

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12682-2024

BETWEEN:

SOLICITORS REGULATION AUTHORITY LTD Applicant

And

MOHAMMED SARFRAZ Respondent

Before:

Mr M. N. Millin (Chair)
Ms A Sprawson
Mr G Gracey

Dates of Hearing:
3 June 2025 (in person)
4 June (reading day)
&
5-6 June 2025 (remote)
&
29 -31 July 2025 (remote)

Appearances

Ms Louise Culleton, counsel, in the employ of Capsticks LLP of 1 St George Road, London, SW19 4DR, for the Applicant.

Mr Franck Magennis, counsel, of Garden Court Chambers instructed by Safaz Legal of 26 Inglewood Road, Birmingham, B11 4AG, for the Respondent.

JUDGMENT

Allegations

1. The allegations against the Respondent, Mohammed Sarfraz, made by the SRA were that, while in practice as a Director and Solicitor at Cartwright Solicitors (“the Firm”):
 - 1.1. Between November 2019 and January 2022, he made inappropriate and/or offensive and/or antisemitic social media posts/tweets on his Facebook and/or Twitter accounts, as identified in Schedule 1 to the Rule 12 Statement.
 - 1.2. The social media posts/tweets identified for the purposes of Allegation 1.1 above were intentionally offensive and/or antisemitic.
 - 1.3. In so far as the conduct took place before 25 November 2019 the conduct alleged above breached any or all of Principles 2 and 6 of the SRA Principles 2011.
 - 1.4. In so far as the conduct took place on or after 25 November 2019, the conduct alleged above breached any or all of Principles 2, 5 and 6 of the SRA Principles 2019.

Note: since the dates of the alleged misconduct Twitter has changed its name to “X”, however, for reasons of consistency it will be referred to by its earlier name throughout the judgment.

Executive Summary

2. The Respondent, a solicitor and director at Cartwright Solicitors, was sanctioned by the Solicitors Disciplinary Tribunal for posting antisemitic and/or offensive and/or inappropriate content on Facebook and Twitter between November 2019 and January 2022. The case involved 21 social media posts that came to the SRA’s attention through public complaints and antisemitic watchdog reports. The Respondent’s ‘s posts exhibited systematic patterns of antisemitic content, including accusations of disloyalty against prominent British Jews, conspiracy theories about Jewish financial influence, religious defamation (claiming “Jews did whack Jesus”), and broader conspiracy theories about Jewish control of the media and involvement in 9/11. The posts targeted specific individuals including the Chief Rabbi, Rachel Riley, and politicians, often using crude and seriously offensive language.
3. The Respondent admitted to the antisemitic nature of most posts and expressed genuine remorse, undertaking self-education about antisemitism and meeting with Jewish community members. However, the case raised complex questions about the boundaries between legitimate criticism of Israeli policies, and antisemitism. The defence argued that anti-Zionist speech was protected political expression, while the prosecution, supported by expert witness Dr Dave Rich, demonstrated how the posts employed traditional antisemitic tropes and conspiracy theories. The Tribunal found that while political criticism of Israel is legitimate, the Respondent’s conduct crossed into antisemitism through his deliberate use of inflammatory language designed to cause maximum offence and/or impact.

Sanction

4. The Tribunal imposed a suspended six-month suspension suspended for one year, conditional on completing mandatory training on equality, diversity, inclusion (10 hours) and antisemitism (4 hours) within one year.

The facts can be found [\[here\]](#)

The Applicant's case can be found [\[here\]](#)

The Respondent's case can be found [\[here\]](#)

The Tribunal's Factual Findings can be found [\[here\]](#)

The Tribunal's decision on sanction can be found [\[here\]](#)

The Tribunal's decision on costs can be found [\[here\]](#)

Documents

5. The Tribunal considered all the documents in the case, which were contained within an agreed electronic hearing bundle.

Preliminary Matters

6. The Applicant's Applications

Amending the Rule 12 Statement. Typographical errors: 4/6/25

- 6.1 Ms Culleton explained that there were two minor errors which required correcting for good order. Her unopposed application was granted by the Tribunal.

The wording in paragraph 104: (6/6/25)

- 6.2 The original wording asserted: "*furthermore in its true sense anti-zionism is to also be considered antisemitic in that in and of itself it engages example seven of the International Holocaust Remembrance Alliance (IHRA) definition.*"
- 6.3 The amendment sought was to change the wording to: "*Furthermore, in its true sense, anti-zionism can, depending on the language used in context, be considered antisemitic and may engage example seven of the IHRA definition.*"
- 6.4 Ms Culleton explained the Rule 12 statement was lodged *before* the High Court decision in *Husain* (published 14th May 2025). She cited Mr Justice Chamberlain's judgment in *Husain*, specifically paragraph 108, which emphasised that when considering IHRA examples 7 and 8 (which deal with criticism of Israel), "*it is unlikely that the substantive content of the message alone will justify the label "antisemitic". However, depending on the language used, and in context, the speech may be antisemitic. The focus of the court or tribunal should therefore be on language and context.*"
- 6.5 The amendment sought to align the SRA's position with the binding High Court judgment.
- 6.6 Mr Magennis did not strenuously object to the amendment. However, he argued that the original sentence should never should have found its way into the submissions at all

as it represented an “*astonishing full-frontal assault on people’s right to free speech.*” The SRA’s approach had been coloured by sentiment set out in the original version of the paragraph 104 and it had been very difficult for his client to apologise due to the SRA’s initial stance, which had backed the Respondent into a corner where he was invited to make concessions to the racist ideology of Zionism that he never should have been invited to make.

- 6.7 The Tribunal granted the application to amend the Rule 12 statement in the way requested and it adopted Ms Culleton’s submissions as the basis of its reasoning for making the decision.

Anonymisation of a Complainant

- 6.8 Ms Culleton explained that the complainant was not being called to give evidence but was nervous and concerned about her name being published especially in light of the current situation, referring to potential targeting of Jewish individuals who call out antisemitism. She was based in another country. Ms Culleton submitted that the witness’s identity did not assist the public to understand the case against the Respondent as her evidence primarily concerned her reaction to the Tweets, not disputed factual allegations.

- 6.9 The unopposed application was granted by the Tribunal which confirmed that the complainant would be referred to as ‘Person A.’

7. The Respondent’s Applications

Submission of an amended Answer, Respondent’s statement and attendant material

- 7.1 Mr Magennis said that he had recently been instructed by the Respondent who now wished to submit an amended Answer to the Rule 12 statement which narrowed considerably the issues between the parties. Initially, there were numerous tweets in question, but following the amended answer, the Respondent was prepared to make admissions to the majority and there was now only six which remained in contention. He explained there would also be a forthcoming witness statement, which required finalisation, from the Respondent along with accompanying documents for the witness statement (over 100 pages, uploaded to Case Lines) and two authorities, namely an International Court of Justice (ICJ) advisory opinion and request for provisional measures. Additionally, Mr Magennis wished to submit a Skeleton Argument.
- 7.2 Ms Culleton did not oppose the admission of the amended answer but objected to the late submission of the witness statement, accompanying documents, and potentially other written submissions (excluding closing submissions). She raised her concerns about the relevance and provenance of the accompanying documents, particularly those that were undated or post-dated the period of the allegations (2019-2022).
- 7.3 The Tribunal’s granted permission for the amended Answer and Skeleton Argument to be admitted into evidence, notwithstanding their late submission. The Tribunal noted that the amended Answer narrowed the issues between the parties to six main areas of contention and was clearly a useful document which progressed the case and assisted the Tribunal and the Applicant. The same was said for the Skeleton Argument, the

attendant material and two authorities. The Tribunal noted Ms Culleton's submission on relevance and provenance, however, as an expert Tribunal it was capable of considering the material and placing the appropriate weight upon it as revealed by the evidence and any later submissions.

- 7.4 The Tribunal deferred its decision on admitting the witness statement as this had not yet been finalised.

Late Witness Statements

- 7.5 Mr Magennis applied to admit late witness statements from two Jewish women, Elena Lenton (living in Berlin, originally from New York) and Rachel Shapiro (living in Australia, originally from Ireland). Mr Magennis attributed the lateness to his recent instruction in the case (approximately one week prior). The witnesses were outside the country, making physical attendance difficult due to time zones (Australia) and work commitments (Berlin), and each required permission from the host countries which it was now too late to obtain.
- 7.6 Mr Magennis argued the statements were extremely important evidence from Jewish people with experience dealing with individuals who have made serious antisemitic statements but who were attempting to atone and remediate. He stated the witnesses criticised his client but also explained why his statements were antisemitic, providing valuable context for the Tribunal to understand the issues. He said that his client was willing to meet with them and indeed had had one hour telephone conversations with them. This demonstrated his state of mind, and the sincerity of his apology, and attempts at remediation. He argued this was factual evidence of meetings that took place and corroborated his client's witness statement.
- 7.7 Ms Culleton objected to the admission of the statements, stating that they were served completely outside the deadlines set in the standard directions. She questioned the purpose of the statements, arguing they were not character testimonials (as the individuals had only met the Respondent for a single hour Zoom call, very recently) and appeared to be an attempt to adduce expert evidence on racism and antisemitism "via the back door" without a proper application. She particularly objected to any suggestion they could speak to the Respondent's current state of mind as they are not qualified to do so. Miss Culleton argued that if the statements were admitted, no real weight could be attached to them.
- 7.8 The Tribunal noted the arguments as to the true nature and relevance of the statements but granted the application to admit them only to the extent that they might be relevant to the question of sanction and remediation and for no other purpose. The Chair clarified that the relevance was the fact that the Respondent had talked to the two women as this could go towards demonstrating remediation and apology but nothing more.

Training Materials

- 7.9 The reconvened hearing on 29 July 2025 began with Mr Magennis raising concerns that the SRA had not fully complied with the Tribunal's order of 6 June that it disclose training materials used by the Community Security Trust (CST) when it had given a presentation to the SRA on antisemitism. He said that the SRA had refused to disclose

a recording of the training session. He argued this recording was relevant as it could reveal the extent of liaison between the SRA, their expert witness Dr Rich (or his organisation CST), and other groups which he suggested influenced the SRA in its conflation of anti-Zionism with antisemitism. Mr Magennis submitted that understanding this relationship was crucial for the Tribunal to assess the Dr Rich's credibility and the SRA's motivation for bringing the prosecution and the mistaken premise upon which it had been based.

- 7.10 Ms Culleton, on behalf of the SRA rejected the claims of improper collaboration. She argued that the original order was for "*training materials*," (which had been disclosed) and the recording itself did not itself form part of the training materials but was instead a record of the session. She clarified that the recording was made by the SRA for internal use, was not provided by CST, and was therefore outside the scope of the order. Furthermore, she stressed that Dr Rich was not the trainer, making the recording irrelevant to his credibility. Ms Culleton said that the SRA had gone above and beyond compliance by providing screenshots of the training slides from the recording, which addressed the spirit of the order. She also cited privacy concerns for not releasing the full recording.
- 7.11 The Tribunal decided that the Applicant had complied fully with its order made on 6 June to disclose the training materials. It ruled that the recording made of the training did not form part of the training materials which fell to be disclosed under the order.

Factual Background

8. The Respondent, aged 48 at the time of the alleged conduct, is a solicitor having been admitted to the Roll on 1 February 2008. He is a solicitor and director at Cartwright Solicitors Ltd, a recognised body.
9. He held a current practising certificate free from conditions and was its Compliance Officer for Legal Practice ("COLP) since September 2014 and the Money Laundering Compliance Officer ('MLCO'), Anti Money Laundering Officer ('MLO'), and Money Laundering Reporting Officer ('MLRO') of the Firm since February 2018.
10. The SRA became aware of the conduct through complaints from members of the public, including Person A, and a report from '*GnasherJew*', an antisemitic watchdog. The posts were also identified by the SRA External Affairs team and highlighted by other Twitter users who tagged the SRA account.
11. The Respondent's Facebook profile identified him as a director at Cartwright Solicitors. This status, along with his identification as a lawyer in one tweet and the public nature of his social media profiles (both Facebook and Twitter) linked by shared images, made him easily identifiable as a solicitor to the public and complainants.
12. The SRA's Warning Notice on Offensive Communications (2017, updated 2019) and Topic Guide on Use of social media and offensive communications (2019) emphasize that solicitors must comply with SRA Principles even outside of practice, particularly concerning inappropriate communications, including on social media. Solicitors should be aware of their online content and maintain professionalism. Identifying oneself as a solicitor increases the risk of content being associated with the profession.

Findings of Fact and Law

13. The Applicant was required to prove the allegations on the balance of probabilities. The Tribunal had due regard to its statutory duty, under section 6 of the Human Rights Act 1998, to act in a manner which was compatible with The Respondent's right to a fair trial and to respect for their private and family life under Articles 6 and 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.
14. The Tribunal had due regard to the following and applied the various tests in its fact-finding exercise:

Integrity

The matters set at paragraphs 97 to 107 of [Wingate v SRA \[2018\] EWCA Civ 366](#),

NOTE: While all the evidence was carefully considered the Tribunal does not refer to each and every piece of the evidence or submissions in its judgment and findings.

15. The Applicant's Case

Amended R12

Allegations 1.1 – 1.4

- 15.1 Ms Culleton submitted that the Respondent's social media content had exhibited a systematic pattern of antisemitic content, falling into four main categories that reflected established antisemitic tropes and conspiracy theories:
- 15.2 *Accusations of Disloyalty and Treason:* This involved direct attacks on prominent British Jews, including the Chief Rabbi and Rachel Riley, suggesting their loyalty was to Israel rather than Britain. Examples included accusing the Chief Rabbi and Rachel Riley of treason and sharing articles questioning Jewish loyalty and alleging "*Jewish over-representation*" in the UK parliament. This type of content deliberately evoked centuries-old conspiracy theories about Jewish people's lack of allegiance to their countries of residence.
- 15.3 *Financial Corruption and Undue Influence:* The posts alleged that Jewish organisations and Israel corrupt British institutions, including politicians, journalists, and students, often via financial means. Examples included claims that politicians were "*bought and paid for*" by the "*Israel lobby*," referring to Jewish students as "*prostitutes who have clearly taken the check*," and suggesting that "*the Israeli lobby*" had "*got their dirty claws in every aspect of [UK] life*." The term "*shekels*" was used to imply individuals were paid by Israel/Jews, such as in a tweet targeting Sajid Javid.
- 15.4 *Religious Defamation and Historical Tropes:* This category included the false accusation that Jews killed Jesus Christ ("*Jews did whack Jesus*"), an ancient antisemitic trope. Another post drew a parallel by referring to Jeremy Corbyn being "*stitched up by the Jews*," comparing him to Jesus Christ.

- 15.5 *Conspiracy Theories and Global Control:* Broader conspiracy theories were promoted, such as claims that Jewish people control social media (“Twitter is run by Jews”) and are the “master race” (an inversion of Nazi ideology). The Respondent also promoted the theory that Mossad was involved in the 9/11 attacks as part of a “Zionist” project.
- 15.6 Other specific examples of alleged antisemitic posts included sharing material about “*Jewish over-representation*” in Parliament, referring to Israel as an “*apartheid Jewish regime*,” holding Jews collectively responsible for the actions of the state of Israel, including in Gaza, and comparing the situation in Gaza and the West Bank to the Holocaust. Comparing Israel to Nazi Germany or equating the conflict in Gaza to the Holocaust was considered antisemitic, causing immense offense and exploiting Jewish historical trauma.
- 15.7 Ms Culleton argued that these posts were not merely criticism of policy but specifically targeted prominent British Jews, presenting this pattern as evidence of a deep-seated attitudinal problem against Jewish people.
- 15.8 The posts also contained extremely offensive language directed at specific Jewish individuals and groups, such as telling the Union of Jewish Students, Rachel Riley, and Marie Van der Zyl to “*go f### yourself*” and calling Rachel Riley and John Ware “*c###*”. While some posts using offensive language were accepted by the Applicant as not antisemitic *in themselves*, they were still considered offensive.
- 15.9 Ms Culleton called Dr Dave Rich, Director of Policy at the Community Security Trust (CST), to give evidence. Dr Rich was presented as a specialist in antisemitism and its interaction with anti-Zionism.
- 15.10 He said that in general terms the antisemitic nature of a statement depends on the language, target, and purpose. Criticism of Israel or Zionism can be antisemitic if it employs traditional antisemitic stereotypes or tropes, as seen in allegations of financial influence and conspiracy.
- 15.11 Dr Rich set out more detailed definitions:
- 15.12 *Antisemitism:* “anti-Jewish prejudice, discrimination or hostility.” It encompasses a range of expressions from hate crimes to a set of ideas, stereotypes, and beliefs about Jews.
- 15.13 *Antisemitic Stereotypes and Tropes:* Often contradictory, these tropes share common characteristics, including:
- Jews as a danger to humanity, bloodthirsty, and lacking compassion.
 - Jews having secret loyalties to each other and conspiring against the rest of society.
 - Jews being greedy, dishonest, physically repulsive, but also immensely wealthy and powerful.

- The idea that Jews use their wealth and power to control politicians, media, finance, and society.
- The belief that Jews or Jewish entities are responsible for or benefit from global calamities.
- The notion that a significant presence of Jews poses a danger to society. These stereotypes can be directed at “the Jews,” individuals/groups of Jews, or Jewish entities like the State of Israel.

- 15.14 *IHRA Working Definition of Antisemitism*: A widely accepted guide to identifying language that *may* constitute antisemitism, noting that “ordinary criticism of the State of Israel cannot be antisemitic.” Dr Rich considered this definition as a practical guide.
- 15.15 *Zionism*: Jewish nationalist movement that has had as its goal the creation and support of a Jewish national state in Palestine. Since 1948, it has come to mean support for the existence and well-being of the State of Israel as a Jewish state and identification with Israel for many Jews.
- 15.16 *Anti-Zionism*: rejection of Jewish national self-determination and opposition to the existence of the current State of Israel. Dr. Rich emphasised that this was distinct from mere criticism of Israeli government policies.
- 15.17 *Antisemitic Variant of Anti-Zionism*: A version that portrays Zionism as an international conspiracy of hidden Zionist power, that uses wealth and intimidation to manipulate and corrupt politicians, media outlets, banks and other institutions. This version is seen as a variant of traditional antisemitic conspiracy theories.
- 15.18 *Intersection of Antisemitism and Criticism of Israel*: Normal political criticism of Israel is not antisemitic. However, if antisemitic stereotypes or tropes are used to describe the behaviour of the Israeli state then this can be antisemitic, as Israel is recognized as a Jewish state. The same applies to antisemitic stereotypes applied to Zionism or Zionists.
- 15.19 Next, Dr Rich analysed several social media posts by the Respondent, identifying recurring antisemitic themes:
- 15.20 *Allegations of Disproportionate Jewish Influence and Lack of Loyalty*: A Facebook post sharing of an article titled “*Jews eight times over-represented in UK parliament*” with the comment “*Anti-semitism? Really?*” Dr Rich stated the article was antisemitic because it describes the presence of Jewish MPs as a “*problem*” and suggests disloyalty to Britain, invoking the antisemitic charge of “*dual loyalty*” (IHRA example six). The Respondent’s comment was interpreted as casting doubt on the antisemitic characterization and equates disproportionate Jewish representation with disproportionate Zionist influence, making a racist assumption that Jewish identity equates to Zionist influence without evidence.
- 15.21 Tweets accusing prominent British Jews (Chief Rabbi, Rachel Riley, Board of Deputies) of disloyalty to Britain, and even treason, for expressing concerns about antisemitism in the UK. These allegations invoked the antisemitic tropes of conspiracy

and dual loyalty, denying legitimacy to British Jewish concerns about domestic antisemitism.

- 15.22 *Antisemitic Conspiracy Theories about Financial Influence*: A series of tweets and posts alleging that politicians, journalists, or public figures are paid by Israel or “Zionists” to influence their behaviour. This combined the antisemitic trope of Jewish wealth with the conspiracy trope that Jews use wealth to control media and politicians (IHRA example two). Dr Rich noted that alleging this conspiracy is run by “Zionists” rather than explicitly “Jews” does not remove the antisemitic component.
- 15.23 Specific examples include calling Sajid Javid a “*bald c###*” and asking “*How many shekels was it you bald c###*” for supporting the Israeli government. Alleging that BBC journalist John Ware “*was clearly paid handsomely by the Zionists*” for his reporting on antisemitism in the Labour Party, accompanied by personal abuse and an implied threat against Rachel Riley, (“*your time is coming to an end very soon*”).
- 15.24 *Blood Libel and Deicide*: Tweets alleging that “*Jews did whack Jesus*” and that Jesus Christ (“JC”) was “*stitched up by the Jews.*” Dr Rich identified this as a formative trope of European antisemitism rooted in a particular reading of the Gospels that has historically led to anti-Jewish persecution. The Respondent’s claim that this “*historic fact/religious belief*” is refuted by historical consensus which places ultimate authority for Jesus’s execution with the Roman authorities.
- 15.25 These allegations were made in response to prominent British Jews discussing contemporary antisemitism, not in a religious or historical context, suggesting a purpose to derail and delegitimise Jewish concerns about antisemitism in present-day Britain.
- 15.26 *Antisemitic 9/11 Conspiracy Theories*: Facebook posts linking to content suggesting the 9/11 attacks were a “*false flag*” or involved Mossad. An explicit tweet stating “*Yes 9/11 really helped the Muslims of the world An inside job helped by mossad as a pretext to destroy the middle East so a few Zionist can continue with the greater Israel project There I said it.*” Dr Rich identified this as a baseless antisemitic conspiracy theory involving Israel’s intelligence agency.
- 15.27 *Allegations of Jewish Control of Media and the “Master Race” Trope*: A tweet claiming “*Twitter is run by jews*” and referring to Jews as the “*master race*” and others as “*cattle.*” Dr Rich refuted the factual basis of the claim about Jewish control of Twitter. The “*master race*” reference is identified as antisemitic for distorting the Jewish concept of “*chosen people*” and using Nazi language, which is a grossly offensive comparison given the Holocaust (IHRA example ten).
- 15.28 *Holocaust Denial Sympathy and Equating Israel to Nazis*: A Facebook post sharing an article from a neo-Nazi website sympathetic to Holocaust denial, despite later tweeting that Holocaust deniers are “*a ##### idiot.*” Dr Rich submitted that posting such material promotes antisemitism regardless of later contradictory statements.
- 15.29 A tweet sent to the Holocaust Memorial Day Trust equating the situation in Gaza and the West Bank to the Holocaust. Dr Rich identified this as antisemitic (IHRA example ten) as it causes offense, exploits Israel’s Jewish identity, and misappropriates the term

“Holocaust,” which refers to the murder of six million Jews by Nazi Germany and collaborators.

- 15.30 *Holding British Jews Collectively Responsible for Actions of Israel:* A Facebook post linking to an article about Jewish groups aiding Israeli war crimes and a comment stating, “*the reason why so many people believe that British Jews are responsible for what happens in Gaza is because Zionist organisations like the Board of Deputies repeatedly support Israeli war crimes... – you can’t have it both ways*”.
- 15.31 Dr Rich argued this tweet appeared to justify holding Jews collectively responsible for the actions of the State of Israel (IHRA example 11), despite diversity of opinion among British Jews and the fact they are observers, not protagonists, in the conflict.
- 15.32 *Denial or Dismissal of Antisemitism Concerns:* A Facebook post stating “*Corbyn was not and is not remotely antisemitic. He was the subject of a concerted campaign of smears and lies.*” This is factually incorrect according to the EHRC investigation, and dismissing antisemitism complaints as “*smears*” was identified as a manifestation of antisemitism by the EHRC. The Respondent repeatedly posted antisemitic material with comments indicating awareness of the potential for it to be considered antisemitic, suggesting a dismissal of these concerns without proper consideration and a lack of sensitivity to the impact on Jewish people.
- 15.33 Dr Rich said while criticising the Israeli government is not inherently antisemitic there were very few posts from the Respondent which contained specific criticisms of the Israeli government, making this explanation inapplicable to most of the material. The Respondent claimed his comments were directed only at “*hardline Zionist hawks,*” however Dr Rich provided examples of comments directed at individuals like David Baddiel, who explicitly distanced himself from Israel, demonstrating that the targets were not limited to those actively supporting Israeli militarism. The Respondent repeatedly conflated opposing antisemitism in Britain with supporting the Israeli government, which Dr Rich argued are distinct activities. He explained that using antisemitic stereotypes or tropes to attack an individual Jew is sufficient for the comment to be antisemitic, drawing a comparison to racial slurs.
- 15.34 In cross-examination Mr Magennis explicitly stated his intention to challenge Dr Rich’s credibility as an expert, suggesting he lacked credibility as an expert, primarily on the basis that he considered Dr Rich to be openly racist towards Palestinians and relatedly towards Muslims.
- 15.35 Dr Rich defined Zionism as “*a Jewish nationalist movement that has had as its goal the creation and support of a Jewish nation state in Palestine.*” This was a major component of Jewish identity which was a combination of racial, religious, national, ethnic characteristics. When related to the state of Israel, he suggested “*nationality*” was the most appropriate label. Anti-Zionism was rejection of Jewish national self-determination as currently embodied by the state of Israel. He denied Mr Magennis’ assertion that this implied non-Jewish Israelis were “*less Israeli*” and that Dr Rich was supporting racial discrimination in Israel while opposing it in Britain and denied his definition of antisemitism operated to shelter Zionism and the alleged apartheid state of Israel (as suggested by Mr Magennis) from legitimate criticism.

- 15.36 Mr Magennis referred to the concept of philosemitism (positive sentiment towards Jews) and Dr Rich agreed that this could sometimes be rooted in the same kind of stereotypes that also inform antisemitism. However, he disagreed with the suggestion that the British state is largely philosemitic and treats Jews and Muslims differently, stating Britain broadly tries to look after its Jewish community as one of its minorities.
- 15.37 Mr Magennis sought to explore the relationship between antisemitism and Islamophobia as wider context. Dr Rich said he did not see how Islamophobia provided direct context for antisemitism itself, though he agreed that criticism of Palestinians, a majority Muslim population, was sometimes expressed in Islamophobic terms. Dr Rich denied the suggestion that he struggled to take Islamophobia seriously and cited his work with Muslim organisations.
- 15.38 With respect to the Respondent's use of language in his tweets Mr Magennis challenged whether using "*Holocaust*" outside the Nazi context is inherently antisemitic. Dr Rich said that using the word "Holocaust" in reference to Gaza and the West Bank was seen by him as a potential "amber light rather than a red light" for antisemitism. However, he considered direct comparisons between Nazi Germany and Israel as almost always being antisemitic.
- 15.39 The term "*shekels*" used in response to a politician supporting Israel was deemed a "red light" for antisemitism. Dr Rich explained this invoked a classic antisemitic trope linking Jews or Jewish entities to money and corruption, implying the politician was paid for their stance. Mr Magennis suggested it was simply a concise way to note the politician's perceived connection to Israel and for which payment may have been made in Israeli currency, the Shekel.
- 15.40 Referring to an "*apartite Jewish regime*" was initially an "amber light" in Dr Rich's view. He reiterated in cross-examination that describing Israel as an "*apartheid Jewish regime*" was offensive but not necessarily antisemitic on its own. However, when Mr Magennis introduced the hypothetical term "*Jewish supremacy*" Dr Rich found the term troubling, noting its use by neo-Nazis, and stating it "adds an extra little notch" towards antisemitism. Mr Magennis argued that criticising Israel as an "ethnstate that explicitly defines itself in racial terms created traps for critics."
- 15.41 Regarding a post questioning if the Board of Deputies truly represented the Jewish community given its support for Israel, Dr Rich considered this potentially antisemitic and cumulatively so when viewed with other statements. Dr Rich agreed the Board of Deputies is a Zionist organisation. Mr Magennis argued the Respondent was legitimately criticising the Board of Deputies for supporting alleged Israeli war crimes while claiming to speak for the Jewish community.

16. The Respondent's Case

- 16.1 The Respondent presented his evidence through the adoption of his witness statement and was subsequently cross-examined by Ms Culleton, representing the Solicitors Regulation Authority (SRA), as well as being questioned by the Tribunal panel.
- 16.2 The Respondent accepted that the majority of the social media posts in question were variously antisemitic and offensive, acknowledging this constituted a breach of his

obligations as a solicitor. He apologised unreservedly for posting them and extended this apology to include some of his more ambiguous posts, which he accepted could be interpreted as antisemitic, particularly when viewed in the context of his more obviously antisemitic ones. He apologised for any upset caused and expressed regret to anyone he may have offended.

- 16.3 However, the Respondent denied any breach in relation to six posts in total. He initially admitted that all but three of the tweets were antisemitic in nature, but subsequently clarified that certain admissions were qualified, accepting a breach having regard to the context of his more “openly antisemitic posts”.
- 16.4 The Respondent argued that many of the broader exchanges from which his posts were taken had been deleted, placing him at a considerable disadvantage as his posts were stripped of context. He explained that the original context arose from exchanges about the hounding/persecution of a Bristol University professor and attacks on Jeremy Corbyn by what he considered to be Zionist extremists for expressing views on Palestinian self-determination and oppression. He conceded that, subject to the context of those exchanges where he experienced some degree of provocation, some comments were antisemitic.
- 16.5 The Respondent stated that he holds anti-Zionist philosophical beliefs and is opposed to the current Israeli government, as distinct from its citizens. He argued that his posts were motivated by his political beliefs and anger at ‘the establishment’ for undermining Jeremy Corbyn’s election campaign, which he believed was influenced by pro-Israel interests. He maintained his belief in an “Israeli lobby” that influences UK politics, arguing this represents a factual, political point distinct from antisemitism aimed at Jews.
- 16.6 The Respondent agreed with the decision of the International Court of Justice (ICJ) that Israel is illegally occupying Palestinian territory, is governed by an apartheid regime, and is plausibly committing genocide against Palestinians.
- 16.7 He argued that his intention had been to highlight the plight of Palestinians, or attempts at irony and humour.
- 16.8 In relation to the *Holocaust in Gaza Tweet*, initially, the Respondent denied making a direct comparison between the Nazi Holocaust and events in Gaza, contending that “Holocaust” is an ordinary English word and that his intention was not antisemitic. He suggested that if he had he used “genocide” instead, the tweet would not have been subject to allegation. However, he eventually conceded that the tweet looked like a direct comparison given its framing and direction to Holocaust Memorial Day UK and David Baddiel. When challenged about his knowledge of David Baddiel’s Jewish identity, the Respondent claimed ignorance at the time of posting, though he maintained that Mr Baddiel’s Jewish identity was not the motivation for his tweet. Despite acknowledging how the tweet would be seen as offensive, he stated he did not believe it was antisemitic.
- 16.9 Regarding the *Sajid Javid “Shekels” Tweet*, the Respondent characterised this as political criticism of Sajid Javid, whom he believed had received funding from pro-Israeli, pro-Zionist groups in the UK. He referenced donations from the Conservative

Friends of Israel, though he admitted this was an assumption at the time of posting. He acknowledged that the language used (“bald c****”) was crude, insulting and embarrassing, but denied the tweet was antisemitic, viewing it purely as criticism of Israel’s political influence.

- 16.10 Concerning the *British Jews Responsible for Gaza Tweet*, the Respondent denied holding all British Jews collectively responsible for actions in Gaza. Instead, he argued the tweet criticised the Board of Deputies for claiming to represent all British Jews whilst being completely pro-Israel and failing to criticise Israel’s actions. He also denied questioning British Jews’ loyalty to Britain.
- 16.11 The Respondent admitted the *Chief Rabbi Treason Tweet* was antisemitic but qualified his admission, stating it was not particularly obvious in his view and only accepted it within the context of his other antisemitic posts. His intention was political rather than to cause offence to Jews.
- 16.12 He accepted that “*Not the first JC to be stitched up by the Jews*” was antisemitic, claiming it was intended to be humorous but admitting it was offensive and expressing shame at having posted it, calling it a “cheap laugh”. He reiterated his belief that antisemitism was weaponised to undermine Jeremy Corbyn’s election campaign.
- 16.13 He accepted that “*Jews did whack Jesus*” was blatantly antisemitic and offensive, claiming it was an instinctive response to a Twitter thread rather than planned. He highlighted his personal Muslim belief that Jesus was not killed on the cross, but conceded it was a cheap joke and not clever.
- 16.14 Regarding the 9/11 “*Inside Job by Mossad*” Tweet, he acknowledged the deliberate nature of his statement by writing “There. I said it”. Initially, he denied it was a blatant antisemitic conspiracy theory, arguing it was anti-Israeli/anti-Zionist as Mossad is the secret service of Israel with no mention of “Jews”. He later conceded that within the bigger context of things and alongside his other tweets, it would be seen as antisemitic. He maintained that the tweet was open to an antisemitic interpretation due to lack of concrete evidence regarding Mossad involvement.
- 16.15 He explained that “*Twitter is run by Jews*” was intended to be ironic, demonstrating Twitter’s perceived double standards whereby Islamophobic tweets were not removed whilst antisemitic ones would be immediately. He admitted knowing the tweet would be viewed as antisemitic at the time of posting, precisely to make this point.
- 16.16 Concerning additional offensive tweets not alleged as antisemitic by the SRA, the Respondent admitted that “*Go f*** yourself*” was plainly offensive and childish, contextualising it as part of a broader exchange and a reaction to perceived Islamophobia. He denied that “*Look up knob*” was offensive within the context of previous online exchanges, characterising it as banter in response to a patronising comment. Regarding “*Dislike c****who just happened to be Jewish*”, he confirmed the plural use of the profanity and acknowledged it could be viewed as offensive, whilst maintaining his intention was not to cause offence.

- 16.17 The Respondent acknowledged his professional responsibilities as a regulated solicitor but stated that in the heat of the moment of tweeting, he did not consider his professional obligations.
- 16.18 He described a journey of self-reflection which commenced prior to the hearing, involving conversations with Jewish parents from his child's school and academics Alana Lentin and Rachel Shapiro. He clarified that his meetings with Lentin and Shapiro were one-hour Zoom calls immediately before the June hearing, not extended over several months as initially implied. He also read books including "*Good Jew, Bad Jew*", which he stated helped him understand the distinction between structural racism and antisemitism.
- 16.19 Through what he described as this journey of self-reflection and education, he came to understand why his tweets would be perceived as antisemitic, explicitly acknowledging that, with the benefit of hindsight, he fell into antisemitic ways of thinking and expression.

Closing Submissions

- 16.20 The proceedings had evolved into a complex examination of the boundaries between antisemitism and legitimate political criticism, particularly regarding anti-Zionist speech and commentary on Israeli policies. The case took an unusual trajectory, with the Respondent having admitted to the antisemitic nature of most posts and expressed genuine remorse. He had undertaken significant remedial steps, including self-education about antisemitism and meetings with Jewish community members. The Respondent was described as a committed pacifist who had offered to enter an Agreed Outcome with the SRA, subject to contested matters.
- 16.21 The case of *Husain*, decided on 14 May 2025, had significant impact on the proceedings. The Respondent's original denials from December 2024 were amended in light of [Husain v SRA \[2025\] EWHC 1170 \(Admin\)](#) on 3 June 2025, with the Tribunal acknowledging this would be taken into account alongside the changed positioning regarding Gaza since the original allegations.
- 16.22 Mr Magennis submitted that the Respondent's anger and resulting tweets initially arose from frustration about Labour Party events and Jeremy Corbyn's prime ministerial aspirations, rather than Gaza directly, though the scope later broadened. The defence characterised the case as dealing with the intersection of two often painfully intertwined forms of racism, arguing that supporters of Israel and Zionism often made bad faith allegations of antisemitism against critics.
- 16.23 Mr Magennis defined Zionism as "the belief, and the historical-political movement associated with it, that there should be a 'Jewish state', one in which Jews form a demographic majority and to which any Jew has a legal right to emigrate." He argued this ideology justified Israel's colonialism, illegal occupation, apartheid, ethnic cleansing and genocide, making it anti-Palestinian and Islamophobic racism that failed the [Grainger plc v Nicholson \[2010\] IRLR 4 \(EAT\)](#) test for protected beliefs.
- 16.24 Central to the defence was the *Husain* precedent, particularly paragraphs 103-106, which established that courts should be cautious about accepting antisemitism claims

based on alleged double standards applied to Israel, that advocating for a one-state solution was not automatically antisemitic, and that claims about Israel being a racist endeavour were protected by Article 10. This was bolstered by the ICJ's July 2024 Advisory Opinion finding that Israel's measures constituted racial segregation and apartheid.

- 16.25 Mr Magennis asserted that Articles 9, 10, and 14 were also central; arguing that the SRA's assertion that anti-Zionist speech was inherently antisemitic was "blatantly unlawful" and "a staggering assault on free speech," contending that Husain established the opposite position.
- 16.26 The SRA had objected to four categories of social media posts: three posts which the defence argued were not antisemitic; posts that were clearly antisemitic and admitted by the Respondent; posts capable of non-antisemitic interpretations but which created a concerning pattern when viewed alongside other tweets; and three posts alleged to be merely offensive, which the defence argued did not meet the test for regulatory breach.
- 16.27 Three posts remained in substantial dispute. The first involved the Respondent's use of "Holocaust" to describe events in Gaza and the West Bank, which the defence argued should be understood as synonymous with genocide rather than comparison to the Nazi Holocaust, citing "Late Victorian Holocausts" as evidence that holocaust could be used as an ordinary English word meaning mass destruction.
- 16.28 The second post involved asking MP Sajid Javid "How many shekels was it you bald c###" in response to Javid's support for Israel. Mr Magennis submitted this constituted legitimate political criticism of alleged foreign influence, comparable to criticism of Conservative Party links to Russian oligarchs, arguing that robust criticism of MPs' foreign policy positions should be permitted without forensic analysis of funding relationships.
- 16.29 The third post criticised Zionist organisations like the Board of Deputies for supporting Israeli actions whilst claiming to represent British Jews, arguing this created confusion about Jewish collective responsibility. The defence cited internal Jewish criticism of the Board, including a deputy's resignation over Israel's "genocidal assault" on Gaza, to demonstrate such criticism was not inherently antisemitic.
- 16.30 Mr Magennis mounted a sustained attack on Dr Rich's credibility as the SRA's expert witness, arguing his evidence had failed the *Ikarian Reefer* standard for expert witness independence. It was said that Dr Rich had failed to disclose conflicts of interest, held racist views including support for demographic engineering in Israel, engaged in *Nakba denial*¹, displayed evasiveness when asked to confirm South African apartheid was racist, and applied double standards.
- 16.31 Mr Magennis emphasised that "history didn't start on the 7th of October 2023," (*the surprise attack by Hamas on Israel*) highlighting the Nakba as indicative of Israel's "genocidal intentions pursuant to its Zionist ideology." He characterised Gaza as being

¹The Nakba, which means "catastrophe" in Arabic, refers to the mass displacement and dispossession of Palestinians during the 1948 Arab-Israeli war.

under siege for almost two decades, where Israel had deliberately herded more than 2 million people.

- 16.32 The question of intention was crucial, whilst the SRA contended the Respondent's tweets had antisemitic intent and showed hostility towards Jews, demonstrating a deep-seated attitude problem Mr Magennis countered there was a distinction between intending to offend and intending to be antisemitic.
- 16.33 Mr Magennis argued the SRA had a serious problem with anti-Palestinian racism and had uncritically endorsed Zionist ideology whilst failing to prosecute anti-Palestinian racism and he characterised the SRA's approach as systematic suppression of anti-Zionist speech, noting their concerning use of evidence from "GnasherJew," an anonymous Twitter account that reported people to employers.
- 16.34 Mr Magennis invoked Article 17 of the ECHR, arguing Zionist beliefs were not worthy of respect in a democratic society, comparing Zionism to white supremacy and apartheid ideologies. He concluded that the SRA's approach made it complicit in genocide by suppressing criticism of the ideology responsible for mass killing in Gaza, calling for the SRA to apologise and withdraw the remaining allegations.

Tribunal's Decision

- 16.35 The allegations concerned 21 allegedly inappropriate, and/or offensive, and/or antisemitic social media posts made by the Respondent, between November 2019 and January 2022. The Respondent made admissions to all but 6 of the posts. He contended that his comments were private, political, or humorous.
- 16.36 The Tribunal carefully considered all the evidence, both documentary, and live testimony from Dr Rich and the Respondent and the submissions made by the advocates who appeared before it. Regarding its findings on antisemitism, the Tribunal followed the guidance in the decision of *Husain* to which the advocates helpfully drew its attention both having appeared at the Administrative Court in that case.
- 16.37 As set out in the Tribunal's decision in *Husain* the Tribunal's task was not to make any decision upon on the Respondent's right of freedom of expression *per se* but to make findings of fact as to whether the Respondent's specific mode and manner of that expression had crossed from legitimate debate into antisemitism and/or the use of offensive, and/or inappropriate language, resulting in a breach of his professional duties and responsibilities, and if so found, whether the seriousness of such a breach required sanction.
- 16.38 The Tribunal was required to apply the civil standard of proof, with the burden lying entirely upon the Applicant. In doing so, the Tribunal had due regard to the Respondent's rights under Articles 6 and 8 of the European Convention on Human Rights, whilst noting that there is no sliding scale in the standard of proof, the balance of probabilities always means "more likely than not."
- 16.39 Central to the case was the proper approach to defining antisemitism. The Tribunal was guided by the decision in *Husain* where Mr Justice Chamberlain endorsed the International Holocaust Remembrance Alliance working definition of antisemitism as

“a certain perception of Jews, which may be expressed as hatred toward Jews.” The judge noted this definition’s consistency with major dictionary formulations and emphasised that antisemitism often involves coded language referencing historical tropes and conspiracy theories. Crucially, the proper test is whether conduct would be regarded as antisemitic by an observer with reasonable understanding of antisemitism’s historical and cultural manifestations.

- 16.40 However, the Court recognised important caveats regarding the IHRA’s contemporary examples, particularly those relating to criticism of Israel and its governmental policies may constitute legitimate political speech. The assessment must consider specific circumstances rather than applying blanket categorisations.
- 16.41 The Tribunal also applied the standard from *Holbrook v BSB* which requires that public political speech be “seriously offensive” or “seriously discreditable” to constitute professional misconduct, mere offensiveness is insufficient. Additionally, the integrity test established in *Wingate* was applied to assess whether the respondent’s conduct demonstrated lack of professional integrity.
- 16.42 The Tribunal found the Respondent’s admissions with respect to those posts properly made and supported by the evidence. However, the question remained in relation to his intention at the time he sent the posts. The Respondent’s defence rested primarily on two contentions. First, he claimed to have been “caught up in the moment” and angry about matters relating to Jeremy Corbyn and the Labour Party leadership. Second, he maintained that his comments were attempts at humour or irony intended to contribute to legitimate public debate rather than expressions of genuine hostility.
- 16.43 Examining the six contested posts individually, the Tribunal reached the following conclusions:

Post	Post Dated	Recipient (s)	Wording	Inappropriate and/or offensive and/or antisemitic	Reason
6	16.2.20	BBC2 David Baddiel The Holocaust Memorial Day Trust	<i>Anyone who denied the holocaust is a ##### idiot - why give them airtime? On that point - what about the holocaust that’s taking place in Gaza and the west</i>	Seriously offensive and inappropriate but not antisemitic	This was a borderline decision as to whether it had also been antisemitic given the identity of the recipients and the day it was sent. However, when viewed as a whole this was not a post in which the Respondent was denying the Holocaust but one instead in which he was attempting to draw a parallel, albeit a crass one, with events in Gaza. Whilst the Respondent was no doubt exercising his Article 10 rights, his use of the word was both an offensive and inappropriate use of the term

Post	Post Dated	Recipient (s)	Wording	Inappropriate and/or offensive and/or antisemitic	Reason
			<i>bank right now?’</i>		which, although it is an English word, has taken on a particularly meaning, one which bears the burden of a dark history. Objectively the situation in Gaza at that time could not equate to mass murder on an unimaginable scale perpetrated by Nazi Germany in the years 1933-1945.
11	25.2.21	Union of Jewish Students, and Rachel Riley and Marie Van der Zyl	<i>“I’m a lawyer and my advice is go f##### yourself</i>	This was offensive but not seriously so. It was inappropriate	This had little if nothing to do with exercising freedom of speech. It was an attempt at crude humour, as admitted by the Respondent. It was offensive but not seriously so (see para.85 of Husain). That said, it was certainly inappropriate and not becoming of a solicitor.
15	5.3.21	@adam-Green	<i>“Look up ‘knob”</i>	As 11 above	As 11 above
17	12.5.21	Sajid Javid	<i>“How many shekels was it you bald c#####’.</i>	This was antisemitic, offensive and inappropriate	This fell within the trope Financial Corruption and Undue Influence and that Jewish organisations and Israel corrupt British institutions, including politicians, journalists, and students, often via financial means. The term “ <i>shekels</i> ” was used deliberately to imply that the politician (then in government) was paid by Israel/Jews,
19	6.1.22	@samisav @SRA	<i>“That’s amazing that you find my entire Denied twitter history that even I couldn’t find if I tried. Like I told your pals</i>	This was offensive and inappropriate	To write to or about one’s regulator in such terms was disgracefully inappropriate and seriously offensive. It could be viewed in no other terms.

Post	Post Dated	Recipient (s)	Wording	Inappropriate and/or offensive and/or antisemitic	Reason
			<i>previously it's not antisemitic to dislike c##### who just happen to be Jewish'</i>		
21	22.5.21	Screen shots provided by Person A	<i>"the reason why so many people believe that British Jews are responsible for what happens in Gaza is because Zionist organisations like the Board of Deputies repeatedly support Israeli war crimes whilst at the same time declaring that they are 'the voice of the Jewish community'.</i>	This was not found to be antisemitic, offensive or inappropriate	This was the Respondent engaging in political debate and a legitimate exercise of his Art.10 rights by criticising an established British institution which had garnered criticism from other quarters.

16.44 Throughout his evidence, the Respondent repeatedly distinguished between his stated intention, which he claimed was never antisemitic, and how his posts were perceived by others. Through his counsel, the Respondent argued vigorously that criticism of Israel and Zionism constitutes legitimate political speech protected under Article 10 of the European Convention. He contended that criticising a hardline Israeli government does not equate to criticising Israeli citizens or Jewish people and he disputed what he

characterised as attempts to equate opposition to Zionism with antisemitism. Indeed, he described the Applicant’s approach as “astonishing” and a “blatant attempt to stifle criticism of the racist ideology of Zionism,” arguing that this represented a form of anti-Palestinian and Islamophobic harassment. He also characterised the Applicant’s expert witness, Dr Rich, as a “hired gun” whose purpose was to prove a predetermined conclusion.

- 16.45 The Tribunal found a striking contradiction between the articulate, measured professional who appeared before it, and the author of the offensive social media posts. During his testimony, the Respondent presented as well-informed, highly intelligent, and articulate, which made his choice of language in the disputed posts all the more significant. When examining posts containing phrases such as “*go fuck yourself*” and similar expressions, the Tribunal concluded that such language could not be dismissed as accidental or unintentional. Rather, it was more likely than not that his online choice of words was deliberately chosen and designed for maximum impact.
- 16.46 Particularly telling was the Respondent’s own acknowledgment during evidence: “*I accept that I was in breach of my professional obligations, having regard to the context of my more openly antisemitic posts.*” The phrase “more openly antisemitic” was especially significant, indicating recognition that his conduct had been intentionally problematic and hostile. The Tribunal drew assistance from the decision in *Lambert-Simpson*, which emphasised the importance of regulatory authorities identifying serious “attitudinal problems” and hostile states of mind, noting that such hostility can “thrive in attempted humour, as it can in ridicule.”
- 16.47 The Tribunal concluded that the Respondent’s conduct had been deliberate and intentional. Given the admissions made by the Respondent and its findings set out above, the Tribunal concluded that the Respondent’s conduct had indeed represented breaches of professional conduct, particularly of the following SRA Principles:
- Integrity (Principle 2 of the 2011 Principles and Principle 5 of the 2019 Principles, where pleaded)
 - Public trust and confidence (Principle 6 of the 2011 Principles and Principle 2 of the 2019 Principles, where pleaded)
 - Equality, diversity, and inclusion (Principle 6 SRA Principles 2019)
- 16.48 The Respondent’s deliberate use of emotive and antisemitic language in a public setting appeared designed not to further legitimate debate, but specifically to cause maximum offense. It could be nothing less than a lack of integrity and contrary to the values expected of a solicitor regarding equality, diversity and inclusion.
- 16.49 The public would not expect a solicitor to engage in public debate through such offensive and inflammatory language and not be antisemitic.
- 16.50 As to the use it had made of the expert evidence, the Tribunal noted the strong criticisms made of Dr Rich, his credibility and alleged partiality by Mr Magennis. However,

though the Tribunal had decided that expert evidence was “necessary for the proper consideration of an issue or issues in the case” ([Rule 31 SDPR 2019](#)) it had not placed an over reliance upon it. The Tribunal had been mindful of the High Court’s admonition in *Husain* to exercise circumspection when receiving expert evidence in such matters.

- 16.51 To this end the Tribunal accepted that, given the subject area, there would no doubt be an element of subjectivity on Dr Rich’s part the Tribunal had weighed up the evidence within the context of the allegations as a whole. The Tribunal recognised that it was not bound to accept his evidence and indeed it came to its own conclusion on some of the disputed tweets. As an example, the Tribunal’s contextual analysis, particularly its acknowledgment that Post 6 was “borderline” before concluding it was not antisemitic, demonstrated that it had not adopted a mechanical application of the definitions when exercising its proper and appropriate judicial discretion in weighing evidence that was properly admitted as necessary but then assessed on its merits.
- 16.52 Ultimately, all allegations that were proved were on the balance of probabilities.
- 16.53 In making its decision the Tribunal confirmed that its approach reflected the important distinction between regulating political opinion and maintaining professional standards of conduct. This was not a case about stifling legitimate political debate, but rather about ensuring that a solicitor, who had voluntarily undertaken professional obligations in exchange for significant privileges and public trust conducted himself with appropriate judgment and dignity even in political discourse.
- 16.54 The Tribunal recognised that the Respondent remained entirely free to express his political views, including robust criticism of Israeli policy or support for Palestinian rights. However, as a solicitor, he was required to do so without descending into seriously offensive language or conduct that demonstrated lack of professional judgment. The Tribunal’s finding that Post 21 (criticising the Board of Deputies) constituted legitimate political debate demonstrated that political criticism itself was not prohibited by its decision, rather, it was the manner of expression that crossed professional boundaries.
- 16.55 The Tribunal considered its approach demonstrated that professional regulation need not stifle political discourse but can properly require that such discourse be conducted with the judgment and dignity that professional status demands.

Previous Disciplinary Matters

17. None

Mitigation

18. Mr Magennis commenced his mitigation by establishing that any sanction should not be designed to punish but serve the regulatory objective of protecting the public interest and that it was the Tribunal’s duty to choose the least severe outcome that deals adequately with the issues identified while protecting the public interest. To ensure consistency, he employed a hypothetical comparator of a Zionist person who was

- accused of admittedly racist things about Palestinians, arguing that one form of racism should not be considered more serious than another.
19. Counsel further submitted that the Respondent's conduct was rooted in sincere concern for the conflict and the violence in Palestine and concern about Islamophobic racism. He highlighted the spontaneous nature of the social media posts on Twitter, a platform consciously designed to encourage impulsivity" and which facilitates conflict. Mr Magennis argued these environmental factors should serve to reduce the Respondent's culpability.
 20. Mr Magennis acknowledged that his client had caused harm by saying racist things in a public forum but submitted that the Respondent's insight had increased and that the harm did not directly relate to his practise as a solicitor distinguishing it from more serious misconduct such as dishonesty or direct harm to clients. He emphasised the absence of criminality or violence.
 21. Addressing aggravating factors, Mr Magennis noted that most commonly relevant factors were absent, including dishonesty, criminality, abuse of professional power, concealment, blaming others, and previous disciplinary matters. Whilst acknowledging the misconduct demonstrated hostility based on protected characteristics, counsel argued this was inherent to the charges rather than a separate aggravating factor *per se*.
 22. Mr Magennis presented evidence of remedial efforts. The Respondent had apologised repeatedly and put such apology in writing; had met with Jewish people affected by this kind of racism, participating in "really difficult conversations," with witness statements attesting to his sincerity. This highlighted proactive educational efforts, reading about antisemitism and books recommended by anti-racist Jewish activists. He was in discussions with a Muslim women's organization that meets with Jewish organizations, aiming for mediated inter-faith dialogue. He was willing to engage with Dr Rich's books on antisemitism and also willing to have meetings and discussions in his local mosque in Halifax.
 23. The Respondent had had a previously unblemished career and that his conduct came to a decisive end when he deleted his social media accounts, indicating very limited risk of repeat misconduct. The Respondent had made open and frank admissions once legally represented, demonstrating willingness to cooperate with his regulator. There was palpable remorse, and the Respondent felt ashamed and was deeply sorry.
 24. Mr Magennis submitted that Israel/Palestine discussions constitute a "minefield" where it is "so easy to put a foot wrong," arguing that Israel self-racialises itself by calling itself the Jewish state, creating confusion in political discourse. Significantly, he challenged the SRA's prosecution as highly concerning and arguably unlawful, characterising it as an attempt to coerce acceptance that anti-Zionism equals antisemitism.
 25. As to sanction Mr Magennis accepted that a reprimand would be too low but argued for a financial penalty at level two - 'moderately serious', or level three 'more serious,' contending that suspension would be too severe given the low future risk and that conduct was not directly professional.

26. Counsel provided comparative analysis: *PSA v GMC & Ali [2024] EWHC 577 (Admin)* where Mr Ali received only a warning for antisemitic rally comments; *BSB v Davidson* which saw a barrister fined £250 for saying ‘Jahwohl’ in court and giving a Nazi salute, conduct Mr Magennis argued was clearly worse than the Respondent’s tweets. *SRA v Lewis* involved a £2,500 fine for extensive offensive tweeting. He distinguished *SRA v Mahmood* as out of line, involving strong expressions of violence” unlike his client’s conduct, and *Husain* as substantially different, noting Husain made no apology or admissions and had used sexualised language and attacks on other races.

Application for Applicant to be heard on sanction

27. The Tribunal declined the Applicant’s request for permission to address it on sanction. The Tribunal was fully aware of its powers and the factors in this case, and it would not be assisted by the Applicant in this regard.

Sanction

28. The Tribunal considered the Guidance Note on Sanction (11th Edition February 2025) (“the Sanctions Guidance”). In doing so the Tribunal assessed the culpability and harm identified together with the aggravating and mitigating factors that existed.
29. The Respondent’s predominant motivation was a political one. The nature of the discourse crossed into antisemitism and seriously offensive language, possibly due to his anger, however, it was unbecoming of a solicitor.
30. The Tribunal found the misconduct arose from decisions made by the Respondent to express himself in an unacceptable way. His actions may have contained an element of spontaneity, but it was thought out and repeated over which he had had direct control. As a very experienced solicitor he should have known better.
31. In assessing culpability, the Tribunal found the Respondent to be fully culpable for his actions.
32. In assessing harm, the Tribunal noted the impact of the Respondent’s misconduct upon those directly or indirectly affected by the misconduct the public, and the reputation of the legal profession. It made no difference, nor did it erode the level of hurt that some of the recipients were public figures. Even though two of the tweets were only found to be “inappropriate” the majority had been seriously offensive and antisemitic. The Respondent had intended it to be so. No person should have to endure such abuse, particularly from a solicitor.
33. The extent of the harm was entirely foreseeable by the Respondent, and the Tribunal found the level of harm to be very high.
34. As to aggravating factors the Tribunal noted that there had been no allegation of dishonesty and no criminal offending. However, as indicated above the misconduct was deliberate and calculated and repeated.

35. The Respondent did not take advantage of a vulnerable person; however, the Tribunal was satisfied that his misconduct was motivated by and/or demonstrated hostility, based on protected or personal characteristics of a person, namely race and religion. The Tribunal was also satisfied that the Respondent was responsible for the misconduct and that he knew or ought reasonably to have known that the conduct complained of was in material breach of obligations to protect the public and the reputation of the legal profession.
36. As to mitigation, the Tribunal noted the Respondent's unblemished record. It considered his admissions, his embarrassment and his apologies to be genuine, and it took into account the steps he had taken at remediation which demonstrated that although he was on the road to achieving insight, there was more work to be done in this regard.
37. When reviewing all the factors in this case the Tribunal concluded that the Respondent's misconduct was so serious that a Reprimand, Fine or Restriction Order would not be a sufficient sanction to protect the public or the reputation of the profession from harm. Solicitors who lose their sense of judgment by framing legitimate political discourse in abusive and racist language places themselves outside the range of behaviours expected by the public. It represents a serious lack of integrity and severely damages public trust in all solicitors. The sanctions set out above would go nowhere near restoring the damage caused or to protecting the public.
38. On the other hand, the circumstances of the case, the Respondent's admissions, genuine contrition and steps at remediation permitted the Tribunal, on balance, to hold back from striking the Respondent off the Roll of Solicitors. Such a sanction would, arguably, have been disproportionate and taken from the profession an able solicitor who the Tribunal believe could rehabilitate.
39. The Tribunal gave earnest thought to the imposition of an immediate fixed term suspension; however, given the foregoing observations, the Tribunal decided that a suspended suspension represented the most appropriate and proportionate sanction it could impose to mark the seriousness of the misconduct, protect the public and maintain the reputation of the profession. It also allowed for rehabilitation, permitting the Respondent to continue practicing while taking steps to reclaim his professional objectivity and understanding of the dangers of racist and seriously offensive language.
40. To this end the Tribunal directed that as part of the sanction the Respondent was to undertake CPD accredited course(s) on (1) Equality, Diversity and Inclusion of not less than 10 hours and (2) a certified course(s) specifically on antisemitism of not less than 4 hours.
41. It would be for the Respondent to keep the Applicant updated on his progress and for the Applicant to ensure it took requisite steps to monitor the Respondent.
42. Finally, as stated in its own decision on *Husain* the Tribunal reiterated what it had said in that case:

“There is no place for bigotry and prejudice in the profession. Whilst the wider world is experiencing turbulent times solicitors must exercise restraint, show

courtesy and display understanding to all manner of people with whom they come into contact whilst at the same time not shrinking from fearlessly fighting for their client, no matter their creed or political views.

With respect to the use of Twitter/ X, a solicitor would be well advised to avoid using this platform when in a state of anger and to refrain from sending messages until they had a clear head and reclaimed their objectivity”.

Costs

43. The Tribunal, having announced its decision on sanction, next considered the question of costs.

Applicant’s Submissions on Costs

44. Ms Culleton formally applied for the Applicant’s costs totalling £79,482.60 inclusive of VAT. This figure was detailed in its schedule of costs. Ms Culleton said that the case was complex, and one properly pursued and brought by the Applicant. They claimed costs were a fair, proportionate, and reasonable reflection of this complexity. It had been necessary to present the disputed tweets to the Tribunal, as evidenced by the Tribunal’s positive findings on five of the six disputed tweets. The team involved in preparing and presenting the case was proportionate and typical for a case of this nature.
45. Ms Culleton submitted the defence’s approach had significantly increased costs: She further submitted that there had been no unequivocal admission from the Respondent regarding his intent or motivation behind the tweets, which had necessitated a full presentation of the matter. Until the week before the hearing, all matters were contested by the Respondent. His original answer, filed in November/December 2024, contained a blanket denial of all tweets and allegations. This meant the Applicant had had to prepare the case as a fully contested matter.
46. There were a number of late applications, and late provision of material and evidence from the defence, some arriving just before and even on the eve of the hearing. The defence’s handling of compliance with a Tribunal order concerning training materials had generated unnecessary work, involving repeated correspondence and claims of non-compliance. Further, the cross-examination of Dr Rich by the defence spanned two days, which Ms Culleton considered disproportionate and unreasonable, especially as it related to only a handful of disputed tweets.
47. While acknowledging that the Respondent’s current legal team was instructed late, this had not negated the necessity for the Applicant to prepare properly for what was indicated to be a contested hearing.

Respondent’s Submissions on Costs

48. Mr Magennis submitted that the Tribunal should not summarily assess the costs but should instead order that costs be subject to a detailed assessment as the case was too complex and lengthy for summary assessment. It was originally listed for 4 days but extended to a 7-day trial, involving numerous complex “moving parts”. By analogy to the Civil Procedure Rules, Mr Magennis said summary assessment is typically for less complex matters or hearings not exceeding one day.

49. Regarding the complexity the defence had raised criticisms of Dr Rich's bias and impartiality, noting his self-declared Zionist views and prior dealings with relevant organisations (e.g., Board of Deputies). These issues would require detailed assessment. The Applicant should have chosen an unbiased expert, which would have substantially reduced costs. As matters turned out, a day of the substantive hearing was lost due to the expert's unavailability. Ultimately, the tribunal found two of the three antisemitic tweets upon which Dr Rich had given expert evidence were found by the Tribunal not to have been not antisemitic. Mr Magennis therefore concluded the costs associated with the Dr Rich should not be recoverable.

(note: Ms Culleton stated the 'lost' day was not included in the Applicant's cost claim and Dr Rich had not charged for his report).

50. Mr Magennis said that the Respondent's legal team, despite being instructed late, made an "open offer" to settle in June, proposing an agreed outcome and admitting to the vast majority (70-75% overall, and 80-85% of anti-Semitic allegations) of the posts. However, the Applicant refused to negotiate and insisted on pursuing all allegations, including those which the Tribunal later found not to be anti-Semitic, leading the case to run for seven days unnecessarily, when potentially a [Newton Hearing](#) would have been sufficient.
51. The Applicant's initial case presentation, particularly the assertion that anti-Zionism is inherently antisemitic, was deemed by Mr Magennis to have been an "astonishing way" to put its case, forcing the Respondent to defend matters he should not have had to, thereby increasing costs. Further, the Applicant had failed to exercise its regulatory powers proportionately, acting with a "sledgehammer to crack a nut."
52. The costs claimed by the Applicant were nearly double those in the Husain case (c.£40.7k), despite that case lasting significantly longer (13 days compared to 6/7 days claimed by Applicant in this case) and involving a Respondent who contested all allegations and offered no apology.

(note: regarding the comparison to the Husain case, Ms Culleton said that the difference in costs was due to a fixed fee regime being in place during the Husain case, whereas the current agreement operated on an hourly rate).

53. Mr Magennis made reference to other comparator cases, *Davidson*: barrister making Nazi salute, reprimanded and fined £250 with £1,750 costs; *Lewis*: solicitor wishing death on people, fined £2,500; and *Mahmood* where a £25,000 fine and significant costs were imposed, was considered "out of line" with other authorities and distinguishable by its nature (strong expressions of violence, no historical context).
54. Mr Magennis argued that the Applicant should aim for "par" with other tribunals and not impose harsher standards on solicitors than barristers.
55. As to the Respondent's means Mr Magennis explained that the Respondent is self-employed, earning £1,000 per month from his business and £2,000 from rental income. The rental property was owned outright (valued at £200,000) and his house was valued at £300,000 with a £200,000 mortgage. He paid £1,000 per year for car insurance on

two vehicles, one leased through his company and the other owned by his partner (valued at £10,000–£12,000). His spouse recently began part-time work, earning £600 per month. He had dependants. He was left with a monthly surplus of £28.

56. His legal costs totalled £37,485, with £16,000 already paid via family loans. He was seeking coverage for his own legal costs under his legal insurance.

Tribunal's Decision on Costs

57. The Tribunal was satisfied that summary assessment of the costs was the appropriate method for determining costs in this matter. Having heard the arguments the Tribunal was well-positioned to make an immediate assessment of what constituted reasonable and proportionate costs. The parties had provided sufficient information through their costs schedules and submissions to enable a fair determination without the need for extensive documentary examination. The Tribunal was an experienced one used to dealing with such matters and a detailed line-by-line examination would be disproportionate and itself add unnecessarily to the costs. A summary assessment ensured that 'the costs of determining costs' remained proportionate and aligned with the Tribunal's duty to manage cases justly and at proportionate cost.
58. The Tribunal noted under Rule 43 of the SDPR 2019 it has the power to make such order as to costs as it thinks fit, including the payment by any party of costs or a contribution towards costs of such amount (if any) as the Tribunal may consider reasonable. Such costs are those arising from or ancillary to proceedings before the Tribunal.
59. By Rule 43(4), the Tribunal must first decide *whether* to make an order for costs and when deciding whether to make an order, against which party, and for what amount, the Tribunal must consider all relevant matters such as:
- The parties' conduct.
 - Were directions/ deadlines complied with?
 - Was the time spent proportionate and reasonable?
 - Are the rates and disbursements proportionate and reasonable?
 - The paying party's means.
60. Subject to the Tribunal's observations on the open offer to settle it found the case had been properly brought by the Applicant. The public would expect the Applicant to have prepared its case with requisite thoroughness, and, in this regard, it had properly discharged its duty to the public and the Tribunal. Given the nature of the case, it was important that the disputed posts had been properly litigated.
61. The Tribunal noted the following factors:
- The substantive hearing had taken longer than anticipated, an extra 3 days.
 - This had been a case of some complexity raising serious issues regarding the conduct of a regulated professional when using social media.

- There had been the need to call expert evidence to assist the Tribunal who was cross-examined at length.
 - The Respondent had served material late though to an extent this was due to the Respondent instructing his legal team close to the hearing date.
62. The Tribunal considered very carefully the Respondent's statement of means and his supporting evidential material and it had regard to the following principles, drawn from R v Northallerton Magistrates Court, ex parte Dove (1999) 163 JP 894:
- it is not the purpose of an order for costs to serve as an additional punishment for the respondent, but to compensate the applicant for the costs incurred by it in bringing the proceedings and
 - any order imposed must never exceed the costs actually and reasonably incurred by the applicant.
63. The Respondent owned multiple properties and was in employment, he was therefore not impecunious. This was not a situation as envisaged by [Barnes v SRA Ltd \[2022\] EWHC 677 \(Admin\)](#) where an order for costs would unlikely ever to be satisfied on any reasonable assessment of the respondent's current or future circumstances.
64. The Tribunal adopted a 'broad brush' approach to the costs and looked at matters in the round. The Tribunal found that the costs claimed by the Applicant were largely reasonable and proportionate and that in principle the Applicant's costs should be paid by the Respondent in full and not borne by the profession.
65. As to quantum the Tribunal noted that there had been an opportunity for the parties to have settled the matter without the need for a full hearing. Although the Tribunal took on board that much of the case had already been prepared by the time the settlement discussions there had been a window of opportunity to narrow the issues wherein only a Newton hearing would have been needed, which may have reduced the hearing by a day or so. To this end the Tribunal decided to reduce the costs by a sum in order of £16,000 or thereabouts and to order that the Applicant's recoverable costs be set in round terms at £63,000.

Statement of Full Orders

66. The Tribunal ORDERED that the Respondent, MOHAMMED SARFRAZ, solicitor, be SUSPENDED from practice as a solicitor for the period of 6 months to commence on the 31st day of July 2025 such suspension to be suspended for the period of 1 year on the condition that within the period of 1 year the Respondent undertakes CPD accredited course(s) on (1) Equality, Diversity and Inclusion of not less than 10 hours and (2) a certified course(s) specifically on antisemitism of not less than 4 hours. The Tribunal further Ordered that he do pay the costs of and incidental to this application and enquiry fixed in the sum of £63,000.00.

Dated this 15th day of August 2025
On behalf of the Tribunal

M.N. Millin

M. N. Millin
Chair