

2007 : No. 3 July

## **Raghubir Singh Basi**

Victoria, BC

Called to the bar: May 19, 1989

Resigned: May 31, 2006

Suspended: May 17, 2007

**Discipline hearing** : September 8, 2005 and October 6, 2006

**Panel** : Ralston S. Alexander, QC, Chair, Richard S. Margetts, QC and Robert C. Brun, QC

**Report issued** : October 6, 2005 (2005 LSBC 41) and May 17, 2007 (2007 LSBC 25)

**Counsel** : Brian McKinley for the Law Society and Raghubir Singh Basi appearing on his own behalf (penalty only)

### **Citation 1 - Facts and Verdict**

In a citation issued June 29, 2005, the Law Society alleged Basi failed to respond to Law Society correspondence. In a October 6, 2005 decision, the hearing panel concluded the allegations in the June 29 citation were proven and constituted professional misconduct.

### **Citations 2 and 3 - Facts and Admission**

In citations dated November 22 and December 20, 2005, the Law Society alleged Basi failed to respond to Law Society correspondence, allowed a client's company to be struck from the Corporate Registry, and failed to respond promptly to the client's request for the corporate records. Prior to the penalty hearing for citation 1 (above), Basi admitted the allegations in both citations constituted professional misconduct. He resigned his membership in the Law Society on May 31, 2006, the same day he made the admission

### **Penalty**

At the October 6, 2006 penalty hearing, the panel was asked to consider a penalty for all three matters. Basi accepted responsibility for his actions and circumstances, acknowledged the authority and responsibility of the Law Society to govern the legal profession, acknowledged that he should have dealt with matters as they arose and stated his belief that his failure to do so was driven by long-standing depression.

The panel gave careful consideration to whether Basi's actions constituted ungovernability and accordingly whether disbarment was the appropriate penalty. The panel decided that a suspension with terms for reinstatement was the appropriate penalty, noting that the remedy of disbarment is extreme and ought to be imposed only when required to protect the public.

The panel ordered that Basi:

1. be suspended for 18 months;
2. must respond to the Law Society's outstanding correspondence as set out in the three citations;
3. must support any application for reinstatement with appropriate medical evidence confirming his psychological stability and his successful resolution of the issues giving rise to these proceedings; and
4. pay costs in the amount of \$5,771.

