

A Filkin filleting or Vazectomy

Why should a solicitor's firm whose true name is Bindman & Co be miscalled by *Private Eye* (March 23) Blindman & Co? The obvious suggestion is that they had turned a blind eye to something they shouldn't have.

This arose in connection with an investigation by the Parliamentary Commissioner for Standards, Ms Elizabeth Filkin, into Mr Blair's Minister for Europe Mr Keith Vaz MP. In this inquiry Mr Geoffrey Bindman acted as Mr Vaz's legal adviser. On reading Ms Filkin's report dated March 9 2001 I felt her operation might appropriately be called a Vazectomy, since it left the public substance of Mr Vaz rather less complete than before.

I will return to Ms Filkin's report, but first I would say as a lawyer that I am troubled by the *Private Eye* squib, following the Home Secretary's recent attack on some defence solicitors. It used to be thought that, like Caesar's wife, a solicitor, who after all is an officer of the Supreme Court, should be above reproach. Is that no longer the standard offered?

Before feminism and equal opportunities changed everything, the stern name of Sir Thomas Lund, Secretary General of the Law Society, made dodgy solicitors quake in their boots. In my 1969 book *Professional Ethics* (page 109) I quoted Sir Thomas as saying that only the very highest conduct is consistent with membership of the solicitors' profession. He said further (page 115) that a solicitor should never do anything dishonest or dishonourable, even under pressure from his most valuable client.

The piece in *Private Eye* indicated that its attack on Mr Bindman had to do with his valuable client Mr Vaz. Those who wish to investigate the conduct of Mr Bindman in detail can study that report of nearly 100 pages. All I have space to do here is pick out one or two items.

Ms Filkin's report said that in dealing with her inquiries Mr Vaz relied extensively on his solicitor, Mr Bindman, "whose dealings with us were courteous and efficient". It then expressed a desire that MPs in such situations should communicate with her directly, rather than through an intermediary. I read that as a rebuke to Mr Bindman as an outsider intruding on an internal parliamentary matter.

Ms Filkin then said that after receiving letters from Bindmans stating that Mr Vaz did not wish to answer any further questions she decided to bring her inquiry to what she obviously felt was a premature conclusion.

I then came across something in her report that reminded me of what I wrote in this column on April 7 last year (150 NLJ 513). I will not repeat what I said then, but it concerned Ms Filkin's previous report on a complaint that a Tory MP, Tony Baldry, received a loan of £5000 from Mr Sarosh Zaiwalla and then recommended his inclusion in the next Honours List. So there is an interesting link between the finaglings of the Tory MP Tony Baldry and those of the Labour Minister Keith Vaz. A flavour is given in the following extract from Ms Filkin's later report.

"In a letter to Bindmans dated 11 July 2000 I invited Mr Vaz to comment on the further information provided by Mr Zaiwalla from his cashbook records relating to two payments, one of £250 to Mr Vaz's office account in January 1993 and the other of £200 to a publisher,

Wildberry, for a calendar linked to Mr Vaz. In response, Mr Vaz, in a letter from Bindmans dated 17 July, said: 'You refer to Mr Zaiwalla's "cash books", though you have not forwarded me a copy of the extract, nor have you given me a copy of the transcript of the comments made by Mr Zaiwalla. Mr Zaiwalla is responsible for his own accounts'.

"I wrote again to Bindmans on 3 October 2000 to seek a clear answer from Mr Vaz as to whether he had received the £250 donation which Mr Zaiwalla said he had made to Mr Vaz's office account in January 1993. In response, in a letter dated 2 November 2000 Bindmans replied: 'Mr Vaz made it quite clear to you in his letter of 16 February 2000 that he could well have encouraged Mr Zaiwalla to make contributions to charities or events, but he is equally adamant that he has never received any personal benefit in any shape or form from Mr Zaiwalla'."

Now we learn that Ms Filkin has started yet another investigation into the doings of Mr Vaz. Whether he will have Mr Bindman's assistance in this, in view of Ms Filkin's rebuke, one does not know. I could find nothing in her report dated March 9 2001 that would justify the suggestion that Mr Bindman's conduct was in any way disreputable.

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