



DISCIPLINE CASE *DIGEST*

Case 15-11

Member:	Anand Varuun Persad
Jurisdiction:	Winnipeg, Manitoba
Called to the Bar:	June 21, 2001
Particulars of Charges:	Professional Misconduct (1 Count): <ul style="list-style-type: none">▪ Breach of Rules 5-64(3) and (4) of the <i>Rules of the Law Society of Manitoba</i> [failure to respond to the Society]
Plea:	Guilty
Date of Hearing:	January 12, 2016
Panel:	<ul style="list-style-type: none">▪ Honourable Richard J. Scott (Chair)▪ David Swayze▪ Jim Wolfe (Public Representative)
Counsel:	<ul style="list-style-type: none">▪ Rocky Kravetsky for The Law Society of Manitoba▪ Member Self-Represented
Date of Decision:	January 12, 2016
Disposition:	<ul style="list-style-type: none">▪ Reprimand▪ Costs of \$1,500.00

Failure to Respond to the Law Society

Facts

On August 25, 2015 the Society received a client complaint concerning Mr. Persad's handling of a domestic litigation matter. Complaints Resolutions Counsel forwarded the complaint to Mr. Persad on August 28, 2015 together with a letter soliciting Mr. Persad's comments and explanations. A response was required within 14 days. Mr. Persad did not respond as required and did not respond to a follow up message from Complaints Resolution Counsel. On September 17, 2015 a second letter was delivered to Mr. Persad again seeking his response to the complaint and seeking, as well, his explanation for failing to respond to the earlier letter. He was required to respond within 14 days. Mr. Persad did call Complaints Resolution Counsel on September 18, 2015 explaining why he had not responded to the earlier letter and saying that he would respond "right away" to the substance of the complaint. On October 9, 2015 Mr. Persad was advised that his failure to respond had been referred to the Chief Executive Officer to consider whether a charge should be directed. He provided his response to the complaint on October 15, 2015.

Plea

Mr. Persad entered a plea of guilty to the charge.

Decision and Comments

The Panel accepted a joint recommendation made by counsel for the Society and the member, there being no clear and cogent reasons to depart from it. The Panel emphasized that as a self-regulating profession in the public interest it is essential that The Law Society be able to rely on the full cooperation of all lawyers to provide information when requested.

Penalty

Mr. Persad was reprimanded and ordered to pay costs of \$1,500.00 to the Society.