

BEFORE THE SOLICITORS DISCIPLINARY TRIBUNAL
IN THE MATTER OF THE SOLICITORS ACT 1974 (as amended)
B E T W E E N:

SOLICITORS REGULATION AUTHORITY LIMITED

Applicant

and

MUHAMMAD AFZAR AHMAD

Respondent

**AMENDED STATEMENT PURSUANT TO RULE 12 (2) OF THE SOLICITORS
(DISCIPLINARY PROCEEDINGS) RULES 2019**

(Amended with the permission of the SDT in a 28 November 2025 Memorandum)

I, John Tippett-Cooper, am employed by Capsticks Solicitors LLP, of Wellington House, 68 Wimbledon Hill Road, London, SW19 7PA. I make this Amended Statement on behalf of the Applicant, the Solicitors Regulation Authority Limited (“the SRA”).

The Allegations

1. The Allegations against the Respondent, Muhammad Afzar Ahmad, made by the SRA, are that, whilst working as a solicitor practising in immigration law at Kingswright Solicitors Limited (“the Firm”) during the course of a preliminary meeting in his office on 27 June 2023 with three persons, one of whom was posing as a person who had illegally entered the country (“the illegal immigrant”) and who had come to see him, in his capacity as an immigration lawyer, to discuss whether the Respondent could assist him, he suggested:
 - 1.1. that a false narrative should be provided by the illegal immigrant in support of an asylum claim for entry into the United Kingdom, namely that he had left his home country due to fear for his life; and/or
 - 1.2. that, he should get married to a person, despite there being no genuine relationship between the illegal immigrant and the person to whom he would

marry for the purpose of regulating his immigration status within the United Kingdom,

and in doing so breached any or all of Paragraph 1.4 of the Code of Conduct for Solicitors, RELs and RFLs 2019 ("the Code") and Principles 1, 2, 4 and 5 of the SRA Principles 2019 ("the Principles").

Appendices and Documents

2. I attach to this Statement the following appendices:
Appendix 1: Relevant Rules and Regulations
Appendix 2: Anonymisation Schedule
3. I also attach to this Statement a bundle of documents, marked **Exhibit JTC/1**, to which I refer in this Statement. Unless otherwise stated, the page references in this Statement relate to the documents contained in that bundle.
4. The bundle **Exhibit JTC/1** is divided into the following sections:
Section A: Investigation and Referral Notice
Section B: Additional Documentation

Background Summary

5. The Respondent (date of birth: [REDACTED] 1966) is a solicitor (SRA ID: 449797), who was admitted to the Roll on 15 April 2013. At the time of these Allegations, the Respondent was working at Kingswright Solicitors Limited ("the Firm") (SRA ID: 637320).
6. At the time of these Allegations, the Respondent was registered with the SRA as the Firm's Compliance Officer for Legal Practice ("COLP"), and Compliance Officer for Finance and Administration ("COFA") **[page 4 of JTC/1]**. At the time of these Allegations, immigration work accounted for 99% of the Firm's practice (based on information registered with the SRA) **[paragraph 17 on page 8 of JTC/1]**.
7. The Respondent does not hold a current Practising Certificate.
8. The Allegations the Respondent faces arise from an undercover investigation into solicitors providing immigration advice and services, carried out by The Daily Mail newspaper. On 27 June 2023, three undercover journalists attended the Firm's offices and had a meeting with the Respondent. One of these undercover journalists was posing as illegal migrant who had arrived in the UK via boat. These Allegations relate

to the advice the Respondent provided in that meeting as to how a prospective client, in that situation, could regulate their status within the UK.

The facts and the matters relied upon in support of the Allegations

9. In January 2023, Thomas Kelly, an Investigations Editor at the Daily Mail newspaper, received information regarding the actions of a number of immigration solicitors' firms and their conduct in relation to asylum claims. Following consultation with their legal department, the Daily Mail decided to conduct an undercover investigation using covert recording equipment **[page 77 of JTC/1]**.
10. The Daily Mail formulated a scenario that would be the focus for this investigation: an undercover reporter would pose as a recently-arrived illegal migrant who had no legitimate reason to claim asylum, and would ask the solicitors if there was anything they could do to normalise their stay in the UK. The parameters of this scenario involved the instructions that the undercover reporter:
 - 10.1. Could not ask leading questions;
 - 10.2. Could not themselves suggest making an asylum application; and
 - 10.3. If asked, they would be clear that there was no basis for a legal claim for asylum **[page 77 of JTC/1]**.
11. On 1 February 2023, Mr Kelly met with Paul Samrai, one of the undercover journalists tasked with carrying out this investigation. Mr Kelly explained to Mr Samrai the parameters of the investigation, as set out above **[page 78 of JTC/1]**. It was agreed that Mr Samrai would pose as the uncle of a person who had entered the UK illegally (i.e. they had no legal basis to be in the UK and had not submitted a claim for asylum) **[page 80 of JTC/1]**.
12. Mr Samrai was provided with names of solicitors' firms that should be approached as part of this investigation; he was not provided with the names of individual solicitors **[page 80 of JTC/1]**.
13. Following a telephone call to arrange the appointment, Mr Samrai attended the Firm's offices on 27 June 2023. Mr Samrai was accompanied by two other undercover operatives; one posing as his son, and the other as the "illegal migrant" **[pages 81 – 82 of JTC/1]**. These three undercover journalists then conducted a meeting with the Respondent.
14. The meeting between the journalists and the Respondent was covertly digitally recorded on the Lawmate PV500 Neo System **[page 82 of JTC/1]**. Following the

meeting, Mr Samrai met with Izzy Lyons of the Daily Mail, who downloaded the recording to her laptop **[page 82 of JTC/1]**. Mr Kelly also downloaded a copy of the recording to his laptop **[page 78 of JTC/1]**.

15. Following publication by the Daily Mail in July 2023 of articles relating to this investigation, the SRA contacted the Daily Mail and requested copies of the recordings. These copies were sent to the SRA by Izzy Lyons through her WeTransfer account **[page 79 of JTC/1]**.
16. Following receipt of the recordings, as the meeting between the Respondent and the three undercover journalists had been conducted part in English and part in Punjabi, the SRA sought a transcript of the recordings from Language Line Solutions.
17. Ophelie Guenaud of Language Line Solutions **[pages 16 – 18 of JTC/1]** has confirmed that transcripts were prepared by a Linguist within the company who is fluent in Punjabi. Upon completion of those transcripts by the Linguist, they were then sent to a Proofreader, who also spoke Punjabi, to carry out a quality assurance check **[paragraphs 4 – 6 on pages 16 – 17 of JTC/1]**.
18. Following completion of the quality assurance check by the Proofreader, Ophelie Guenaud then also conducted a further quality assurance review of the English part of the transcripts **[paragraph 7 on page 17 of JTC/1]**.
19. The recordings were contained in two separate files. The transcript from the first of those two files can be seen at **pages 20 – 25 of JTC/1**. The transcript from the second file can be seen at **pages 26 – 34 of JTC/1**.
20. As the Respondent took issue with the accuracy of the transcript provided by Language Line, a further copy of the transcripts has been prepared by Atlas Translations **[pages 95 – 129 of JTC/1]**. Statements confirming the process have been provided by Rhys Stevenson **[page 94 of JTC/1]** and Mamoona Azam **[page 130 of JTC/1]**.
21. From the Atlas Translations transcript, it can be seen that the Respondent provided the following advice:
 - 21.1. After dealing with introductions, being told a brief summary of how “Gurpinder Singh” arrived in the UK via boat, and being told that these prospective clients wanted to, “...explore the ways of how he can remain...” **[page 100 of JTC/1]**, the Respondent stated:

“Very simple. We are not here to mislead people. My duty is to inform you the pluses and minuses in all this...

...You know as far as the Indian case is concerned the asylum first of all. If he is thinking or you are thinking or you are suggesting, going for asylum" [pages 100 - 101 of JTC/1]

21.2. After being informed that the "client" was from Punjab, the Respondent proceeded to set out the difficulties with bringing a claim for asylum originating from India **[pages 101 – 102 of JTC/1]**. In the course of that discussion, the Respondent stated: *"According to these reports India is a safe country but this kind of problem although many people are being murdered every day on the basis of race or religion or whatever their position is" [page 102 of JTC/1];*

21.3. The Respondent then went onto state the following:

"Apparently it's a weak asylum case of all Indians not just this gentleman but for all Indians. What's the second option? The second option is if you can get married then we can during the pendency of the asylum we can go to the other route" [page 103 of JTC/1]

21.4. Following the introduction by the Respondent of the concept of marriage into the meeting, the following exchange took place:

Male Speaker 2: So we start with asylum then we can...

Solicitor: Yeah. In the meantime, if can get a proper proposal.

Male Speaker 2: He is single he is never married.

Solicitor: Here.

Male Speaker 2: I know I am just saying he don't have life back in India.

Solicitor: Yeah, that's fine.

Solicitor: Because of this he will be safe. If asylum is not successful, then we will have another option which we will choose.

Male Speaker 2: Okay.

Solicitor: *If he is living with any person who has a (settled) status for two years, there is no need to get the marriage registered, it is called unmarried partner. For that purpose, the couple need to provide evidence of the two years living together.*

Male Speaker 2: *So, it is two years from now?*

Solicitor: *Now?*

Male Speaker 1: *Yeah.*

Solicitor: *Or on the other hand once we claim asylum, he will be able to register the marriage in the marriage office.*

Male Speaker 2: *Say it again sir.*

Solicitor: *To register his marriage in the marriage office.*

Male Speaker 2: *Okay to register*

Solicitor: *Yeah, once the marriage will be registered, he can apply any time that I am a spouse of a British national or whatever the position will be for a settled status person.*

Male Speaker 2: *Okay.*

Solicitor: *You have only these two options and there is no other option as far as I understand" [pages 103 – 105 of JTC/1].*

22. The Respondent then proceeded to provide advice as to the nationality or immigration status of the person to whom the "client" would have to get married in order to assist with his immigration status **[pages 105 – 107 of JTC/1]**.
23. The transcript from the second recording can be seen at **pages 109 – 129 of JTC/1**.
24. Early on in the second recording, the Respondent was informed as to the "client's" reasons for travelling to the UK:

"Male Speaker 2: He has to get working you understand. He came here to make money. And he has been here only three weeks already. It's been three weeks. Job found. Got work. So, don't worry" [page 110 of JTC/1]

25. Following a discussion of what documents the "client" would need to produce **[pages 112 – 114 of JTC/1]**, the Respondent was then asked what would occur in the asylum interview, and the following exchange took place:

"Solicitor: They take the basic information of the person who claims asylum. Basic information. What is your name? What is date of birth?"

Male Speaker 2: In the first interview?

Solicitor: Yes, in the first interview they will ask basic information like what is your education. What is your caste? Where did you live there? How'd you get here? Do you have any health issues? You are married or single. All these things are basic information and finally they will ask why have you come? Why do you want to seek asylum? Then, you need to tell something one liner, two line not in detail for example: He can say that I was attached to the Khalsa in Punjab.

Male Speaker 2: With the Khalsa. Khalistan people.

Male Speaker 1: They are from Khalistan

Solicitor: We can say of any party that his life was in danger because of them, we have to make up some story.

Male Speaker 1: We say there is threat to his life.

Solicitor: We need to establish that he ran from his country due to fear to his life on the basis of political opinion, religious matter, caste, race, or particular social group. Particular social group means he fell in love somewhere in another caste and they were enemy of his life, or he is a gay. These are the kind of things that cover under particular social group, these are the five ingredients of asylum.

Male Speaker 1: *Understood. What is for him?*

Solicitor: *For him that should be political.*

Male Speaker 1: *Khalistan. Should we make him a Khalistan?*

Solicitor: *If you managed to get a Khalistan card issued from there, or membership of a Khalistan organisation that is currently active there, which can confirms that He is a member Khalistan. On that basis we can do. But I will tell you one thing again. I will come back to my first opening remark that keep in mind that asylum for Indians is very weak.” [pages 114 – 116 of JTC/1].*

26. The discussion between the Respondent and the undercover journalists then moved back to the topic of marriage:

“Male Speaker 1: *I understand your idea we put the asylum case in then back up plan is wedding.*

Solicitor: *Wedding! That’s better thing.*

Male Speaker 2: *Ok got it.*

Solicitor: *...and as soon as you find anyone who is ready to get married to him put his name on the bills just call the utility provider that add his name with my name. She can call.*

Male Speaker 1: *What is the reason for this?*

Solicitor: *Reason is that it will establish that they both are living together.*

Male Speaker 2: *Okay got it. Do you have someone in your sights?*

Solicitor: *No. One year ago, a family came here from India, and I did their cases from Germany. I know they had daughters. They are coming to my mind I can get their number from somewhere. His name was [Person GC]. ...let me check”*

Male Speaker 2: Are they Punjabi?

Solicitor: They are Punjabi.

Male Speaker 2: That would be great. If any, can you introduce us?

Solicitor: [Person GC].

Male Speaker 2: [Person GC], can I have his number?

Solicitor: You can get it from a pandit or from a gurdwara. What do we call it? Guru" [pages 117 – 118 of JTC/1].

27. After the Respondent was asked as to how much the process would cost, he replied:

"Solicitor: We will charge you for the first one to start. £750.

Male Speaker 2: To start?

Solicitor: Yes to start. The final one you'll cost is £2,000.

Male Speaker: £2,000. Marriage application included?

Solicitor: Marriage application is separate. I am talking about asylum" [page 119 of JTC/1].

28. The meeting concluded with the Respondent stating that he would need the initial £750 fee, plus identification documents, followed by a discussion of the "client's" current movements and the Respondent's background **[pages 122 – 129 of JTC/1]**.

29. Mr Samrai has confirmed that he did not edit the recordings of this meeting before downloading them to Mr Kelly and Ms Lyon's laptops **[page 82 of JTC/1]**. Mr Kelly has confirmed that he did not edit the recordings before they were provided to the Home Office **[page 79 of JTC/1]**.

30. Stephen Cole at Acumé Forensic has reviewed the recordings which the Daily Mail has provided. **[pages 37 – 76 of JTC/1]**. Mr Cole has proffered the opinion that the two recordings involved in the Respondent's case:

"...show no evidence of editing and all feature continuous recording" [page 48 of JTC/1].

Respondent's response to Notice

31. On 28 November 2023, the SRA sent a notice and accompanying bundle to the Respondent, recommending referral of his case to the Tribunal [page 84 of JTC/1]. The Respondent sent an e-mail in response, on 2 January 2024 [pages 84 – 87 of JTC/1], in which he made the following claims:

- 31.1. That the transcript of the video recording was disputed, that he had instructed a professional interpreter to transcribe the videos, and he hoped to provide a copy of that transcript within the next week [paragraphs 2 – 4 on page 85 of JTC/1];
- 31.2. He did not suggest to the undercover journalists that they claim asylum, he simply stated, “...*that if you are thinking of claiming asylum*” [paragraph 5 on page 85 of JTC/1];
- 31.3. He disputed using the word, “Khalistan”, and asserted that he had in fact used the word, “*Khalisa*”, which means pure, and is a reference to a person of the Sikh faith [paragraph 8 on page 86 of JTC/1];
- 31.4. The word “Khalistan” was first introduced by the journalists, and the Respondent advised them accordingly [paragraph 9 on page 86 of JTC/1];
- 31.5. He acknowledged that he should have “...*explored their reasonings* (sic) and *circumstances for claiming asylum*...”, but at that stage he had not been formally instructed. There were no malicious intentions behind his advice as they were not genuine clients. As a result of the journalists continuing to use the “Khalistan”, he suggested that asylum was claimed on the basis of the “...*Khalistan separation movement*” [paragraph 10 on page 86 of JTC/1];
- 31.6. He never suggested a sham marriage; it was his suggestion that the “client” enter into a genuine marriage [paragraph 13 on pages 86 – 87 of JTC/1]; and
- 31.7. That he presented his, “...*sincere apologies to the regulatory body on this matter*” [paragraph 15 on page 87 of JTC/1].

Allegations and Breaches of Principles and the Code of Conduct

Allegation 1.1 – False narrative for asylum claim

32. Paragraphs 9 to 30 above are repeated. Without hearing any explanation from the “client” for his reasons to travelling to the UK, the Respondent introduced the concept of claiming asylum. After being informed that the “client” had travelled to the UK to “make money”, rather than due to fleeing any sort of persecution or risk to his life, the Respondent still went onto provide examples of information that could be given in support of a claim for asylum, including encouraging the “client” to state that he was a member of the Khalistan organisation (see paragraph 25 above).
33. No information had been given to the Respondent that would suggest that the “client” had indeed travelled to the UK, “...due to fear for his life...”, yet he still advised that an application was made for asylum, including assisting the “client” with the type of narrative that would need to be provided to support such a claim. In these circumstances, the advice provided by the Respondent clearly amounted to an encouragement on his part for his “client” to provide a false narrative.

Allegation 1.2 – Entering into a marriage

34. Paragraphs 9 to 30 above are repeated. Without making any enquiries as to the “client’s” relationship status, the Respondent advised the journalists that a marriage would be the second option, and then proceeded to give advice as to the nationality or immigration status that would be required for any would-be spouse. This included the Respondent identifying a family that he had previously acted for, who had daughters, who might fit the required immigration status for any would-be spouse.
35. Section 24(5) of the Immigration and Asylum Act 1999 (as amended by the Immigration Act 2014) provides a definition of a “sham marriage”, which includes the scenario where:
 - 35.1. There is no genuine relationship between the parties to the marriage; and
 - 35.2. Either, or both, of the parties enter into the marriage for the purpose of (i) avoiding the effects of UK immigration law or rules; and/or (ii) obtaining a right under UK immigration law or rules to reside in the UK.
36. Given the Respondent’s advice to his “client” was given in the context of being told that the client was single and that he was seeking a route through which he could remain

in the UK, and the Respondent felt it appropriate to comment on the nationality and/or immigration status of an potential spouse, it is difficult to see how the Respondent's advice could be construed as anything other than encouraging the "client" to enter into a "sham marriage."

Breach of Code and Principles (Allegations 1.1 and 1.2)

37. There could never be any actual deception of the Home Office as the undercover journalists had no intention of submitting a claim for asylum, nor was there ever a likelihood of a false claim based on a sham marriage. This is not necessary for a breach of paragraph 1.4 of the Code. This paragraph prohibits solicitors from both misleading and attempting to mislead courts, clients or others, either through their own acts or omissions, or being complicit in the acts or omissions of others. In encouraging the "client" to provide a false narrative in support of a claim for asylum, or to enter into a "sham marriage" the Respondent has attempted to become involved in a deception of the Home Office.
38. Section 24A of the Immigration Act 1971 makes it a criminal offence for a person who is not a British citizen to obtain, or seek to obtain, leave to remain in the UK by means which include deception. The Respondent has therefore encouraged what he believed to be a potential client to commit a criminal offence, and did not warn the potential client about the consequences of committing a criminal act. In doing so, the Respondent has failed to uphold the rule of law and the proper administration of justice. The Respondent has therefore breached Principle 1.
39. In encouraging an individual the Respondent believed to be a potential client to submit what was effectively a false claim for asylum and/or enter into a "sham marriage", the Respondent was seeking to abuse the immigration system and add to an overburdened process with an unmeritorious claim. Such conduct would serve to damage the public's trust and confidence in the solicitors' profession and in the provision of legal services. The Respondent has therefore breached Principle 2.
40. In *Wingate v Solicitors Regulation Authority v Malins* [2018] EWCA Civ 366, it was said that integrity connotes adherence to the ethical standards of one's own profession. A solicitor acting with integrity (i.e. with moral soundness, rectitude and steady adherence with an ethical code¹) would not encourage a client to submit a false narrative in support of a bogus claim for asylum, nor enter into a "sham marriage." The Respondent has therefore breached Principle 5.

¹ *Hoodless & Anor v Financial Services Authority* [2003] UKFSM FSM007

Dishonesty

41. The Applicant relies upon the test for dishonesty stated by the Supreme Court in *Ivey v Genting Casinos* [2017] UKSC 67 which applies to all forms of legal proceedings, namely that the person has acted dishonestly by the ordinary standards of reasonable and honest people:

“When dishonesty is in question the fact-finding tribunal must first ascertain (subjectively) the actual state of the individual’s knowledge or belief as to the facts. The reasonableness or otherwise of his belief is a matter of evidence (often in practice determinative) going to whether he held the belief, but it is not an additional requirement that his belief must be reasonable; the question is whether it is genuinely held. When once his actual state of mind as to knowledge or belief as to facts is established, the question whether his conduct was honest or dishonest is to be determined by the fact-finder by applying the (objective) standards of ordinary decent people. There is no requirement that the defendant must appreciate that what he has done is, by those standards, dishonest.”

42. If the Tribunal concludes that the Respondent has indeed advised a potential client deliberately to provide a false narrative in support of a claim for asylum, this is conduct that would be viewed as dishonest by the standards of ordinary decent people.

43. The advice given by the Respondent to the “client” amounts to an attempt on his part to instigate a false claim for asylum and/or enter into a “sham marriage”, with the intention of deceiving the Home Office. An honest solicitor would not contemplate advising a client to act in such a manner, which amounts to a criminal offence. Also an honest solicitor could not be part of such deception and would refuse to act in such circumstances. An honest solicitor would not attempt to instigate a deception upon the Home Office.

44. Ordinary decent people would almost certainly view such conduct as dishonest. Indeed the Respondent must have known (although the Tribunal does not need to make such a finding) that such conduct was dishonest. Therefore the Respondent has breached Principle 4.

The SRA’s Investigation

41. The SRA have taken the following steps to investigate the Allegations which it makes against the Respondent:

- 41.1. Following publication by The Daily Mail of articles relating to this incident, the SRA requested copies of the recordings and transcripts **[page 79 of JTC/1]**;
- 41.2. On 19 September 2023, the SRA submitted the recordings to Language Line Solutions for the purposes of obtaining a further transcript **[page 16 of JTC/1]**;
- 41.3. The SRA has obtained copies of the witness statements provided by Thomas Kelly **[pages 77 – 79 of JTC/1]**, Paul Samrai **[pages 80 – 82 of JTC/1]**, as well as a report from Acumé Forensics **[pages 37 – 76 of JTC/1]**;
- 41.4. A Notice recommending referral of the Respondent's case to the Tribunal was produced on 28 November 2023 **[pages 1 – 12 of JTC/1]**;
- 41.5. The Respondent provided representations in response to the SRA's Notice on 2 January 2024 **[pages 84 – 87 of JTC/1]**;
- 41.6. The SRA replied to the Respondent's representations on 4 January 2024 **[pages 90 – 91 of JTC/1]**; and
- 41.7. The ADM referred the Respondent's case to the Tribunal on 12 January 2024 **[pages 92 – 93 of JTC/1]**.

I believe that the facts and matters stated in this statement are true.



Signed:

John Tippett-Cooper (Legal Director)

Date: 4 December 2025

**BEFORE THE SOLICITORS DISCIPLINARY TRIBUNAL
IN THE MATTER OF THE SOLICITORS ACT 1974 (as amended)
B E T W E E N:**

SOLICITORS REGULATION AUTHORITY LIMITED

Applicant

and

**MUHAMMAD AFZAR AHMAD
(SRA ID: 449797)**

Respondent

**APPENDIX 1 TO STATEMENT PURSUANT TO RULE 12 (2) OF THE SOLICITORS
(DISCIPLINARY PROCEEDINGS) RULES 2019**

Relevant Rules and Regulations

SRA Principles 2019

You act:

Principle 1: in a way that upholds the constitutional principle of the rule of law, and the proper administration of justice.

Principle 2: in a way that upholds public trust and confidence in the solicitors' profession and in legal services provided by authorised persons.

Principle 4: with honesty.

Principle 5: with integrity.

SRA Code of Conduct for Solicitors, RELs and RFLs 2019

Paragraph 1.4: You do not mislead or attempt to mislead your clients, the court or others, either by your own acts or omissions or allowing or being complicit in the acts or omissions of others (including your client).