

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

RESPONSE TO THE RULE 12 STATEMENT

I, Muhammad Azfar Ahmad, am writing to formally respond to the Rule 12 statement issued by the Solicitors Regulation Authority (SRA) in relation to the ongoing investigation. I appreciate the opportunity to present my position and clarify the matters in question. My response is based on the following key points.

1. Discrepancies in Translation: It has come to my attention that there are significant discrepancies between the three versions of the transcript provided by the SRA, two dated 28 July 2023 and 16 November 2023, respectively. As a native Punjabi speaker, I have identified inaccuracies in the translations that may have led to misinterpretations of the conversation in question. I have therefore commissioned a professional interpreter to provide an accurate translation of the recordings. This translation will be submitted once it is complete.

2. Given the discrepancies in the existing translations, I request that any conclusions drawn from the transcripts provided by the SRA be treated with caution until the accurate translation is available. I will rely on the forthcoming translation as the basis for any further submissions and clarifications.
3. The term "client" as used in the SRA's Rule 12 statement appears to be misapplied. According to the SRA Code of Conduct, "client" refers to the person for whom a solicitor acts and may include prospective and former clients. However, the individuals involved in the recorded conversation were not genuine clients but rather individuals posing as clients under false pretences. This distinction is critical, as it affects the interpretation of my conduct and the context in which the conversation took place.
4. The conversation in question was informal and did not constitute formal legal advice. At no point did I enter into a professional relationship with the individuals involved, nor was there any contract or formal instruction provided. The conversation was general in nature, and any advice given was based on hypothetical scenarios rather than specific instructions.

In relation to the specific points raised in the Rule 12 statement:

5. I categorically deny any suggestion that I advised the individuals to falsely claim asylum based on the Khalistan separatist movement. The term "Khalistan" was introduced by the reporters, and I merely responded to their inquiries. My advice was centered on the procedural aspects of asylum claims, and I made it clear that Indian cases are generally difficult but not impossible to succeed. I also deny advising the use of false documents or entering into a sham marriage. My references to marriage were in the context of genuine relationships, as evidenced by my mention of religious principles.
6. Throughout my career, I have adhered strictly to the principles of honesty and integrity. The conversation in question does not reflect any deviation from these principles. I provided accurate procedural information based on the questions posed, without any intention to mislead or provide unethical advice.
7. I would like to emphasise that I have served as a solicitor with an unblemished record for over 30 years. This single, informal conversation should not overshadow my long-

standing commitment to upholding the highest standards of professional conduct. I am nearing retirement and have been experiencing significant stress and anxiety as a result of this investigation, for which I am currently receiving counselling.

8. In light of the above points, I respectfully request that the SRA consider these mitigating factors and allow me to conclude my professional career without this matter adversely affecting my legacy.
9. I sincerely apologise if any of my comments during the conversation have been misunderstood or misinterpreted. However, I maintain that my conduct throughout this matter has been in line with the principles of the legal profession. I await the completion of the accurate translation and will provide it promptly to support my position.
10. Thank you for your attention to this matter. I trust that the SRA will give due consideration to the points raised in this response.

Statement of Truth

I believe that the facts stated in this statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: 

Date: 10-09-2024