: DT Report at [117]–[118].

(c) Third, the respondent had a relevant antecedent, having been previously sanctioned by the Court in 2019 on two charges of placing conveyancing money into his law firm's client account (instead of the conveyancing account) in breach of the Conveyancing and Law of Property (Conveyancing) Rules 2011 (GN No S 391/2011) and the Legal Profession (Solicitors' Account) Rules (Cap 161, R 8, 1999 Rev Ed), for which he was sentenced to pay a penalty of \$50,000: DT Report at [119], referring to *Law Society of Singapore v Dhanwant Singh* [2020] 4 SLR 736 (“*Dhanwant Singh (2019)*”).

The parties' submissions

26 The Law Society submitted, consistent with its position before the DT, that there was no cause of sufficient gravity for a referral to the Court. Instead, the Law Society sought an order that the matter be remitted to the DT to determine the appropriate sanction under s 93(1)(b) of the LPA. The Law Society argued that the DT erred in relying on the respondent's antecedent to support its decision that there was cause of sufficient gravity. It also relied on the following factors as downplaying the gravity of the respondent's misconduct:

- (a) the absence of dishonesty on the respondent's part;
- (b) the absence of evidence that the respondent benefited personally from Mr Ram's unsupervised acts;
- (c) the respondent's lack of awareness of Mr Ram's actions; and

- (d) the fact that the respondent's failure to supervise was only in respect of one employee (*ie*, Mr Ram) and one matter (*ie*, the Transaction).

27 In the alternative, the Law Society submitted that a penalty of \$15,000 would be an appropriate sentence for the respondent's misconduct.

28 Although the respondent claimed trial to the Charges before the DT, he decided not to contest the Charges before us. Instead, he aligned himself fully with the Law Society's position.

Issues to be determined

29 Three issues arose for our determination, namely:

- (a) whether the DT erred in its finding that there was cause of sufficient gravity under s 93(1)(c) of the LPA;
- (b) if not, whether there was due cause for disciplinary action to be taken against the respondent under s 83(2) of the LPA; and
- (c) if so, what was the appropriate sanction to impose on the respondent under s 83(1) of the LPA.

Our decision

Due cause was established under s 83(2) of the LPA

30 In our judgment, the DT was correct in deciding that there was cause of sufficient gravity for this matter to be referred to the Court. We were satisfied that due cause was established on both Charges.

31 At the outset, we agreed with the parties that the DT should not have taken the respondent's antecedent in *Dhanwant Singh* (2019) into account as a factor to support its finding that there was cause of sufficient gravity. In *Law Society of Singapore v Constance Margreat Paglar* [2021] 4 SLR 382 ("Constance Margreat Paglar"), the Court clarified that the existence of antecedents was irrelevant to a DT's assessment of whether there was cause of sufficient gravity (at [42] and [45]). The existence of antecedents would only be relevant to the issue of sentence if the DT decided that there was no cause of sufficient gravity but that a sanction should nonetheless be imposed under s 93(1)(b) of the LPA.

32 Nonetheless, we were satisfied that the DT was correct in its conclusion that cause of sufficient gravity was shown. There was a total absence of supervision by the respondent over Mr Ram. Although the respondent agreed in cross-examination that he should have supervised Mr Ram from the time he became a partner of S K Kumar LLP, the respondent conceded that he did not supervise Mr Ram at all and had no idea what Mr Ram was doing. This state of affairs went on for over four years from the time that Mr Kumar withdrew from the law firm.

33 For instance, when asked about his knowledge of Mr Ram's work for HBA in the Transaction, the respondent stated that he had no personal knowledge of it and agreed that this was because he had never asked Mr Ram about the conveyancing matters that Mr Ram was working on:

Q My question is: Do you agree that this form would indicate that you are the solicitor for this transaction?

A But at that time, I had no knowledge---personal knowledge.

Q And you had no personal knowledge because you never followed up or asked Mr Ram about the conveyancing matters that he was working on.

A What's your question again, please?

Q You had no personal knowledge of that form because you never asked Mr Ram about the conveyancing matters that he was working on.

A Yes, I did not ask him.

34 Subsequently, at the end of cross-examination, the respondent confirmed that he never asked Mr Ram about the conveyancing transactions that Mr Ram was working on as it was his belief that he had not taken over any of Mr Kumar's outstanding conveyancing files, which included the Transaction, when Mr Kumar withdrew from the law firm:

Q Did you at time ask [Mr Ram] for a list of the conveyancing transactions that he was working on?

A No.

Q Do you think if you were to properly supervise him, you should have?

A No, the file was still---were---because he already done a lot of nonsense on the file, the file would not have surfaced. He already at the end of the day, also he's still saying the file is misplaced.

Q But even in 2017 December, you never asked him for the list of conveyancing transactions he was working on?

A Because there were none.

Q Your evidence is---

A I did not---I did not---

Q ---that he was not working on any conveyancing?

A There were nothing that I took over from SK Kumar or any list.

35 In the light of all this, we found it hard to understand why the Law Society maintained its position that there was no cause of sufficient gravity

shown even after studying the DT's decision. It appeared from the Law Society's written submissions that what led to it taking this untenable position was probably its approach of comparing the present case with precedent cases where due cause was held to have been shown and arriving at the conclusion that the respondent's misconduct was less serious than the precedent cases. The Law Society highlighted the following factors and submitted that they distinguished the present case from the precedent cases:

- (a) the absence of dishonesty on the respondent's part;
- (b) the absence of evidence that the respondent benefited personally from Mr Ram's unsupervised acts;
- (c) the respondent's lack of awareness of Mr Ram's actions; and
- (d) the fact that the respondent's failure to supervise was only in respect of one employee (*ie*, Mr Ram) and one matter (*ie*, the Transaction).

36 The first and second factors set out above concern the absence of dishonesty and of personal benefit. While this meant that these aggravating factors were not present, the absence of such aggravating factors could not constitute mitigating factors: *Law Society of Singapore v CNH* [2022] 4 SLR 482 at [75]. The decision in *Law Society of Singapore v Yeo Siew Chye Troy* [2019] 5 SLR 358 ("Troy Yeo"), a case which also concerned improper supervision by an advocate and solicitor, made it clear that the absence of dishonesty by the advocate and solicitor was "ultimately irrelevant" because "the fact that he was not dishonest says nothing about whether he has seriously failed to supervise his employee" (at [8]). In the same vein, the fact that the respondent here did not obtain any personal benefit from his failure to supervise Mr Ram could not lessen the gravity of his improper conduct. This is

particularly so when we subsequently consider the consequences of the total absence of supervision for the law firm's client. Indeed, if dishonesty were present in this case, the respondent would have faced graver disciplinary charges or possibly even criminal ones.

37 The third factor, the respondent's lack of awareness of Mr Ram's actions, was a natural consequence of his non-supervision of Mr Ram. If the respondent was aware of Mr Ram's misappropriations, letting Mr Ram continue to run the conveyancing work of the law firm without any impediment would surely have aggravated the respondent's improper conduct. However, as we will discuss subsequently, there were clear signs from Ms Wong's communications with the respondent that something had gone amiss in the Transaction which the respondent would have uncovered if he had taken his responsibility to the law firm's client seriously.

38 The fourth factor cited by the Law Society was that the respondent's absence of supervision was only in respect of a single employee and one property transaction. We accept that the Charges concerned only the Transaction. However, the respondent's evidence made it plain that his failure to supervise Mr Ram went far beyond the Transaction. This was not a case of the respondent exercising general supervision over Mr Ram in all conveyancing work with the Transaction being an isolated incident where there was absence of supervision. The respondent essentially allowed Mr Ram to run a conveyancing department on his own as if Mr Ram were a partner in the law firm. There was total ignorance and disregard of what Mr Ram was doing for almost five years.

39 For the above reasons, even without taking into consideration the respondent's antecedent in *Dhanwant Singh* (2019) in assessing whether there

was cause of sufficient gravity in this case, it was clear to us that the DT was correct in finding that such cause was shown. The DT was therefore entirely correct in its decision to refer the respondent's case to the Court. We were also satisfied that due cause was established for the respondent to be sanctioned.

The appropriate sanction was a five-year suspension

40 On the question of the appropriate sanction, the Law Society submitted that if the Court decided that there was due cause, the appropriate sanction would be a penalty of \$15,000. The respondent accepted this proposed sanction.

41 We disagreed that a penalty would suffice for this case. The respondent's admission that he did not supervise Mr Ram at all for almost five years showed that this was quite an extreme case of failure to supervise by an advocate and solicitor. Further, there were several aggravating factors which pointed clearly to a penalty being an inadequate sanction.

Aggravating factors

42 The respondent was so far removed from S K Kumar LLP's handling of the Transaction that Ms Wong was under a long-standing misapprehension that Mr Ram was a qualified lawyer. As mentioned earlier, the respondent practically allowed Mr Ram to run a conveyancing department on his own as if Mr Ram were a partner in the law firm. As the Court made clear in *Law Society of Singapore v Tan See Leh Jonathan* [2020] 5 SLR 418, proper supervision is vital for the protection of the public as it ensures that clients receive legal services only from persons duly qualified and authorised to carry out legal work (at [5]). The public interest in protecting clients means that a failure to supervise an unauthorised person would almost invariably constitute serious misconduct (at [8]). This case was not merely one of lack of proper supervision. It concerned

total absence of supervision and total indifference to what Mr Ram was doing in the conveyancing work of the law firm.

43 The respondent's seeming nonchalance when Ms Wong complained to him on 28 October 2021 about Mr Ram's handling of the Transaction fell far short of what is expected of a responsible advocate and solicitor. Despite professing that he was "shocked" by Ms Wong's complaints, the respondent did not look into the matter further and merely accepted Mr Ram's response that he would take care of the matter. The respondent did not bother to ask Mr Ram to explain what was happening in the Transaction, what remedial steps he intended to take and how he would assuage the client's expressed concerns. He also did not follow up by checking with Mr Ram or Ms Wong whether the complaints had been dealt with satisfactorily.

44 Despite not supervising Mr Ram at all and having no awareness of his conveyancing work, the respondent was open to referring new conveyancing work to Mr Ram. When Ms Wong messaged the respondent on 5 January 2021 to ask whether she should "still look for Mr [R]am" for "residence property and trust" matters, the respondent confirmed that she should do so. In cross-examination, the respondent conceded that he was recommending Mr Ram for conveyancing services but added that he did so because he was "totally not aware" of "any shortfalls or any hiccups in any transaction". Quite plainly, the respondent's total lack of such knowledge was the natural consequence of his complete abdication of his responsibility to supervise Mr Ram and his attitude of giving free rein to Mr Ram.

45 We also had regard to the fact that the respondent was a fairly senior lawyer during the material period from 2017 to 2022, having started practice in 1986. However, there was a break in his practice because he was struck off the

roll in late 1995, then restored to the roll subsequently and he resumed practice in late 2013. The harm caused to public confidence in the integrity of the legal profession is higher in cases of misconduct by senior practitioners: *Law Society of Singapore v Ezekiel Peter Latimer* [2020] 4 SLR 1171 at [4].

46 The respondent had a recent antecedent in *Dhanwant Singh (2019)*. The antecedent involved the placing of conveyancing funds in the wrong account. He was ordered to pay a penalty of \$50,000. Having been sanctioned in 2019 in respect of a conveyancing matter, it was surprising that when Ms Wong contacted the respondent in 2021 to express her concerns about Mr Ram's handling of a conveyancing matter, the respondent adopted the nonchalant attitude as described above. A responsible lawyer would have taken urgent steps to understand the situation and remedy the problems. The respondent did none of this. Instead, he allowed the person complained about to continue handling the matters concerning the Transaction without any supervision.

47 The respondent demonstrated no remorse before the DT. He chose to contest the Charges on the basis of an obviously unmeritorious defence. Before the Court, he indicated through his counsel well ahead of the hearing that he no longer intended to contest both Charges, accepted that his conduct fell short and expressed his remorse.

Mitigating factors

48 Besides the respondent's concession in the preceding paragraph, we did not think that there were any mitigating factors in favour of the respondent. However, the Law Society submitted that HBA and Ms Wong suffered no loss as a result of the mishandling of the Transaction and treated this as a factor in the respondent's favour which distinguished the present case from precedent cases where financial loss was caused to clients.

49 In Ms Wong's evidence before the DT, she explained that the Inland Revenue Authority of Singapore ("IRAS") imposed a late stamping penalty of \$17,124 although HBA had issued a cheque for \$50,280 to S K Kumar LLP for the stamp duty payable on the purchase of the Property. That was done on Mr Ram's instructions some eight years earlier, around April 2014. At the hearing, we sought clarification on the status of this late stamping penalty and whether HBA or Ms Wong paid it. As the Law Society could not ascertain the position on this matter during the hearing, we directed it to inform the Court by letter with an update once it was able to do so.

50 The subsequent letter from the Law Society to the Court dated 20 May 2025 clarified that IRAS eventually waived the late stamping penalty. The letter stated as follows:

- (a) In April 2014, the Complainant paid \$50,280 to [S K Kumar LLP] further to Mr Ram's advice that such amount was required as stamp duty for the Property.
- (b) On 28 January 2022, the Complainant was informed by IRAS that IRAS had not received any payment for the stamp duty for the Property.
- (c) On 29 March 2022, the Complainant learnt from IRAS that the stamp duty for the Property was in fact \$44,880 (instead of the amount of \$50,280 advised by Mr Ram) and that IRAS had imposed a late stamping penalty of \$17,724.
- (d) On 14 June 2022, the Complainant obtained an order against [S K Kumar LLP] and Mr [Kumar], that they return the sum of \$50,280 that the Complainant paid and further, indemnify the Complainant against "all loss and damage" arising from their failure to pay to IRAS the stamp duty payable in respect of the Property ("Court Order").
- (e) On 27 June 2022, IRAS confirmed that the stamp duty of \$44,880 for the Property was still outstanding. IRAS also stated that it was prepared to waive the late stamping penalty in the event the Complainant is unable to compel [S K Kumar LLP] to make payment.
- (f) Ms Wong has updated that in 2023, the Complainant paid IRAS the stamp duty of \$44,880 to complete the registration of

the Property and that the late stamping penalty of \$17,724 was waived by IRAS and therefore did not have to be paid.

(g) To date, the Complainant has not received from [S K Kumar LLP] and/or Mr [Kumar] the sum of \$50,280 paid in April 2014 to [S K Kumar LLP]. The Complainant has also not been able to enforce the Court Order against them.

51 Therefore, although HBA did not have to pay the late stamping penalty as it was waived by IRAS, HBA had to pay the stamp duty for the Transaction although it had given the money to the law firm years earlier. HBA has not been able to recover the \$50,280 that it paid to S K Kumar LLP. It was clear therefore that there was financial loss caused to HBA. Further, for some time, HBA also had to deal with the possibility of having to pay another \$17,724 to IRAS in order to complete the Transaction. In addition, Ms Wong would have had to bear with the agonising thought that the Transaction could have failed altogether.

52 It might be the case that the money paid to S K Kumar LLP in 2014 was during the period that Mr Kumar was still the solicitor in charge of the Transaction. Even if so, it was incumbent on the respondent, when he took over the law firm, to supervise Mr Ram's handling of the Transaction, ensure that the stamp duty was paid and that the Transaction was completed satisfactorily, especially after Ms Wong informed him about the long delays in finalising the Transaction. However, as we have mentioned above, the respondent was in total dereliction of his supervisory duties over Mr Ram.

Calibrating the appropriate sentence with reference to precedent cases

53 In *Troy Yeo*, the respondent was charged with improper supervision of an employee ("Sim") whom he had enlisted to help set up a conveyancing department for his law firm. The respondent had only known Sim for a few months. It was the first time that the respondent would be managing and running

a conveyancing department as he had limited prior experience in this area of work. Due to the respondent's inadequate supervision, Sim was able to misappropriate clients' money. This was done in a similar way as Mr Ram did in the present case, where Sim collected money from clients for purported payment of stamp duties and other conveyancing charges and then misappropriated the money.

54 A four-year suspension was imposed on the respondent in *Troy Yeo*. In our judgment, the respondent's improper conduct in this case was more serious than in *Troy Yeo*. In *Troy Yeo*, there was at least some evidence that the respondent there had established "a system of sorts in respect of conveyancing files and conveyancing moneys", although it was "so weak that the fraud was able to be perpetrated over a long period of almost eight months" (at [9]). In contrast, the DT found that the respondent here did not put into place any system at all to supervise Mr Ram. Further, in *Troy Yeo*, Sim's wrongdoing went on for a period of eight months as compared to Mr Ram's which took place for almost five years. Finally, unlike the respondent in the present case, the respondent in *Troy Yeo* did not appear to have any antecedents.

55 In the circumstances, we considered that an uplift from the sentence of four years imposed in *Troy Yeo* was warranted. We therefore imposed the maximum term of suspension of five years on the respondent. To ensure that the effect of the suspension was not negated by the respondent's inability to practise as a result of his bankruptcy, we ordered the suspension to commence from the date of his discharge from bankruptcy: see *Law Society of Singapore v Syn Kok Kay* [2023] 4 SLR 669 at [61]–[64].

Conclusion

56 For the above reasons, we rejected the parties' agreed position that there was either no cause of sufficient gravity or that a penalty of \$15,000 would be sufficient punishment. There was clearly due cause shown under s 83(1) of the LPA. We ordered the respondent to be suspended from practice for five years, with the period of suspension to commence from the date of his discharge from bankruptcy.

57 As we did not agree with the position taken by the Law Society, we fixed the costs of this application in the aggregate amount of \$10,000 instead of the amount of \$10,000 plus disbursements of \$5,243.20 prayed for. We also ordered the costs orders made by the DT (\$7,000 and disbursements of \$500) to stand.

Tay Yong Kwang
Justice of the Court of Appeal

Steven Chong
Justice of the Court of Appeal

Ang Cheng Hock
Judge of the High Court

Chui Lijun, Charis Toh Si Ying and Chin Yan Xun (JWS Asia Law Corporation) for the applicant;
Patrick Fernandez and Mohamed Arshad bin Mohamed Tahir (Fernandez LLC) for the respondent.

