

SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12619 –2024

BETWEEN:

SOLICITORS REGULATION AUTHORITY LTD

Applicant

and

MUHAMMAD AZFAR AHMAD

Respondent

Before:

Mr J Johnston (in the chair)
Mr R Nicholas
Mrs C Valentine

Date of Hearing: 26 –29 January 2026

Appearances

James Counsell KC, Outer Temple Chambers, 222 Strand, Temple, London WC2R 1BA for the Applicant.

Mansoor Fazli, Barrister, instructed by Thompson and Co, Solicitors, 48A Tooting High Street, London, SW17 0RG.

JUDGMENT

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.

NOT PROVED

- 1.2. that he should get married to a person, despite there being no genuine relationship between the illegal immigrant and the person whom he would be married 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”).

NOT PROVED

Executive Summary

2. In January 2023, the *Daily Mail* decided to conduct an undercover investigation of immigration solicitors’ firms using covert recording equipment. The plan was that one of three undercover operatives visiting Kingswright Solicitors Limited should pose as a recently arrived irregular migrant with no legitimate asylum basis and request what could be done to regularise his immigration status. Operatives were instructed not to lead, not to suggest asylum, and to confirm there was no lawful claim if asked. Following a telephone call to arrange an appointment, the three undercover operatives attended the Firm on 27 June 2023 for a preliminary meeting with the Respondent.
3. The meeting on 27 June 2023 was covertly recorded on a Lawmate PV500 Neo device. Following the publication of news articles arising from the visit in July 2023, copies of the recordings were provided to the Solicitors Regulation Authority for its investigation into the matter. As the conversation contained both English and Punjabi, the SRA obtained a transcription and translation for the purposes of its investigation.
4. After the matter had been referred to the Tribunal, the Applicant served an Amended Rule 12 Statement pleading two allegations: first, that the Respondent had suggested that a false asylum narrative should be provided; and secondly, that the operative posing as the client should enter a marriage despite the absence of a genuine relationship. The Respondent served an Answer disputing both allegations, followed by a further Supplementary Statement.

5. The meeting was recorded on two covert Videos. For passages spoken in Punjabi, the Tribunal had the benefit of an Agreed Transcript Comparator which set side by side the Atlas (Applicant) and Mansoor (Respondent) English renderings of what was spoken in Punjabi. The Tribunal treated the Videos as the primary record, using the comparator only as a navigational aid across disputed passages and approaching translated wording with caution, given the multi-stage rendering (Punjabi speech to Urdu transcript to English translation) and the difficulty in clearly hearing parts of the recording.
6. In determining the allegations, the Tribunal noted that the pleaded wording required proof that the Respondent suggested that the conduct *should*, as opposed to *could*, occur—an important threshold running through both allegations. The Tribunal accepted that some responses were ill-judged (e.g., failure to clarify or correct the operative’s introduction of a Khalistan membership narrative) but treated the translated wording at key points with caution and emphasised the Respondent’s repeated caveats that asylum for Indian nationals was weak and “not in his hands.” The Panel was not satisfied on the balance of probabilities that the Respondent suggested a false narrative should be advanced. In respect of the second allegation, the Tribunal found the Respondent “overly helpful” in cultural discussion and potential introductions, but found the exchanges occurred after leading prompts and had not crossed the pleaded threshold of suggesting marriage despite the absence of a genuine relationship. The Tribunal was also not satisfied on the balance of probabilities that the second Allegation was proved.
7. In reaching those conclusions, the Tribunal had regard to the undercover set-up and meeting context, whether asylum was mentioned in advance, the client/prospective-client status, the weight to be attached to the recordings and translations, character evidence, and motive (or its absence).
8. Given that both of the allegations were found not proved, the Tribunal found it unnecessary to consider the breaches of the Principles and the Code alleged.
9. The Tribunal further refused the Respondent’s application for costs, finding no sufficient reason to depart from the established position that no order was made against the Applicant who acted in good faith in the exercise of its regulatory functions.

Documents

10. The Tribunal considered all of the documents in the case included in the electronic case bundle which included:

Pleadings and Statements

- (a) The Rule 12 Statement dated 5 June 2024 and the exhibit bundle JTC1.
- (b) The Amended Applicant’s Rule 12 Statement dated 4 December 2025.
- (c) The Respondent Answer to the Rule12 Statement dated 10 September 2024.

- (d) The Respondent's Supplementary Statement dated 10 December 2024.

Recordings

- (e) Video Recording titled: KingswrightFirstVideo27-6-23 MOV.
 (f) Video Recording titled: KingswrightSecondVideo27-06-23MOV.

Witnesses of Fact

- (g) Witness statements of Paul Samrai, Freelance journalist, dated: 31 October 2023; 14 January 2025 and 17 December 2024.
 (h) Witness Statement of Meenael Fateh dated 10 December 2024.

Translation/Linguistic Evidence

- (i) Witness Statement of Munazza Humayun, Freelance transcriber, Atlas Translations dated 9 December 2024.
 (j) Witness Statement of Mamoona Azam, Freelance translator, Atlas Translations dated 10 December 2024.
 (k) Mudassar Mansoor, Translator's Translation of KingswrightFirstVideo27 06 23 MOV and KingswrightSecondVideo27-06-23MOV dated 18 September 2024.
 (l) Agreed Transcript Comparator of translations prepared by Atlas Translations Ltd and Mudassar Mahmood).

Factual Background

- 11 The Respondent is a solicitor admitted to the Roll on 15 April 2013. At the time of these Allegations, he was working at the Firm.
12. 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").
13. At the time of these Allegations, immigration work accounted for 99% of the Firm's practice.
14. Following publication of the *Daily Mail* story regarding the interview the Respondent had with the undercover journalists, the Firm was intervened into by the SRA on 23 July 2023.

Witnesses

15. The written and oral evidence of witnesses is quoted or summarised in the Findings of Fact and Law below. The evidence referred to will be that which was relevant to the findings of the Tribunal, and to facts or issues in dispute between the parties. The following witnesses gave oral evidence:
- (a) Munazza Humayun, freelance translator, Atlas Translations – called by the Applicant.
 - (b) Mamoonah Azam, freelance translator, Atlas Translations – called by the Applicant.
 - (c) Paul Samrai, freelance journalist – called by the Applicant.
 - (d) Meenael Fateh, paralegal, Kingswright Solicitors – called by the Respondent.

Findings of Fact and Law

16. The Applicant was required by Rule 5 of The Solicitors (Disciplinary Proceedings) Rules 2019 (the SDPR 2019) to prove the Allegations to the standard applicable in civil proceedings (on the balance of probabilities). The Tribunal had due regard to its statutory duty under section 6 of the Human Rights Act 1998.
17. For the avoidance of doubt, the Tribunal read all of the documents in the case and made notes of the oral evidence of all witnesses. The absence of any reference to particular evidence should not be taken as an indication that the Tribunal did not read, hear or consider that evidence.
18. The Applicant's Case
- 18.1 The Applicant's case is set out in:
- (a) The Amended Applicant's Rule 12 Statement dated 4 December 2025 which can be found [\[here\]](#).
 - (b) The Applicant's opening Statement dated 19 January 2026.
19. The Respondent's Case
- 19.1 The Respondent's Case is contained in:
- (a) The Respondent's written answer to the Rule 12 Statement dated 10 September 2024 which can be found [\[here\]](#).
 - (b) In addition, the Respondent's Supplementary Statement dated 19 December 2024.
- 19.2 The Respondent gave oral evidence before the Tribunal which is summarised as follows:

- (a) He had started his own firm in 2017. He stated that he had “done nothing wrong” during the course of his professional career. He described the personal and financial disruption that followed the SRA intervention into the Firm, which resulted in difficulty paying staff salaries, and him experiencing mortgage arrears which eventually led to the disposal of his residential property. He revealed that he ultimately applied for universal credit in August 2023.
- (b) Before the appointment on 27 June 2023, he had already been informed by his colleagues that the visitors were from Indian Punjab and required advice about immigration and asylum. He characterised the meeting as preliminary and said he was not taking full instructions; rather, he was outlining processes and options. He asked what the visitors wished to do and was told they wanted to “explore the ways to remain” in the United Kingdom. Any further progress, he explained, would have required them to return with identification, pay the fee and for a file to be opened for full instructions.
- (c) Referring to Video O2 (KingswrightSecondVideo27-06-23.MOV), he accepted that he explained the screening-interview sequence (for example, education, caste, residence, route of travel, health, marital status, and the reason for coming or not returning) and the need for a brief “one-liner/two-liner” at that stage. He linked this to screening-form questions (4.1–4.2), which require a concise account. He maintained that references to contacting the Home Office, interpreter arrangements, and an appointment were procedural explanations should the person choose to claim asylum. He insisted that they were not directions as to content. He stated that, in the meeting, he repeatedly described asylum for Indian nationals as “very weak” and “not in his hands.”
- (d) When it was put to him that the men said the young migrant had come “to make money” and had been in the UK for three weeks, he said he was being asked how the person could regularise his immigration status. Accordingly, he described two broad routes: asylum (with an established process) and family-based routes (marriage/unmarried partner). Mentions of asylum at points N27 of the Agreed Transcript Comparator, he said, arose from the ongoing conversation and the visitors’ request to explore options, rather than from any instructions he had received that would justify or predetermine an asylum claim.
- (e) He accepted using Khalsa as an example within his explanation of the screening stage but said he used it in a religious sense (Sikh identity, ‘pure’) rather than as a political reference. He said the journalists introduced Khalistan which then shaped the later discussion. When questioned about references to obtaining a membership card from a Khalistan Organisation or corroboration, he said this was conditional and only in the context of if someone in fact belonged to such an organisation, not an instruction to manufacture evidence. He maintained that Khalsa and Khalistan were different and that he did not introduce the latter.

- (f) He accepted saying words to the effect that “wedding is a better thing,” and that adding a name to utility bills can evidence cohabitation in a genuine relationship. He further accepted mentioning a family he knew (noting that they had unmarried daughters) and sign-posting gurdwara/pandit routes for introductions. He explained these points arose in response to questions such as “do you know any matchmaker?,” and that his references were to lawful, culturally-typical introductions for a proper proposal (Rishta), not to any kind of sham arrangement.

20. The Tribunal’s Findings

- 20.1 The Tribunal considered all of the evidence, namely the oral testimony of the witnesses, the two Video recordings (O1–O2), and the documentary exhibits in the electronic bundle. These included the parties’ statements, the Agreed Transcript Comparator (N357 – N401) and the oral submissions made during the hearing.
- 20.2 For ease of reference, any reference to the three undercover operatives present at the meeting is as follows:
- (a) “Uncle” means Mr Paul Samrai.
 - (b) “the operative posing as the client” means the person described in the Particulars as “the illegal immigrant” (he is also referred to on the recordings as the “nephew”).
 - (c) “the third operative” refers to Paul Samrai’s actual nephew, who attended, as his “son” for purposes of the interview and made minimal contribution.
- 20.3 Where the Tribunal quotes or applies the Allegations as pleaded, it uses the term “the illegal immigrant”. Elsewhere in this judgment, to reflect the undercover context and avoid confusion, the Tribunal uses the term “the operative posing as the client.” The Tribunal also refers to Paul Samrai or the “Uncle” interchangeably when identifying the operative who acted as the primary spokesman.
- 20.4 Before dealing with the Allegations, the Tribunal had regard to a number of preliminary issues, namely:
- (a) The undercover set-up and the meeting context.
 - (b) Whether asylum was mentioned in advance (the pre-appointment call).
 - (c) The client/prospective-client status.
 - (d) The weight to be attached to the recordings and transcripts.
 - (e) The character evidence.
 - (f) Motive (or its absence).
- 20.5 For the avoidance of doubt, the Tribunal reached its conclusions on each of these preliminary issues on the balance of probabilities. This standard was applied consistently to all factual findings in this judgment, including those set out under the Allegations below.

The Undercover Set-up and the Meeting Context

- 20.6 The Tribunal took into account the stated parameters of the *Daily Mail* undercover operation as set out in the statement of the *Daily Mail* investigative Reporter, Thomas Kelly, namely that the operatives were not to ask leading questions, or suggest an asylum claim, and, if asked, to make clear that there was no lawful basis for an asylum claim. In assessing the exchanges captured on the recordings, the Tribunal found that, at certain points during the interview, the operatives led or proactively framed the discussion. The Tribunal identified the following examples:
- (i) At N20 of the Agreed Transcript Comparator one of the operatives opens the second phase of the meeting by asking: “Okay, do we start with asylum application?” The Tribunal found by asking that question, the operative initiated and framed the conversation in asylum terms contrary to the instructions provided.
 - (ii) At N32 of the Agreed Transcript Comparator the operative asks, “*do you have someone in your sights*” (the Atlas Translation) or “*do you know a matchmaker?*” (the Mansoor Translation). The Tribunal found this to be an invitation to the Respondent to assist with finding a partner for the operative posing as a client which ran counter to Mr Kelly’s instructions that the operatives were not to ask leading questions.
- 20.7 In addition to these examples, the Tribunal further noted that the operative posing as the client presented as visibly distressed. While not an example of leading or prompting, the Tribunal regarded it as an unnecessary addition to the subterfuge, the aim which was to elicit a compassionate response from the Respondent. The Tribunal kept this in mind when assessing whether particular replies were more fairly read as reactive, context-driven explanations rather than volunteered prescriptive directions.

Whether Asylum was Mentioned in Advance (The Pre-Appointment Call)

- 20.8 The Tribunal considered whether the Respondent was told before the meeting that asylum advice was sought. The *Daily Mail*’s parameters were that operatives should not mention asylum in advance. The evidence of Mr Samrai and Ms Fateh, the Firm’s paralegal, conflicted. The Tribunal preferred Ms Fateh’s evidence. Her account was clear; she was a paralegal arranging a pro bono appointment where it would be natural to identify purpose; she said the Firm’s appointment diary (later seized by the SRA), referenced asylum, and no rebuttal material from that diary was adduced. By contrast, Mr Samrai had arranged multiple appointments and gave contradictory evidence about the date he called the Firm. The Tribunal was also troubled that the initial call was not recorded, which was unusual given the operation’s otherwise scrupulous recording procedures.
- 20.9 Even so, this point was not determinative. Whether or not asylum was mentioned in advance made little difference given that the first Video shows an early, open discussion of asylum, after which the Respondent explained the process in measured terms. The Applicant fairly accepted nothing improper occurred during that footage.

Client/Prospective Client Status

20.10 The Applicant accepted in opening the case that the meeting on 27 June 2023 was a preliminary attendance. No retainer was created and no fee was paid. The Respondent addressed process and options via the “Uncle” (Paul Samrai). He did not open a file and did not take full instructions. The operative posing as the client was therefore treated as a prospective client. While the creation of a retainer may alter certain client-care obligations, it does not alter a solicitor’s core obligations, including duties of honesty and integrity, the requirement not to encourage misleading conduct, and to act in the best interests of a prospective client. The Tribunal evaluated the exchanges on that basis.

The Weight to be Attached to the Recordings and Transcripts

20.11 The Tribunal relied on the Agreed Transcript Comparator (N357-N401), which juxtaposed the Atlas and Mansoor translations. The Agreed Transcript Comparator was used to navigate disputed passages, but the Videos (O1 and O2) were treated as the primary record. The witness evidence of the transcriber and translators revealed material differences, and the Tribunal approached both translations with caution for the following reasons:

- (i) In contrast to the evidence of Ms Humayun (transcriber), Ms Azam (translator) stated in evidence that Punjabi is a written language and that an intermediate transcription into Urdu was unnecessary. Having watched and listened to parts of the recordings in Video O2, she preferred the Mansoor translation over sections of her own Atlas-based English translation, which itself was derived from the Urdu transcript.
- (ii) Punjabi was being spoken by participants in the interview from different regional backgrounds (Indian Punjabi/Pakistani Punjabi). The dialogue was transcribed into Urdu and then translated into English, increasing the scope for inaccuracy including loss of nuance.
- (iii) The Tribunal was satisfied that differences between languages—including tone, emphasis, grammar, and idiom—can materially affect meaning where content is transcribed/translated across multiple languages; that was the case in relation to the transcription and translation.
- (iv) Mr Mansoor (Respondent’s linguist) re-listened to the relevant segment four or five times and substantially changed a key line of his own translation at N29 concerning Khalistan.
- (v) In relation to the spoken English parts of the Videos, it was difficult at times to clearly hear what the Respondent had said, and this would no doubt have also applied to when he was speaking in Punjabi. Accordingly, in assessing what was said and meant beyond what was clearly audible in spoken English, the Tribunal treated the translated passages with limited weight and a significant degree of caution.

Character Evidence

- 20.12 Paul Samrai - Evidence was adduced during the proceedings of a spent conviction of Mr Samrai. This was disregarded given its historical nature. The Tribunal found that there was no evidence of upheld complaints against him in his professional media role and therefore did not treat his antecedents as determinative of credibility during these proceedings. Rather his reliability was assessed by reference to the recordings, transcripts, and the internal consistency of his testimony.
- 20.13 The Respondent - The Tribunal received positive character evidence concerning the Respondent's conduct as a solicitor and his standing in the community. In accordance with established authority, good character is relevant at the fact-finding stage—it may assist in the assessment of credibility (whether the Respondent is to be believed) and propensity (whether a previously blameless practitioner is less likely to have committed the alleged misconduct). However, the weight to be attached is for the Tribunal and must not detract from the primary focus on the contemporaneous evidence directly bearing on the alleged conduct, as explained in Sawati v General Medical Council [2022] EWHC 283 (Admin) paras 51-55.

Motive (or its absence)

- 20.14 Whilst it was quite clear that motive was not an element that the Applicant must prove in respect of the allegations, the Tribunal considered it as part of the overall evaluation. The Tribunal reminded itself of the guidance articulated in Fish v GMC [2012] EWHC 1269 (Admin), that allegations of dishonesty should not be found to be established against anyone who has not been shown to have previously acted dishonestly except on solid grounds. The Tribunal considered motive as a part of the overall evaluation.
- 20.15 The Tribunal found on the evidence; there was no basis to conclude that the Respondent stood to obtain any improper benefit from the encounter; any fees mentioned in the meeting were ordinary and reasonable for the work discussed. In the Tribunal's judgment, the Respondent had little to gain and his career to lose from the alleged conduct. Whilst motive (or its absence) was one of the contextual factors weighed in the balance, the Tribunal's primary focus remained on the contemporaneous evidence (recordings, the Agreed Transcript Comparator passages).
- 20.16 In considering both Allegations, the Tribunal reminded itself that the Particulars required proof that the Respondent suggested that the conduct *should*, rather than merely would, occur. This wording set an important threshold. The Tribunal therefore examined each passage relied upon by the Applicant to determine whether the words used by the Respondent amounted to a prescriptive direction as pleaded, rather than a reactive explanation, possibility, or example offered in the course of the interview.
21. **Allegation 1.1** - **The Respondent suggested 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.**

25.1 The Tribunal considered the passages relied upon by the Applicant from the Videos and the Agreed Transcript Comparator. Having regard to the pleaded *should* threshold, the Tribunal was not satisfied that the Respondent gave a prescriptive direction that a false narrative should be advanced. The passages occurred while the Respondent was explaining the screening interview and giving illustrative examples, often in response to prompts introduced by the operatives, rather than directing that any particular account should be fabricated. In reaching this conclusion, the Tribunal found the following:

- (a) At N7 the Respondent gave an immediate caveat that he was not there to mislead and that he would, as the Atlas translation records, ‘advise you very straightforward (sic)’. In addition, he repeatedly stated throughout the interview that an asylum claim for an Indian national was “very weak” or “weak” (per the translations at N8, N11, N31).
- (b) At the beginning of Video O2, the interview commenced with Mr Samrai saying, “*Okay do we start with the asylum route?*” This followed earlier references to asylum in the first Video, during which the Applicant accepted that nothing improper took place.
- (c) The response of the Respondent at N20 of the Transcript is measured: “tell me about asylum, whether he has a passport etc”. The Respondent was doing what a solicitor should do, in seeking to establish the evidence to pursue a particular course of action in this case, asylum which had been actively suggested to him from the start. The Respondent then went on to explain the screening interview in some detail clearly and accurately.
- (d) At N28–N29 of the Transcript, the Respondent described the screening interview, listing basic particulars and the brief reason that is typically sought at that stage the (“*one-liner/two-liner*”). That explanation mirrored the screening questions (for example, reasons for coming, and why return is not possible). The Tribunal viewed any ensuing “example” language in that context—illustrative of interview dynamics rather than a direction to invent content.
- (e) When the Respondent used the word Khalsa (in a religious sense), the operatives moved the discussion to Khalistan (political). The Respondent did not correct that escalation—an ill-judged omission—but the Tribunal read the sequence as operative-led. In any event, the Tribunal evaluated the next lines against the translation uncertainties identified for this passage.
- (f) There were inconsistencies between the two translations at N29–N30. One linguist revised his rendering after multiple re-listening’s. In light of the multi-stage rendering (Punjabi speech to Urdu transcript and finally to English translation) along with audibility issues, the Tribunal attached limited weight to the disputed English phrasing and declined to treat it as a reliable basis for a prescriptive finding.
- (g) At N30, when the operative asked, “*Khalistan—shall we make him a Khalistan?*” the Respondent’s reply was conditional. It indicated that if the

individual belonged to such a group and if corroboration could be obtained (for instance a membership card), that could serve as evidence. The Tribunal did not read the Respondent's reply as a direction to invent or fabricate a narrative, but as a reactive response to a prompt introduced by the operative, consistent with the Respondent's repeated reminders that an asylum claim for an Indian national was "*very weak*" (N8, N31) and that matters were "not in his hands" (as recorded at N9 and N10 of the Agreed Transcript Comparator), given that India was regarded as a safe country.

- 25.2 Taking these matters together — the Respondent's repeated caveats, the operative-led prompts, the illustrative and conditional nature of the examples given, and the limitations inherent in the disputed translation at N29–N30 — the Tribunal was not satisfied, on the balance of probabilities, that the Respondent suggested that a false narrative should be advanced. **Allegation 1.1 was therefore not proved.**
- 25.3 In light of the Tribunal's findings in respect of this allegation, it was not necessary to consider whether any breach of the SRA Principles or Code of Conduct had occurred.
26. **Allegation 1.2 - The Respondent suggested that the Client 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.**
- 26.1 In considering the overall context of the interview, the Tribunal accepted that marriages arranged by the heads of families or via other respected intermediaries are a cultural norm in the Indian subcontinent. The Tribunal considered the passages relied upon by the Applicant from the Videos and the Agreed Transcript Comparator. Applying the pleaded "*should*" threshold, the Tribunal was not satisfied that the Respondent suggested that the operative posing as a client should enter into a marriage despite the absence of a genuine relationship. The passages occurred while the Respondent was discussing lawful family routes and evidential requirements in response to operative-led prompts, rather than directing a sham arrangement. In reaching this conclusion, the Tribunal found the following:
- (a) Paul Samrai asked, in terms, "*Do you have someone in your sights/do you know a matchmaker?*" This invited the Respondent to engage with marriage logistics and was regarded this as journalist-initiated and contrary to the terms of the passive brief.
 - (b) Whilst The Respondent said words to the effect that "*wedding is a better thing,*" this was read as a comparative assessment of lawful routes (asylum vs. family route), not as a specific instruction to marry without genuineness. The remark sits alongside repeated references to asylum being weak and "not in his hands."
 - (c) References to adding a name to utility bills were understood as illustrations of how genuine cohabitation is ordinarily evidenced under immigration rules; they were not read as instructions to manufacture false evidence.

- (d) The Respondent accepted revealing the fact that he had acted for a family (and mentioning their unmarried daughters) in addition to sign-posting gurdwara/pandit routes. The Tribunal considered these culturally framed examples, responsive to the matchmaking prompt, and whilst ill-judged in terms of professional boundaries, they did not amount to a direction to the operative posing as a client to enter a non-genuine union.
- (e) Across all of the passages relied on by the Applicant, the Tribunal identified no statement instructing that marriage should proceed despite the absence of a genuine relationship. There was no discussion or reference to payment, procurement, or transactional inducement commonly associated with sham arrangements.

26.2 Taking these matters together—the operative-led prompt at N32, the comparative nature of “wedding is a better thing”, the illustrative references to cohabitation evidence, and the culturally framed sign-posting to community introductions—the Tribunal was not satisfied, on the balance of probabilities, that the Respondent suggested that a marriage should be entered into despite the absence of a genuine relationship. **Allegation 1.2 was therefore not proved.**

26.3 In light of these findings, it was not necessary to consider whether any breach of the SRA Principles or the Code of Conduct had occurred.

Previous Disciplinary Matters

27. The Respondent has an unblemished regulatory record.

Costs

28. Mr Fazli, on behalf of the Respondent, applied for costs to be awarded in principle. He invited the Tribunal to find that there was good reason to depart from the established position that adverse costs orders are not ordinarily made against a regulator acting in good faith. He advanced the following matters as constituting such good reason:

- (a) That if the correct transcript and correct translation had been obtained and the case properly reviewed without the possible and undue influence of the publications and intervention, the Applicant would have ended the case at the investigation stage. He further submitted on a proper consideration of all of the evidence; the Applicant had no proper basis in fact or law to make the allegations on the evidence considered by the Tribunal.
- (b) That the proceedings had been conducted in a flawed manner because the Applicant’s transcriber had produced an Urdu transcription material that should have been transcribed in Punjabi, resulting in significant inaccuracies. Although the Applicant’s own translator corrected some of these errors at the hearing, the Respondent submitted that this demonstrated that the Applicant had relied upon materially defective translations.

- (c) That the proceedings were misconceived since the Respondent's comments regarding the marriage route, properly understood, could not amount to encouragement of a sham marriage, and his comments regarding asylum were not false or improper in law. In those circumstances the allegations as pleaded had no realistic prospect of being proved.
 - (d) There had been inordinate delay between the intervention (31 July 2023) and the hearing in January 2026, a period of over 2 years.
29. Mr Counsell KC, for the Applicant, opposed the application. He submitted that a costs order against a regulator is exceptional and requires good reason, which the Respondent had not shown. He further argued that this case was not materially different from others where, having heard oral testimony and reviewed the evidence a tribunal simply preferred one side's account.
30. Mr Counsell also pointed to case-management and procedural considerations. The Respondent had not served a schedule of costs, leaving the Tribunal without the material needed for a summary assessment. Further, the Respondent did not pursue any early dispositive application (for instance, a submission of no case to answer), indicating there were matters that required testing at a full hearing. Finally, he noted that some criticisms the Tribunal made of the Respondent's conduct (failing to correct the undercover operative when Khalistan was mentioned and boundary-blurring in the marriage discussion) only emerged after hearing evidence. This, he submitted, underscored why the SRA was justified in pursuing the matter to a trial of the issues and why no order as to costs should be made.

The Decision of the Tribunal on Costs

31. The Tribunal reminded itself of its jurisdiction under Rule 43 of the SDPR 2019 to make such order for costs as it considers just. It also had regard to the principles set out in Baxendale-Walker v The Law Society [2007] EWCA Civ 233 and SRA v Hon-Ying Amie Tsang [2024] EWHC 1150.
32. The Tribunal noted the guidance in Tsang that adverse costs orders against regulators set a high bar. A departure from that position is only ordinarily justified where proceedings were improperly brought, badly conducted, or justified by another reason of comparable gravity.
33. The Tribunal refused the Application for costs against the SRA for the following Reasons:
- (a) No evidence had been placed before the Tribunal to support the suggestion that the SRA had been unduly influenced by the publicity the case attracted or by the intervention when deciding to bring the proceedings.
 - (b) The Tribunal accepted the Applicant's submissions that despite the allegations against the Respondent being dismissed, the proceedings required oral evidence to be heard and a careful analysis of the Videos and translations. This was not a case that could have been properly resolved on paper. The Tribunal further noted that there had been no applications by the Respondent for strike

out or submission of no case to answer by the Respondent in support of the contention that the proceedings had been misconceived.

- (c) The Respondent had asserted that there had been an inordinate delay between the intervention and the hearing. However, no evidence had been adduced in support of the delay alleged, nor any evidence of a causal link between any delay caused and prejudice suffered.
 - (d) Although not entirely determinative, the Tribunal noted that aspects of the Respondent's conduct during the meeting — including the ill-judged blurring of professional boundaries when referring to a former client's family. This had attracted adverse comment in the Tribunal's findings, albeit not amounting to the misconduct alleged. The Tribunal did not regard this as a case in which the Respondent emerged as a wholly blameless party whose position would justify a departure from the default approach to costs.
 - (e) Also, not determinative, the Respondent had failed to comply with the Tribunal's Standard Directions requiring a schedule of costs to be filed and served at least five working days before the hearing.
34. The Tribunal did not consider that there was good reason to depart from the established position. The Respondent's application for costs was refused, and no order as to costs was made.

Statement of Full Order

35. The Tribunal ORDERED that the allegations against MUHAMMAD AFZAR be DISMISSED. The Tribunal further ORDERED that there be no Order as to costs.

Dated this 6th day of March 2026
On behalf of the Tribunal

J. Johnston

J. Johnston
Chair