SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974 Case No. 11917-2019

BETWEEN:

SOLICITORS REGULATION AUTHORITY Applicant

and

SHEIKH MUHAMMAD USMAN Respondent

Before:

Mrs J. Martineau (in the chair)
Mr A. N. Spooner
Mrs S. Gordon

Date of Hearing: 4 July 2019

Appearances

John Quentin, Solicitor employed by the Solicitors Regulation Authority of The Cube, 199 Wharfside Street, Birmingham B1 1RN for the Applicant.

The Respondent did not appear and was not represented.

JUDGMENT

Allegations

1. The allegations against the Respondent, Sheikh Muhammad Usman, as amended with the permission of the Tribunal, made by the SRA were that:

1.1 By virtue of his conviction in the Crown Court at Croydon as stated to be on 9 April 2019 for the offence particularised within paragraph 6 of the Rule 5 Statement dated 18 January 2019 he breached any or all of:

1.1.1 Principle 1 SRA Principles 2011; and/or
1.1.2 Principle 2 SRA Principles 2011; and/or
1.1.3 Principle 6 SRA Principles 2011.

1.2 He failed to notify the SRA of either the date upon which he was to be tried for that offence or the fact of his subsequent conviction having been required by it so to do. He thereby breached and/or failed to achieve:

1.2.1 Principle 7 of the SRA Principles 2011; and/or
1.2.2 Outcome (10.3) SRA Code of Conduct 2011

Documents

2. The Tribunal reviewed all the documents including:

Applicant

- Rule 5 Statement dated 18 January 2019 with attachments
- Email exchanges between the Applicant and B LLP dated between 12 April 2018 and 20 April 2018
- Application by the Respondent for an adjournment of the substantive hearing dated 1 June 2019 and decision upon that application
- Sentencing Remarks of His Honour Judge Gower QC on 9 April 2018
- Applicant's statement of costs as at date of issue dated 18 January 2019
- Applicant's statement of costs as at final hearing dated 2 July 2019

Respondent

- Response to Rule Statement dated 21 March 2019
- Letter from HMCTS Criminal Appeal Office to the Respondent dated 9 May 2019
- Letter from the Respondent to the Tribunal dated 10 June 2019

Preliminary and Other Issues

3. Application to proceed in the absence of the Respondent

3.1 The Respondent was not present. For the Applicant, Mr Quentin submitted that the Respondent was a serving prisoner. Mr Quentin applied for the Tribunal to proceed in the absence of the Respondent. He submitted that the Tribunal had the discretion to do so under Rule 16(2) of the Solicitors (Disciplinary Proceedings) Rules 2007 ("SDPR") where it was stated:

> "If the Tribunal is satisfied that notice of the hearing was served on the respondent in accordance with these Rules, the Tribunal shall have power to hear and determine an application notwithstanding that the Respondent fails to attend in person or is not represented at the hearing."

The Respondent had applied to adjourn the hearing on 21 June 2019 which showed that he was aware of the hearing date and the Tribunal could treat that as his having adequate notice of the hearing. In deciding whether to proceed the Tribunal would need to have regard to the factors set out in the case of R v Hayward, Jones and Purvis [2001] QB 862, CA. The Respondent being aware of the hearing had not made any applications to attend for example by video link and Mr Quentin submitted that he had thereby voluntarily waived his right to attend the hearing. Mr Quentin further submitted that the nature of the evidence - the Certificate of Conviction - meant that the disadvantage to the Respondent in not being able to give an account of himself was minimal and confined to one allegation. The hearing should take place within a reasonable period and postponement would not improve the Respondent's position in that regard. Proceeding in his absence would not prejudice the Respondent in any way as he would have the right under the SDPR to apply for a rehearing:

> "**19.**—(1) At any time before the filing of the Tribunal's Order with the Law Society under rule 17 or before the expiry of the period of 14 days beginning with the date of the filing of the order, the respondent may apply to the Tribunal for a re-hearing of an application if—
>
> (a) he neither attended in person nor was represented at the hearing of the application in question; and
>
> (b) the Tribunal determined the application in his absence."

The Tribunal noted that the Respondent had telephoned the Tribunal office the previous day enquiring whether his application for an adjournment had been consented to. He had been informed that the substantive hearing was scheduled to proceed as listed. It might be that the decision sheet informing him of the refusal of the application had not reached him through the prison mail system. The Tribunal determined, having regard to the factors in the Jones case that it would be appropriate for it to exercise its discretion and proceed in the Respondent's absence. As set out in the Chairman's decision upon the adjournment application, the Respondent had submitted a letter from the Criminal Appeals Office dated 9 May 2019 which referred to a renewed application for leave to appeal against conviction and required the Respondent to lodge any perfected grounds of appeal by 28 May 2019. The Tribunal had seen no evidence as to whether such grounds were lodged or whether any application for leave to appeal had been granted. The Applicant had opposed the application for an adjournment on the grounds that the allegations against the Respondent were serious and it was proportionate and in the public interests that they should be heard expeditiously. The Tribunal had determined that in all the circumstances it was appropriate to proceed and remained of that view. It therefore agreed to Mr Quentin's request.

4. Application to amend documents

4.1 Mr Quentin drew the Tribunal's attention to a typographical error in the year of the Immigration Act in a footnote to paragraph 6 of the Rule 5 Statement which he asked to be allowed to correct from 1977 to 1971. The Tribunal agreed. Mr Quentin also pointed out that there might be an issue with two dates in the documents. The Home Office attended the criminal trial and reported the matter to the Applicant which understood that the trial took place on 3 April 2018. (Also the Respondent referred in his Response to the Rule 5 Statement to his conviction having taken place on 3 April 2018.) The Certificate of Conviction referred to 9 April 2018 with sentence being imposed on 10 April 2018. The Judge's Sentencing Remarks bore the date 9 April 2018. The Tribunal directed that allegation 1.1 be amended by the addition of the words "as stated to be" after "Croydon". It took the view that the Respondent would not be prejudiced by the amendment as it did not relate to the material facts.

5. The Respondent's place of detention

5.1 A prison address was mentioned during the early part of the hearing which was the Respondent's first place of detention. It was clarified before the Order was drawn that an updated prison address had been notified to the Tribunal and used by the Respondent and the Tribunal for communication along with email.

Factual Background

6. The Respondent was born in 1972 and was admitted on 1 August 2008. His name remained upon the Roll. However he did not hold a practising certificate and had not done so since 24 April 2018.

7. The Respondent was currently a serving prisoner.

8. On 9 April 2018, the Respondent was convicted in the Crown Court of Croydon of conspiracy to do an act to facilitate the commission of a breach of UK immigration law by a non-EU person, assisting unlawful immigration contrary to Section 25 Immigration Act 1971 (as amended).

9. He was sentenced to a term of seven years imprisonment by that same Court.

10. The Applicant took the following steps to investigate the allegations it made.

11. On 15 June 2018, a Regulatory Supervisor employed by the Applicant wrote to the Respondent requesting that he answer allegations which included those in the Rule 5 Statement by 29 June 2018. The Regulatory Supervisor sent a second letter advising that, if no response was received by 5.00 pm on 31 July 2018 "…then we may proceed without your response".

12. The Respondent replied to that correspondence in an email timed at 23.16 on 13 July 2018 in relation to both allegations.

13. On 19 April 2018, an Adjudication Panel of the Applicant decided to intervene into the practice of the Respondent and refer his conduct to the Tribunal.

Findings of Fact and Law

14. The Applicant was required to prove the allegations beyond reasonable doubt. The Tribunal had due regard to the Respondent's rights to a fair trial and to respect for his private and family life under Articles 6 and 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

15. **Allegation 1.1 - By virtue of his conviction in the Crown Court at Croydon as stated to be on 9 April 2019 for the offence particularised within paragraph 6 of the Rule 5 Statement dated 18 January 2019 he [the Respondent] breached any or all of:**

1.1.1 Principle 1 SRA Principles 2011; and/or
1.1.2 Principle 2 SRA Principles 2011; and/or
1.1.3 Principle 6 SRA Principles 2011.

15.1 SRA Principles 2011 relied on under allegation 1.1:

> "You must:
>
> 1. uphold the rule of law and the proper administration of justice;
>
> 2. act with integrity;
>
> 6. behave in a way that maintains the trust the public places in you and in the provision of legal services;"

15.2 For the Applicant, Mr Quentin submitted that the Respondent had been convicted of a serious criminal offence and received a custodial sentence. He relied on the Certificate of Conviction which was before the Tribunal. He also pointed to the copies of articles in the national press exhibited to the Rule 5 Statement regarding the Respondent and his conviction. Mr Quentin drew the Tribunal's attention to the exchanges between the Applicant and the Respondent during the course of the Applicant's investigation, to the Respondent's explanation of his conduct in his email dated 13 July 2018 and the decision of the Adjudication Committee to refer the Respondent to the Tribunal all of which are referred to in the background to this judgment.

15.3 Mr Quentin submitted that under Rule 15(2) of the SDPR, the Tribunal was entitled to rely on the Certificate of Conviction:

> "A conviction for a criminal offence may be proved by the production of a certified copy of the certificate of conviction relating to the offence and proof of a conviction shall constitute evidence that the person in question was guilty of the offence. The findings of fact upon which that conviction was based shall be admissible as conclusive proof of those facts save in exceptional circumstances."

Mr Quentin submitted that there were no exceptional circumstances and so the statement of facts in the Judge's sentencing remarks could be taken as true.

15.4 Mr Quentin submitted that in his email to the Applicant of 13 July 2018, the Respondent explained his conduct relating to allegation 1.1:

> "I was found guilty for conspiracy to facilitate immigration and was sentenced to 7 years of imprisonment. I pleaded not guilty during the trial but unfortunately was found guilty. I maintain that I am innocent and I did not conspire with others. I was never involved in any conspiracy. There is no financial transactions or exchange of any communications with others. The judge said in his sentencing remarks that I carried out less work in all cases. I have filed an appeal against the conviction and sentence."

In his Response to the Rule 5 Statement, the Respondent stated:

> "The Respondent submits that following his conviction in the Croydon Crown Court on 03 April 2018 the SRA Principles quoted above [1, 2 and 6] are breached.
>
> The Respondent, however, submits that he was victim of a serious crime committed by the Home Office employee (Mr Shamsu Iqbal) whom he represented in his wife's immigration case. There is ample evidence in the trial bundle to suggest that his details were used without his knowledge. One particular letter found in Mr Iqbal's car was a letter written to the Home Office, regarding one of the respondent's client (sic) dated prior to the respondent's arrival in the UK.
>
> The respondent has challenged his conviction in the Court of Appeal and is awaiting hearing before the full court. The respondent has raised various grounds to suggest that the conviction is unsafe including the one that the jury did not give proper consideration to his evidence owing to the huge volume of documents involved (all indirect evidence) in the trial and the extraordinary length of the trial."

Mr Quentin submitted that the Respondent had adduced no evidence to prove that he was awaiting a hearing.

15.5 Mr Quentin submitted that the subject of the conviction was a fairly sophisticated scheme of which the ringleader was a Home Office employee Mr Iqbal. The sentencing remarks included:

> "In broad terms the way in which the conspiracies worked was as follows: You, Mr Iqbal, would access the Home Office records of genuine individuals who had, at some time in the past, come into contact with the Home Office in relation to their immigration status. You changed those records so as to enable the impostors to take on the records of the genuine individuals.
>
> The other defendants, acting as legal representatives of the impostors, would correspond with the Home Office on their behalf, knowing that they were impostors, in a bid to legitimatise their immigration status. If all went according to plan, the impostors would end up with documents, albeit often in names other

than their own, which would enable them to remain in the United Kingdom in breach of immigration law should they ever be challenged."

As to the Respondent's specific involvement, the Judge commented:

"Sheikh Usman, Mohammad Hussain and Mohammad Ali, all three of you were involved in making applications, writing letters of representation, legitimising the applications, seeing the applicants and handling their files. Mr Usman and Mr Hussain each made subject access requests to obtain such information as the Home Office possessed in relation to individuals and represented applicants at hearings…"

There were aggravating features:

"There are a number of aggravating features which apply to this case which may be summarised as follows, the conspiracies extended over a considerable period of time and would no doubt have continued had it not been for the intervention of the authorities.

The means employed were elaborate, sophisticated, and involved a high degree of planning. The motivation was financial rather than humanitarian. There is evidence that Mr Iqbal, in particular, profited to a very considerable extent. Any profit is derived from the exploitation of people who are often desperate and with very limited means.

A considerable number of people were assisted or enabled to remain in breach of immigration law."

The Respondent had specific knowledge:

"…I make two matters clear.

The first is that I have no doubt that, with the possible exception of at most three cases so far as they relate to Mr Usman, namely cases eight, 12 and 24, you were each knowingly involved in plans to facilitate the unlawful stay of someone involved in each of the cases specified in the indictment."

In respect of the seriousness of the offence, the Judge commented:

"…You, Mr Usman, abused your position as a solicitor.

It will be clear from what I have already said that, in terms of this type of offending, these offences are particularly serious. They strike at the heart of our immigration system and undermine public confidence in that system."

With regard to mitigation the Judge said:

"Sheikh Usman, you are 45. [The Judge went on to refer to the age and number of the Respondent's children]. I accept that in relation to some of the cases in which you were concerned the evidence reveals only limited involvement.

...

In reality, however, the best form of mitigation in cases such as this stems from prompt pleas of guilty. That mitigation is not open to any of you."

15.6 Mr Quentin submitted that the Applicant's case was that there were clear breaches of Principles 1, 2 and 6 by virtue of the Respondent's conduct as described by the sentencing Judge who found that he acted in the knowledge that he was facilitating a breach of immigration law by his conduct which Mr Quentin submitted constituted a breach of Principle 1. A solicitor should be careful to abide by the law and the Respondent's failure to do so also constituted a breach of Principle 6; the confidence of the public would be seriously undermined by the conviction. The public did not expect an officer of the court to be a serving prisoner and his conviction had been reported in the press and reference was made to his professional qualifications. Also the Respondent accepted that he was in breach of the three Principles alleged.

15.7 The Tribunal had regard to the evidence, the submissions made for the Applicant and the Respondent's representations in his Response to the Rule 5 Statement dated 21 March 2019 and his reply to the Applicant dated 13 July 2018. The Respondent did not admit in terms that he was guilty of the crime of which he had been convicted; he admitted the conviction constituted a breach of the Principles alleged. The conviction was proved by the Certificate of Conviction and there were also the Judge's sentencing remarks. It also found proved on the evidence to the required standard, that is so that it was sure, that by the Respondent's conviction he had breached Principles 1, 2 and 6. Allegation 1.1 was therefore found proved.

16. **Allegation 1.2 - He [the Respondent] failed to notify the SRA of either the date upon which he was to be tried for that offence or the fact of his subsequent conviction having been required by it so to do. He thereby breached and/or failed to achieve:**

1.2.1 Principle 7 of the SRA Principles 2011; and/or
1.2.2 Outcome (10.3) SRA Code of Conduct 2011

16.1 SRA Principles 2011 relied on under allegation 1.2:

Principle 7

"You must:

comply with your legal and regulatory obligations and deal with your regulators and ombudsmen in an open, timely and co-operative manner;"

Outcomes SRA Code of Conduct 2011

Outcome (10.3)

"you notify the SRA promptly of any material changes to relevant information about you including serious financial difficulty, action taken against you by

another regulator and serious failure to comply with or achieve the Principles, rules, outcomes and other requirements of the Handbook;"

16.2 For the Applicant, Mr Quentin submitted that on 11 July 2017. MW a Team Leader of the Applicant set an email to the Respondent including:

> "However, please be aware that once the outcome of the pending trial is known, we may need to re-open our investigation. To that end, please let Ms [K] [a Forensic Investigation Officer] know the date of the final trial, and also the outcome promptly. I take this opportunity to remind you of your duties in that regard under Principles 7 and Outcome (10.3)."

Mr Quentin submitted that as a result of this email it was clear at 11 July 2017 that the Respondent was on notice of a positive duty to notify the Applicant of the trial date which was not known at that time and also its outcome. He did neither. The Home Office provided the Applicant with those facts after the conclusion of the trial.

16.3 On 13 July 2018, the Respondent emailed the Applicant explaining his conduct. In respect of allegation 1.2 he said:

> "Mr [MD of the Applicant] conducted the audit following my arrest. He had visited my (sic) in my office three times, called numerous times and also emailed regarding the trial. During his audit we had a trial date and he was updated on the trial. My solicitor and partner of [B LLP], Mr [B], was dealing with this matter. If you see his last correspondence with Mr [D] and other investigators in [Applicant], he was the person to communicate with you.
>
> We were informed that the [Applicant] was updated on the trial date and we had to just update on the outcome of the trial. On the 3rd of April 2018 everything happened so unexpectedly and shockingly, the jury found me guilty and I was sent to HMP… straight from the court. Mr [B] had the instructions from me to update the [Applicant]."

The Respondent repeated his position in his Response to the Rule 5 Statement:

> "This allegation is denied as the Respondent updated the [Applicant] on each and every stage of the case. The Respondent sent various emails to the [Applicant] (including the one to the [Applicant] auditor Mr [D]) informing him of the date of his trial. The [Applicant] auditor Mr [D] advised the Respondent to update him of the outcome of the trial. The [Applicant] was fully informed of the case including the trial date and the content of the case."

16.4 Mr Quentin submitted that the Respondent's failure to notify the Applicant was a breach of Principle 7 and he failed to achieve Outcome (10.3). There was no evidence of any correspondence sent by or on behalf of the Respondent to the Applicant. He had been put on notice by the Applicant's email of 11 July 2017 that the Applicant needed the two details and there was no correspondence between that email and the trial. Mr Quentin relied on the absence of evidence to support the allegation. The Respondent had not presented any evidence. He said he updated the Forensic Investigation Officer ("FIO") about the trial date in particular. He had been told in the 11 July 2017 email

that the investigation had been closed by Mr D and that Ms K the FIO would also close her file. The Respondent was not in contact from that point on with Mr D. He could not have updated Mr D; any update would have predated the 11 July 2017 email. He failed to notify the Applicant of the dates and so also failed to act in an open, timely and co-operative manner. Having regard to the Respondent's Response, the Tribunal enquired whether Mr D had been asked about emails as the Respondent did not say on what date he wrote to Mr D. Mr Quentin relied on the email of 11 July 2017 had been copied to Mr B and Ms S at B Solicitors both of whom were from the firm representing the Respondent in his criminal trial. After the trial the FIO contacted Mr B without success and then wrote to Ms S to ask for an update. In an email dated 11 April 2018, Ms S wrote to Ms G, the FIO at the time, in reply to an email sent that day to Mr B. She invited Ms G to forward queries to her for discussion with the Respondent. Ms G emailed on 12 April 2018:

> "As you may be aware the [Applicant] first addressed this matter last year following [the Respondent's] arrest. We closed the file pending the outcome of [the Respondent's] trial and asked him to keep us informed as the matter progressed (with Mr [B] copied into that email dated 11 July 2017). I have been unable to find any contact from [the Respondent] since that date…"

Mr Quentin submitted that this was an opportunity for Ms S on behalf of the Respondent to correct the picture. Ms S replied on 3 April 2018:

> "I need to discuss your queries with [the Respondent] and will be meeting with him on Thursday 19th April. I have no ability to discuss matters with him in advance of this meeting."

On 20 April 2018, Ms S wrote again to Ms G including:

> "I can confirm that [the Respondent] was sentenced by Croydon Crown Court on 9th April 2018 and is currently at HMP…"

At no point did Ms S try to correct the picture by saying that the Respondent had updated the Applicant regarding the trial date and its outcome.

16.5 The Tribunal had regard to the evidence, the submissions made for the Applicant and the Respondent's representations in his Response to the Rule 5 Statement dated 21 March 2019 and his reply to the Applicant dated 13 July 2018. The Tribunal considered the facts underlying the allegation and the evidence advanced in support of them. The Respondent was adamant that he had updated the Applicant as required about his trial date and its outcome and his Response bore a statement of truth. The Applicant relied upon an assertion that Mr D had closed his file and was no longer involved in the matter but the Tribunal considered that his lack of ongoing involvement after the file closure might not have been known to the Respondent. Furthermore, there was no supporting evidence from Mr D or anyone else employed by the Applicant to say they had searched through any correspondence and had found no evidence that the Respondent notified the Applicant. While the Respondent had not provided any evidence of contact, the burden of proof was on the Applicant not the Respondent. In the circumstances, the Tribunal could not be satisfied to the criminal standard of proof that the Respondent had not made contact or approached the Applicant to provide the

information in question. The evidence was not robust enough. The Tribunal found allegation 1.2 not proved on the evidence to the required standard.

Previous Disciplinary Matters

17. None.

Mitigation

18. The Respondent was not present but had offered mitigation in his Response to the Rule 5 Statement and his reply to the Applicant dated 13 July 2018. Mitigation had also been referred to by the sentencing Judge. It is referred to in the Sanction section of this judgment below.

Sanction

19. The Tribunal had regard to its Guidance Note on Sanctions (December 2018). The Tribunal had found one of two allegations found proved against the Respondent. The Tribunal considered the seriousness of the Respondent's misconduct in respect of that allegation 1.1. According to the Judge's sentencing remarks there was no suggestion that the motivation for the crime had been other than financial. The Respondent's actions were planned; he was found to have been knowingly involved in what happened with the possible exception of three matters. He had committed a breach of trust because he abused his position as a solicitor. He had direct control of his participation; he could have refused to involve himself but he did not. He had been admitted in 2008 and became involved in the criminal activity in 2010. Although he was not particularly experienced as a solicitor he was a mature individual aged 35. Of the four defendants he was the only qualified solicitor. As to the harm which resulted from the misconduct, it was very considerable. The Judge described the offences as particularly serious and striking at the heart of the immigration system and undermining public confidence in that system. There was also harm to individuals. The Judge referred to an individual who:

> "as a direct result of the hijacking of his identity…was detained at Heathrow and then at Harmondsworth for nine days before the investigating officers in this case became aware of his plight and were able to explain the true position. Unsurprisingly, he describes the experience as very stressful and upsetting. Others have described their concern at the hijacking of their identities."

There was also harm to the reputation of the profession because of the adverse publicity. The harm was a major departure from the "complete integrity, probity and trustworthiness" expected of a solicitor with a commensurate level of harm to the legal profession's reputation. That harm was completely foreseeable. The Tribunal also found there to be aggravating factors as the sentencing Judge pointed out. A crime had been committed which was deliberate, calculated and repeated. It was elaborate, sophisticated and involved a high degree of planning. It continued over a period of time from 2010 to 2016. As a participant the Respondent concealed his activities, which only stopped because the criminal activity was discovered. Vulnerable people were exploited. The misconduct was such that the Respondent ought reasonably to have known that it was in material breach of his obligations to protect the public and the

reputation of the legal profession. As to mitigating factors, the Respondent had not previously been before the Tribunal. He asserted that he was a victim of crime and had been deceived which the Judge did not accept and he had been convicted. The only real mitigation he asserted was that he was innocent. Much of the mitigation in his Response to the Rule 5 Statement related to the reasons for the intervention in his practice which was not relevant to the allegation found proved against him in the Tribunal. The Judge, while not accepting that he was deceived had found that he had limited involvement in some of the cases. The Tribunal could detect no real insight into what the Respondent had done. The Tribunal found that what the Respondent's misconduct was extremely serious; too serious for no order, a reprimand or a fine. It was of the highest level of seriousness such that a restriction order or suspension would not suffice. The protection of the reputation of the profession and of the public required that the Respondent be struck off.

Costs

20. For the Applicant, Mr Quentin submitted that there were two concessions which he sought to make regarding the Applicant's Schedule of costs as at the date of the hearing; the amount of seven hours claimed for his preparation for the substantive hearing was accurate but reflected his inexperience and a more experienced advocate would have worked faster, he therefore wished to substitute three hours. The time estimate for attendance at the hearing could be reduced from seven hours to two hours. The revised total for the Applicant's costs claim was therefore £2,699.84. The Tribunal considered the concessions to be fair. It considered the amount claimed for hotel expenses at £229 to be rather high and reduced it. The costs were otherwise reasonable and proportionate and the Tribunal awarded costs to the Applicant in the amount of £2,500. As to affordability, the Respondent had provided no evidence as to his means. The Tribunal would not therefore make any further reduction in the amount of costs awarded to the Applicant.

Statement of Full Order

21. The Tribunal Ordered that the Respondent, SHEIKH MUHAMMAD USMAN, solicitor, be STRUCK OFF the Roll of Solicitors and it further Ordered that he do pay the costs of and incidental to this application and enquiry fixed in the sum of £2,500.00.

Dated this 13th day of August 2019
On behalf of the Tribunal

Jane Martineau

J Martineau
Chair