

Statement

SRA closes down three immigration firms

31 July 2023

We have closed down three solicitor firms that were named in a Daily Mail undercover operation involving immigration services.

These firms are Rashid & Rashid in South Wimbledon, Kingswright Solicitors Birmingham, and Lincoln Lawrence in Hounslow.

Closing a firm down, known as an intervention, means we have stopped the firm from operating, taken possession of all documents and papers held by the firm, and taken possession of all money held by the firm (including clients' money).

The practising certificates of the following solicitors have been automatically suspended, so they cannot practice as a solicitor.

- Rashid Khan [<https://www.sra.org.uk/consumers/solicitor-check/462525/>]
- Muhammad Ahmad [<https://www.sra.org.uk/consumers/solicitor-check/449797/>]
- Muhammad Hayat [<https://www.sra.org.uk/consumers/solicitor-check/549189/>]

We have also issued a Section 43 order [<https://www.sra.org.uk/consumers/solicitor-check/employee-decision/>] against VP Lingajothy [<https://www.sra.org.uk/consumers/solicitor-check/418378/>] , formerly of Duncan Ellis Solicitors, which means that he cannot work in another solicitor firm without our permission.

Details of the interventions can be found here:

- Rashid & Rashid [<https://www.sra.org.uk/consumers/solicitor-check/462525/>] (both offices)
- Kingswright Solicitors [<https://www.sra.org.uk/consumers/solicitor-check/637320/>] (both offices)
- Lincoln Lawrence [<https://www.sra.org.uk/consumers/solicitor-check/657631/>]

We have appointed another firm of solicitors to act as our agent to deal with all matters currently held by these firms. The agent will assess all on-going matters and deal with those of greatest need first. Our archive team will take control of all documents held by the firms.

Clients of the firms do not need to contact either the agent or the SRA at this time. If anyone does have a query, however, they can contact the agents below.

Rashid & Rashid: Shakespeare Martineau, telephone 0300 247 2470, email interventions@shma.co.uk

Kingswright Solicitors: Stephenson's, telephone 0333 321 4404, email interventions@stephensons.co.uk

Lincoln Lawrence: Lester Aldridge, telephone 01202 786341, email intervention.enquiries@la-law.com

We will now investigate further the issues raised that have led to this intervention to see if any additional action is necessary. At this stage of our work, no further details can be disclosed.

It is only if further action become necessary that any information is released into the public domain. There is no timescale for how long this work will take.

Our interventions can be challenged at the High Court. However, if that challenge is not successful, intervened firms remain closed, they do not re-open.

Read more about interventions [<https://www.sra.org.uk/consumers/problems/solicitor-closed-down/intervention.page>] .

We have also responded to the Lord Chancellor and Justice Secretary, Alex Chalk MP, who wrote to us about this issue. You can read our response below:

Letter from Anna Bradley (Chair of the SRA Board) to Lord Chancellor, 31 July 2023

Dear Lord Chancellor,

Thank you for your letter of 26th July.

We very much agree that public trust and confidence is fundamental to a strong and healthy legal profession and, like you, we were shocked by the apparent behaviour of those solicitors identified by the Daily Mail recently. As you acknowledge in your letter, solicitors play an important role in our society and the vast majority behave in an appropriate and professional manner, providing high quality, much needed advice and assistance to their clients. However, in areas of law where the consequences for clients are so severe, such as in immigration services, these high standards are even more critical.

We are of course investigating these matters fully. I set out below the immediate steps we are taking to address the specific allegations raised by the Daily Mail:

1. We obtained from the Daily Mail recordings and transcripts of conversations with four of the solicitors in question and have reviewed that material. We have commenced an urgent on-site inspection of two of the firms involved to gather further evidence.
2. Based on the evidence available, we have taken the following urgent action:
 - intervening into three of the firms, this has the effect of suspending from practice the individual solicitors involved and closing the firms
 - making an order against a non-regulated person working at a further firm which has the effect of prohibiting them from working with or for a firm that we regulate

We are also in discussions with other enforcement agencies to coordinate our actions.

Your letter mentions the publication of our thematic review into immigration lawyers which took place last year. Since the review was published, SRA action has resulted in two solicitors being struck off for failure to carry out their immigration duties properly.

Looking more widely at the sector as a whole, in November last year we published guidance on in immigration work, responding to the issues identified in the thematic review, alongside separate guidance on effective supervision.

Our further follow up actions from the thematic include:

- commencing a wider inspection of the immigration sector, looking at compliance with our new guidance. This will commence in the next few weeks and will include a cross section of firms working in the asylum sector and take into account the issues raised by the Daily Mail investigation,
- expanding and promoting the information on our rules and best practice we have available to law firms. This will include new guidance that will take account of the serious issues raised by the Daily Mail investigation and will ensure that solicitors are aware of their professional obligations,
- publishing new information, tailored to asylum seekers and interpreters, on the public-facing Legal Choices website.

Having noted the above, and as I am sure you will agree, due process must be followed and fairness for all involved is paramount. In our experience

this can take time, sometimes too long.

This is important, because in an effective regulatory system the consequences for aberrant behaviour should flow quickly after the event, to deliver a suitable deterrent for others who may be involved in similar practises. In a protective jurisdiction, the punishment of those who derogate from acceptable standards is a natural consequence of regulation, but the impact must be felt more widely in the profession and act as a suitable deterrent.

While we agree that the most serious examples of misconduct should be referred to the Solicitors Disciplinary Tribunal (SDT), we have, for some years now advocated that the SRA be given unlimited fining powers to create that deterrent more quickly. As I write, the Economic Crime and Corporate Transparency Bill provides for this in relation to specified crimes. We would ask again that this power be given to the SRA in all cases of serious misconduct. While individual solicitors should face the SDT for serious wrongdoing (and in appropriate cases forfeit their right to practise), that does not preclude the SRA from also fining them and their firm. This process could run in parallel with proceedings at the SDT and would deliver an obvious and immediate incentive for the proper running of the firm, a consequence for all partners of the firm and a clear motivation for the firm to “self-regulate” or face the significant financial consequences.

I have no doubt, that this would provide a swifter deterrent and change behaviour. However, in order to do so, the financial penalty must be much more significant than we can presently prescribe.

I would welcome the opportunity to meet and discuss with you the statutory steps which would need to be taken to provide the SRA with these additional powers.

Anna Bradley

Chair of the SRA Board