UT Neutral Citation Number: [2026] UKUT 00081 (IAC)

UK and R (on the application of Munir) v Secretary of State for the Home Department (AI hallucinations; supervision; Hamid)

IN THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM CHAMBER

Heard at Field House

THE IMMIGRATION ACTS

Heard on 15 October 2025 and 5 November 2025
Promulgated on 17 November 2025

Before

UPPER TRIBUNAL JUDGE LINDSLEY
UPPER TRIBUNAL JUDGE KEITH
UPPER TRIBUNAL JUDGE BLUNDELL

Between

UK
(ANONYMITY ORDER MADE) **Appellant**

And

SECRETARY OF STATE
FOR THE HOME DEPARTMENT **Respondent**

And Between

The King
on the application of
FIZA MUNIR **Applicant**

And

SECRETARY OF STATE
FOR THE HOME DEPARTMENT **Respondent**

Representation:

Alexis Slatter, of Counsel for Mr Tahir Mohammed of TMF Immigration Lawyers in the UK case

Zubair Rasheed, Solicitor, City Law Practice Solicitors and Advocates, in the Fiza Munir case

1. *Legal professionals are obliged to ensure that legal arguments which are presented to the First-tier Tribunal or Upper Tribunal are factually and legally accurate. Those who cite false cases fail to comply with that professional obligation and waste the time of the Tribunal.*

2. *A solicitor or other legal professional who delegates their work to another fee-earner remains responsible for the supervision of their work and for ensuring its accuracy. Such supervisors must ensure that fee-earners under their supervision are aware of the dangers of using non-specialist Artificial Intelligence (AI) for legal research and drafting. Failures to do so, or to undertake appropriate checks on the drafting of fee-earners is likely to result in a referral to the Solicitors Regulation Authority (SRA) or other professional body. A supervisor who fails to ensure that the work of a more junior fee-earner does not contain false cases or citations is likely to be more culpable than a lawyer who fails to ensure that his own work is free from such "hallucinations".*

3. *The claim form by which judicial review is sought in the Upper Tribunal has now been amended so as to require a legal representative to confirm by a statement of truth that any authority cited within the form or in any documents appended to it (a) exists; (b) may be located using the citation provided; and (c) supports the proposition of law for which it is cited. Other forms and directions are to be similarly amended. A legal representative who signs such a statement in a case in which false authorities are cited should ordinarily expect to be referred to their regulatory body.*

4. *Uploading confidential documents into an open-source AI tool, such as ChatGPT, is to place this information on the internet in the public domain, and thus to breach client confidentiality and waive legal privilege, and any such conduct might itself warrant referral to the SRA and should, in any event, be referred to the Information Commissioner's Office.*

HAMID DECISION AND REASONS

1. This is a judgment to which each member of the Panel has contributed.

Introduction

2. The High Court has an inherent jurisdiction to govern its own procedure and part of that jurisdiction requires it to ensure that the lawyers interacting with the court conduct themselves according to proper professional standards: R (Hamid) v SSHD [2012] EWHC 3070 (Admin) ("Hamid").

3. By section 3(5) of the Tribunals, Courts and Enforcement Act 2007, the Upper Tribunal is a superior court of record and, by s25 of that Act, it has the same powers and authority as the High Court in relation to a number of matters, including "all other matters incidental to the Upper Tribunal's functions." For many years, therefore, the Upper Tribunal has exercised a Hamid jurisdiction: R (Shrestha & Ors) v SSHD (Hamid jurisdiction: nature and purpose) [2018] UKUT 242 (IAC) and R (on the application of Hoxha and Ors) v SSHD (representatives: professional duties) [2019] UKUT 124 (IAC)

4. We guide ourselves with reference to the judgment in Hamid and the subsequent judgments in R (Sathivel) & Ors v SSHD [2018] EWHC 913 (Admin) and R (DVP) v SSHD [2021] EWHC 606 (Admin); and as set out below, in this instance, more specifically to the judgment in R (Ayinde) v

London Borough of Haringey, Al-Haroun v Qatar National Bank QPSC [2025] EWHC 1383 (Admin) ("Ayinde").

5. This decision is made in the context of the actual or suspected use by lawyers of Artificial Intelligence ("AI") large language models which result in false information, and particularly fake citations and authorities being placed before the Upper Tribunal. As set out at [6] of Ayinde: "Freely available generative artificial intelligence tools, trained on a large language model such as ChatGPT are not capable of conducting reliable legal research. Such tools can produce apparently coherent and plausible responses to prompts, but those coherent and plausible responses may turn out to be entirely incorrect. The responses may make confident assertions that are simply untrue. They may cite sources that do not exist. They may purport to quote passages from a genuine source that do not appear in that source."

6. The Upper Tribunal cannot afford to have its limited resources absorbed by representatives who place false information before the Tribunal. Judges of the First-tier Tribunal and Upper Tribunal are specialist judges who are familiar with the law that they are to apply. Where an unfamiliar authority is cited before a judge, whether in written or oral submissions, they are likely to wish to locate that authority and to consider it before making a decision on the case before them. The citation of cases which do not exist sends that judge on a fool's errand. The time spent on such an errand is at the expense of other judicial business and is not in the interests of justice.

7. Further, time spent on applications containing false legal information also risks a loss of public confidence in the processes of the Upper Tribunal. We are also aware that the immigration client group can be particularly vulnerable, as indeed is the appellant in the first matter before us. We emphasise that the primary duty of regulated lawyers is to the Court and Upper Tribunal, and to the cause of truth and justice. That duty is not discharged by professional representatives who knowingly or recklessly place false information before the Tribunal, or who fail to supervise the work undertaken by other members of their firm for whom they are responsible.

8. The Divisional Court handed down its judgment in Ayinde on 6 June 2025. It was widely reported in the media and in legal publications including the Law Society Gazette. The Law Society has since issued helpful guidance on Generative AI, reflecting both the "boundless opportunities" and the "new risks" brought about by this technology. Despite all of this, the Upper Tribunal has seen a considerable increase in the latter half of 2025 in the citation of fictitious authorities in both statutory appeals and applications for judicial review.

9. In an effort to curb that trend, the claim form by which judicial review is sought in the Upper Tribunal has now been amended so as to require a legal representative to confirm by a statement of truth that any authority cited within the form or in any documents appended to it (a) exists; (b) may be located using the citation provided; and (c) supports the proposition of law for which it is cited. Other forms and directions are to be similarly amended. A legal representative who signs such a statement in a case in which false authorities are cited should ordinarily expect to be referred to their regulatory body. Both of the cases before us, however, concern pleadings which were settled before those changes were made.

The First Case

10. The purpose of the first hearing was to decide whether it is appropriate to refer Mr Tahir Mehmood Mohammed (a level 3 accredited adviser) of TMF Immigration Lawyers to the Immigration Advice Authority ("IAA"), previously the OISC, for investigation.

11. These proceedings have come about because of a show cause notice that the Upper Tribunal made when considering the application for permission to appeal to the Upper Tribunal from the decision of the First-tier Tribunal on 18th September 2025. In the show cause notice TMF Immigration Lawyers were required to provide a signed written notice within seven days identifying the person

responsible for the case and the grounds, and to: "provide an explanation for the fact that the case Horleston v SSHD [2007] EWCA Civ 654 cited in the grounds of appeal to the Upper Tribunal is not available on BAILII, and explain why the citation is in fact for South Tyneside Metropolitan Borough Council v Anderson & Others (a case about equal pay for female support staff and of no possible relevance to sufficiency of protection in a protection law context). TMF Immigration Lawyers were to state explicitly whether an AI large language model such as ChatGPT was used to draft the grounds or not. On receipt of the response, it was explained that the Upper Tribunal would consider whether it was appropriate to refer the matter to the IAA for further investigation in line with the recommendations of the Administrative Court in Ayinde."

12. Mr Mohmmed responded to this direction on the same day setting out that he was the person responsible for the case and drafting of the grounds of 17th March 2025 in this matter. He accepted that the citation was for the unrelated equal pay case of South Tyneside Metropolitan Borough Council v Anderson & Others, and explained that the reference to the case of Horleston "arose as a result of human error", was not intentional and came about due to a failure to double check the citation. Mr Mohammed went on to say: "We confirm unequivocally that no AI large language model (such as ChatGPT) was used in drafting the grounds of appeal." It was said that the policy of the firm was not to use AI for legal grounds, skeleton arguments or submissions, but that occasionally it was used "to assist in administrative tasks such as summarising decision letters". It was submitted that a referral to the regulator would be disproportionate as it would affect the firm's ability to serve its vulnerable clients and this was an isolated inadvertent mistake which would not be repeated as Mr Mohammed would undergo further training in legal research and case preparation, and there would be additional internal processes to verify citations before filing. TMF Immigration Lawyers apologised to the Tribunal for the inconvenience caused.

13. After being informed that there would be a Hamid hearing Mr Mohamed filed a witness statement dated 10th October 2025 in which he confirmed again that he drafted the grounds. He reiterated that he was certain that he had not used ChatGPT to create the grounds but accepted that after consideration of his internet browsing history he could not offer a cogent explanation based on his searches as to how this false case with another case's citation was included in the grounds. In these circumstances he states: "In absence of an explanation and with how AI operates, I cannot dismiss the fact that the case was an AI creation as there is no other explanation." He states that it "occurred unknowingly". He says that he has only understood the risks of using AI since receiving the show cause notice, and: "Unfortunately, no specific guidance on AI has been issued by the Immigration Advice Authority", so he has now read material of the Solicitors Regulation Authority ("SRA") website to educate himself. As a result guidance to all staff members at TMF Immigration Lawyers is: "not to use any form of AI tool when undertaking any form of work on behalf of the firm." He expressed his disappointment in himself and that he was aware of his professional duties as outlined in the IAA's Code of Standards including the duty to conduct himself with honesty and integrity. He explained that he had difficult matters in his personal life which had placed him under a lot of distress and anxiety. Going forward the firm will not use AI tools at work, and will take steps such as checking cases and citations against BAILII.

14. On 14th October 2025 Mr Mohammed reported himself to the IAA and to the SRA for having unknowingly inserted a non-existent case in grounds of appeal by email, enclosing a copy of his statement of the 10th October 2025 prepared for this hearing.

15. At the hearing before us we informed Mr Mohammed at the start of the hearing that we would not be reporting him to the IAA as we found that this was unnecessary given that he had already self-reported. He also explained that he is a solicitor on the roll with a practising certificate who does work at a solicitors' firm as a consultant and this is why he had self-reported to the SRA in addition to the IAA.

16. We asked Mr Mohammed a few questions in order to gain a better understanding of what had happened so as potentially to be able to give guidance to others. Mr Mohammed was still unsure

how the fake case of Horleston came to be included in the grounds but his best guess was that he had inadvertently used the "AI Mode" of a Google search by clicking on this on the bar under the search topic. He accepted that he should have checked the citation however he came across it. He also elucidated on his use of ChatGPT at TMF Immigration Lawyers. Whilst he was clear this was not used to create grounds of appeal he said that he had put client emails he had drafted explaining Home Office decisions into ChatGPT to try to improve them and he had uploaded Home Office decision letters to this platform to summarise them for clients. He informed us that he now realises that this is a data breach and will inform the clients that he has done this, as well as the IAA and the SRA.

Conclusion – The Facts

17. Mr Mohammed has admitted including one fake case in grounds of appeal and concluded himself that it was probable that this had happened because of the inadvertent use of an AI large language model. As far as the Panel could establish there had never been a reported case called Horleston but Google AI nevertheless can, depending on the question posed, produce information such as panels of Court of Appeal judges who sat on this non-existent case and suggest that it had to do with the fairness and asylum applications. By asking Google AI the same question in slightly different ways, we were able to elicit various different compositions of the bench which decided that fictitious case. Plausibly, each of the judges suggested by Google was sitting in the Court of Appeal at that time but not one of them could have sat on a case of that name because there is no such case. The danger in using Artificial Intelligence for legal research is not confined to generative AI models such as ChatGPT, therefore; the use of Google AI for legal research is equally likely to generate results which are false but which might initially be thought to be accurate.

18. We do not suggest for a moment that the use of legal AI programmes by properly trained professionals is anything other than a step forward in legal practice. The software which is currently available is of enormous benefit in properly focused legal research, as it is in other contexts such as large disclosure exercises. But any practitioner who uses non-specialist AI to undertake research or drafting is obliged to undertake rigorous checks to ensure that any information gleaned from those sources is true and accurate. Anyone with responsibility for legal practice at a firm of solicitors or regulated legal advisers must be aware of those pitfalls and of the need to warn staff about the dangers of using non-specialist AI.

Conclusion – Appropriate Next Steps

19. We make no referral to the IAA or SRA as Mr Mohammed has already done this and there is no need for us to do so. If he had not done this we wish to make it clear that we would have made a referral as, in accordance with what is said at paragraph 29 of Ayinde; where false citations are placed before the Court because of the lack of proper checks, referral to a regulator is likely to be appropriate, and because, on consideration of the factors set out at paragraph 24 of Ayinde, we find that it is essential that proper standards are maintained so as to stop false material coming before the Tribunal which leads to considerable public expense due to the need to address the problem.

20. We are of the view that the guidance on false AI generated material given in Ayinde applies equally to IAA (previously the OISC) regulated advisers. The first Principle of the IAA Code of Standards is that an adviser must "Act in a way that upholds the Rule of Law and proper administration of justice", and as set out at 1.2 of Principle 1, advisers must not knowingly or recklessly allow the courts and tribunals to be misled. If it is the case that the IAA has not provided specific advice with regards to the use of AI by its accredited advisers then the organisation may wish to consider whether it may be prudent to do so.

21. We also observe that to put client letters and decision letters from the Home Office into an open source AI tool, such as ChatGPT, is to place this information on the internet in the public domain,

and thus to breach client confidentiality and waive legal privilege, and thus any regulated legal professional or firm that does so would, in addition to needing to bring this to the attention of their regulator, be advised to consult with the Information Commissioner's Office. Closed source AI tools which do not place information in the public domain, such as Microsoft Copilot, are available for tasks such as summarising without these risks.

The Second Case

The Application for Judicial Review

22. Ms Munir is a Pakistani national who arrived in the United Kingdom with entry clearance as a student. As her leave to enter was coming to an end, she applied for leave to remain under the Graduate Route. We need say no more about that application or the events which preceded it.

23. Ms Munir was refused leave to remain under the Graduate Route on 9 September 2024. A firm of solicitors sought Administrative Review of that decision. On 26 March 2025, the Secretary of State refused that application. Her decision was notified to City Law Practice Solicitors and Advocates ("CLP"), who had by that stage been instructed by Ms Munir.

24. Two letters before action were sent to the Home Office by CLP. The first was on 6 May 2025. The second was on 10 June 2025. The first was signed by Zubair Rasheed "Senior Solicitor and Immigration specialist" and by Destiny Hayden "Legal Assistant". The second was signed by Mr Rasheed alone. The respondent responded to each letter, indicating that the decisions under challenge were to be maintained.

25. On 26 June 2025, CLP lodged judicial review proceedings in the Upper Tribunal. The claim form (UTIAC1) gave Mr Rasheed's name at section 2.3, next to Note 2.2, which is in the following terms:

> Rule 11(5A) states the representative must be authorised to conduct litigation in the High Court under the Legal Services Act 2007.

26. Mr Rasheed's name also twice appeared at section 11 of the form, which contains the statement of truth. As we will explain, the form has since been amended but the statement of truth was, at the time, in the following terms:

> The applicant believes that the facts and matters stated in this application are true and complete. I am authorised to conduct litigation in the High Court and am authorised by the applicant to sign this statement.

27. The UTIAC1 was lodged as part of a bundle of 89 pages. Also included within that bundle was a concise Statement of Facts which was signed by Mr Rasheed on 25 June 2025 and lengthy grounds of judicial review which advanced five grounds over the course of twenty pages of single-spaced type. Those grounds bore the name of the firm and a date of 25 June 2025. They were not signed by an individual fee-earner. The bundle also contained various documents relating to the chronology which we have summarised above.

28. CLP duly served the claim form and accompanying documents on the respondent, who acknowledged service on 30 July 2025.

The Inaccuracies in the Grounds

29. On 20 August 2025, the papers were placed before UTJ Blundell. He refused permission for reasons which we need not set out. He also ordered that that the Compliance Officer for Legal Practice ("COLP") at CLP should provide a signed statement identifying the author of the grounds

for judicial review. At the foot of his order, under the sub-heading "Inaccuracies in the Grounds", he explained why he had done so:

> [12] It is suggested at various points in the Summary Grounds of Defence that the grounds contain misleading statements for which the applicant's solicitors should be asked to account. The matters which concerned the respondent do not cause me to make the order I have made above.
>
> [13] What causes me to make that order are the "authorities" cited at [10], [17], [18], and [32] of the grounds. I have been unable to find a case called R (Dzineku-Liggison) v SSHD with the citation [2020] EWHC 3386. There is R (Dzineku-Liggison) v SSHD) [2020] UKUT 222 (IAC) which is, as it happens, one of my own decisions. I was sitting in the Upper Tribunal, not the High Court, however, and it was no part of the ratio of that decision that the fee waiver policy was unlawful for "overly restricting access to the application process." The citation and the proposition of law set out at [10] appear to be wrong, to put it as neutrally as possible.
>
> [14] At [17], there is a case which is cited as Patel (mandatory refusal – fairness) [2011] EWCA Civ 811. I have been unable to find that authority. The title might suggest that it is an Upper Tribunal decision which has been given the wrong citation in the grounds but I cannot find a case which supports the proposition at [17].
>
> [15] At [18], a case called Muhandiramge is cited. The citation given is R (Muhandiramge) v SSHD [2010] EWHC 2568 (Admin). I have not been able to find a decision from the Administrative Court with that citation, or with that name. There is an Upper Tribunal decision with the name Muhandiramge; it is a decision of McCloskey J and UTJ Bruce, reported at [2015] UKUT 675 (IAC). But it has nothing to do with the Tier 1 Post Study Work Scheme or the requirement to obtain the qualification by the date of application, and the grounds appear to be wrong in that respect too.
>
> [16] At [32], there is a case called OE (Nigeria) cited. The citation provided is [2010] UKUT 35 (IAC). I have been unable to find that case either. As far as I can tell, the Upper Tribunal did not report a case called OE in 2010, and no case with the citation [2010] UKUT 35 (IAC) even exists.
>
> [17] I may be wrong in any or all of the above. In due course, the author of the grounds will have to provide an answer or an explanation. The identity of the author of the grounds is not clear to me, however. The claim form was signed by a Mr Rasheed. His name also appears at p23 of the bundle. But the grounds themselves are not signed. The first step, therefore must be for the COLP to identify the author of the grounds so that the Upper Tribunal can direct the author to provide an explanation. That statement must be provided within a week, marked clearly for my attention. On receipt of it, I will issue further directions.
>
> [18] The author of the grounds and the COLP should take prompt steps to familiarise themselves with what was said in R (Ayinde) v Hackney [2025] EWHC 1383 (Admin), at [67] in particular.

30. CLP responded to the order on 27 August 2025. Mr Rasheed identified himself as the COLP of the firm. He stated that the grounds had been drafted by a Waheed Malik, who was described as a "part-time trainee lawyer" who was working at the firm under supervision. He acknowledged that the grounds were overlong, and that several authorities had been cited incorrectly. He submitted that the case was different from the two considered in Ayinde. He submitted that there was no

intention to mislead. He apologised for what was said to be an isolated lapse, and he set out the remedial steps which he had taken to prevent such problems occurring again.

Hamid Proceedings

31. Having considered that letter, UTJ Blundell issued an order requiring CLP to show cause why its conduct should not be referred to the SRA.

32. Mr Rasheed responded to that order on 26 September 2025. He reiterated his apologies and the remedial steps which he had taken, and submitted that a referral to the SRA was unnecessary. He also explained how the errors in the grounds were said to have arisen:

> The grounds were drafted by a part-time trainee, Mr Waheed Malik, under my supervision. In preparing them, he relied on an outdated precedent on our system, practitioner blogs and personal notes. Unfortunately, he did not verify these references against official sources.
>
> At the time, my supervision was compromised as I was caring for my mother following her recent brain stroke. Whilst this explains why my usual checks were not properly applied, it does not excuse my failure to ensure accuracy before filing. I take full responsibility.

33. Attached to that email were signed statements made by Mr Rasheed and Mr Malik, medical evidence concerning Mr Rasheed's mother, and a "corrected authorities schedule".

34. The Upper Tribunal decided that it was necessary to hold a Hamid hearing to consider what was said in these documents. That hearing was listed to take place on 15 October 2025. Mr Rasheed and Mr Malik were notified that they should attend. The day before the hearing, Mr Rasheed emailed the tribunal to ask for an adjournment on account of a family bereavement and because he had previously booked tickets for a religious pilgrimage. We were satisfied that an adjournment was appropriate for those reasons, and the hearing was re-listed to be heard on 5 November.

35. The second notice of hearing did not state who was required to attend. In the event, only Mr Rasheed attended the hearing. We heard from him at some length. He answered a number of questions from the panel and he made a short submission in which he urged us not to refer his conduct to the SRA. We reserved our judgment on that question, and indicated that it would be sent to him as soon as possible.

Conclusions

36. As we have already observed, any legal practitioner who commences or pursues proceedings in a court or tribunal owes certain obligations to it. We are concerned in this case with Mr Rasheed's duty not to mislead the tribunal. He is the COLP at CLP. It was his name which appeared on the UTIAC1 next to the statement of truth. It was he who was responsible for the accuracy of the grounds for judicial review.

37. It would be easy to think that this is a case about the naïve use of generative AI, but it is not merely about that; it is principally about supervision and the obligation to ensure that the tribunal is not misled. It matters not how such citation errors come about. Whether they are inserted by a hapless trainee or by ChatGPT is really neither here nor there; the point is that the qualified legal professional with conduct of the matter is expected to ensure that such documents are checked, that errors are identified, and that only accurate documents are sent to the tribunal. To fail to conduct such checks is wasteful of the tribunal's time. It is also wasteful of an opponent's time, thereby potentially leading (in judicial review proceedings) to larger awards of costs. None of that is in the

interests of justice or, importantly, in the interests of clients who are often ill-equipped to fund contested judicial review proceedings.

38. In our judgement, a supervisor who fails to ensure that the work of a more junior fee-earner does not contain false cases or citations is likely to be more culpable than a lawyer who fails to ensure that his own work is free from such "hallucinations". An individual in the latter camp fails the tribunal, the public and his lay client, whereas an individual in the former camp fails, in addition, to aid the development of more junior lawyers.

39. We were wholly unimpressed by Mr Rasheed's attempt to submit that this case is distinguishable from Ayinde, and that the cases cited did in some way support the propositions of law on which the author of the grounds relied. The Divisional Court considered a similar submission from Ms Forey, counsel for Ms Ayinde. It said this:

> Ms Forey refuses to accept that her conduct was improper. She says that the underlying legal principles for which the cases were cited were sound, and that there are other authorities that could be cited to support those principles. She went as far as to state that these other authorities were the authorities that she "intended" to cite (a proposition which, if taken literally, is not credible). An analogy was drawn with the mislabelling of a tin where the tin, in fact, contains the correct product. In our judgment, this entirely misses the point and shows a worrying lack of insight. We do not accept that a lack of access to textbooks or electronic subscription services within chambers, if that is the position, provides anything more than marginal mitigation. Ms Forey could have checked the cases she cited by searching the National Archives' caselaw website or by going to the law library of her Inn of Court. We regret to say that she has not provided to the court a coherent explanation for what happened.

40. The fact that the wrong citation was provided for each of the authorities is more problematic than Mr Rasheed was prepared to accept. The label on the tin is obviously important. It is the provision of an incorrect citation which leads the judge on the fool's errand to which we have referred above. That is particularly so where, as here, the citations were so badly wrong, even on his version of events. Two Upper Tribunal decisions – R (Dzineku-Liggison & Ors) v SSHD [2020] UKUT 222 (IAC) and Muhandiramge (section S-LTR 1.7) [2015] UKUT 675 (IAC) – were wrongly given High Court citations. Patel (revocation of sponsor licence: fairness) [2011] UKUT 211 (IAC) was said to be a decision of the Court of Appeal. And the case described as OE (Nigeria) [2010] UKUT 35 (IAC) is now said to be E-A (Article 8 – best interests of child) Nigeria [2011] UKUT 00315.

41. We have a number of other concerns about Mr Rasheed's evidence and the procedures he described at CLP.

42. *Firstly*, we cannot understand why it was thought by Mr Rasheed to be appropriate for Waheed Malik to draft grounds for judicial review. As we have recorded above, Mr Malik was described as a trainee in the documents which were sent to the tribunal in compliance with UTJ Blundell's orders. We asked Mr Rasheed a number of questions about Mr Malik. He said that Mr Malik had left the firm and that he could not have 'forced him to attend'. He said that Mr Malik had left in July, although he could not confirm when he had started. He thought that he had probably worked at the firm for three or four months. He said that he was not a trainee solicitor but a "very junior caseworker".

43. We noted that Mr Rasheed had suggested in his adjournment application that he and Mr Malik were both bereaved in October and we asked whether he was related to Mr Malik. He did not answer the question initially, but he did then reveal that Mr Malik is his brother. He said that Mr Malik had a diploma in law, awarded by Wolverhampton University around fifteen or twenty years ago, after which he had left the United Kingdom and practised law in Pakistan. He stated that Mr Malik had applied to the SRA for a Certificate of Professional Standing, which had been issued.

He said that Mr Malik practised at the Bar in Pakistan, and that he undertook UK entry clearance work there, although he was unable to state the name of his brother's chambers. We found that unlikely. Whether as his brother or as his former employer, we thought it more likely that Mr Rasheed would have known the name of the chambers from which his brother practises.

44. Mr Rasheed was equally hesitant to provide details of his brother's whereabouts. He said initially that he "believed" that he was in the UK. We pressed him on the point and he confirmed that Mr Malik is still in the UK, living in Nottingham. He revealed that Mr Malik was in the UK with leave to enter as a skilled worker, undertaking legal compliance work for a firm of care homes. He had entered in that capacity at the end of 2024 and he was permitted to undertake additional employment under the terms of his leave to enter. If that was so, we enquired why Mr Rasheed had not brought the hearing to his brother's attention. He said that he had told him and his wife about it but their son was unwell. If Mr Malik is a lawyer in Pakistan, and if he works in legal compliance in the healthcare sector, we considered it likely that he would have wished to attend this hearing, and we found it surprising that he had not.

45. *Secondly*, even if it was appropriate for Mr Malik to draft the grounds, we cannot understand why those grounds were not checked by Mr Rasheed before they were filed with the Upper Tribunal. Mr Rasheed told us that his mother was unwell in Pakistan and that he had been distracted from his usual standards of supervision by making arrangements for her care. The evidence provided to the Tribunal does not indicate that any such difficulty was underway in May or June 2025, when the proceedings were under contemplation and lodged. The medical evidence suggests that Mr Rasheed's mother was in hospital in August this year and it states that she had been suffering from "cognitive impairment for the last two weeks". There is no documentary evidence to support the suggestion that she had been unwell for much of 2025, as Mr Rasheed sought to suggest in his oral evidence.

46. *Thirdly*, Mr Rasheed demonstrated a worrying lack of understanding of the extent to which AI is available in the modern world. He stated that there was no mechanism by which staff at his firm could use AI. That is to overlook the fact that anyone with access to Google has access to AI, as we have explained above. His answer demonstrated to us that he had not, as the COLP of CLP, taken any steps to warn his staff of the pitfalls of using a free public search engine such as Google for legal research. He said that he is not a "tech savvy person" but we do not consider that to be any explanation at all for his failure to put appropriate checks in place to ensure that the use of AI did not mislead the tribunal.

47. *Fourthly*, we were wholly unable to understand the way in which a record is kept of the work done by individual fee-earners on each case. We asked Mr Rasheed who had undertaken the work in this case. He told us that his brother had written the grounds on his own. Mr Rasheed stated that he had written the statement of facts in the bundle. He stated that another fee-earner would have completed the UTIAC1 form and signed it using his name. He could not tell us who that was, but he did say that there was a spreadsheet which contained the names of all fee-earners who had worked on each case. Mr Rasheed said that he could show us the entry which related to this case.

48. We rose to give Mr Rasheed an opportunity to obtain the spreadsheet from his office. On returning to the hearing room, we explained that we did not wish to see any other client records and that our only interest was in the names of those who had completed work in this case. Mr Rasheed said that he understood that and handed his laptop up. On inspecting the spreadsheet, however, we noted that there was no entry which related to this case. This caused us to ask why there was no such entry.

49. Mr Rasheed' answers in relation to this line of questioning were particularly unsatisfactory. He initially told us that Ms Munir's case had been deleted from the spreadsheet because it was no longer an ongoing case. Once a case had been completed, he said, there would be a record of it on

the wider case-management system (using the LEAP platform) and a paper archive, but it would be removed from the spreadsheet.

50. That caused us to enquire at what point cases were deleted from the spreadsheet. Mr Rasheed's first answer was that they were deleted after six months. We asked, therefore, when that six-month period started. Mr Rasheed said that it started when the matter was closed. We observed, therefore, that UTJ Blundell had refused permission in August, and we wondered why this case had already been deleted. Mr Rasheed then suggested that cases might be deleted from the spreadsheet four months after the case was closed, but that still did not explain why this case had been deleted in November when permission was refused at the end of August. He also sought to suggest at one point that cases were deleted from the spreadsheet six months after they were opened, but he could not answer the obvious question we then posed: what if a case is still ongoing six months after it is opened; is it nevertheless deleted from the spreadsheet?

51. We then endeavoured to find out when Mr Rasheed thought that this case was deleted from the spreadsheet. He was initially unwilling to answer the question but when pressed, he said that it would have been deleted in March 2025. We pointed out that the application for judicial review was issued in June, and we asked when his firm had been instructed. He thought that Ms Munir had approached the firm in April or May. (We suspect that it was earlier than that, given that the refusal of the application for Administrative Review as notified to CLP on 26 March 2025.) We therefore asked Mr Rasheed again when the case would have been deleted from the spreadsheet. He answered with some conviction that it would have been deleted in March. We could not comprehend why the case would have been deleted from the list in March, when the application for Administrative Review had been refused and the firm was shortly to send two letters before action prior to commencing judicial review proceedings.

52. We also asked Mr Rasheed how many other cases his brother had worked on, since the mistakes he had made in this case might also have occurred in others. Mr Rasheed was unable to give us an accurate answer to that question, suggesting variously that it might have been two, three or four other cases. Given the lack of record-keeping to which we have referred above, we understand why he was unable to give a clear answer to that question. As he put it during his evidence "Nothing is for sure." Unfortunately, therefore, there appears to be every likelihood that Mr Malik will have worked on other unidentified files for the firm and may have relied on false citations which were generated by AI, as Mr Rasheed accepted he had done in this case.

53. *Fifthly*, we were concerned by the suggestion in the statements made by Mr Rasheed and Mr Malik that the citation errors might have been caused by an "old precedent from previous cases". If that was the case, there was obviously a possibility that other items of charged work had been affected by the same errors as had occurred in this case. We asked Mr Rasheed whether he had identified the precedent in question. He said that he had, and that he had deleted it. We asked what that precedent was, and whether it was grounds for judicial review, grounds for administrative review or some other document. Mr Rasheed was unable to offer a clear answer to that question. He suggested at one point that the incorrect citations were to be found in a piece of case-law but he could not identify it.

54. We asked Mr Rasheed how many other cases might have been affected by the use of the "old precedent". He said that there were "not many", adding that there might have been "one or two judicial review cases". He stated that he had been looking at files "day and night" in an attempt to find these cases. We noted that this was not a process that he had described in any way in his witness statement and we were concerned that he was attempting to tailor his answers to minimise our concerns.

Conclusion as to Referral

55. We have carefully considered everything said by Mr Rasheed in his correspondence with the tribunal, and in his oral evidence and the concise submissions he made at the end of the hearing.

56. We accept that Mr Rasheed is a solicitor with an unblemished record of fifteen years' practice and we accept that he genuinely regrets what occurred in this case. Having taken into account what was said in Ayinde, however, we consider that the inclusion of false citations in the grounds for judicial review and Mr Rasheed's failure to supervise the work undertaken by his brother in this and an unknown number of other cases necessitates a referral to the SRA. We do not consider their mother's illness to provide an adequate explanation for those failures and we consider that our concerns about Mr Rasheed's oral evidence serve to strengthen the case for referral. It will be for the SRA to decide what if any action to take thereafter.

Summary of General Conclusions

57. Legal professionals are obliged to ensure that legal arguments which are presented to the First-tier Tribunal or Upper Tribunal are factually and legally accurate. Those who cite false cases fail to comply with that professional obligation and waste the time of the Tribunal.

58. A solicitor or other legal professional who delegates their work to another fee-earner remains responsible for the supervision of their work and for ensuring its accuracy. Such supervisors must ensure that fee-earners under their supervision are aware of the dangers of using non-specialist AI for legal research and drafting. Failures to do so, or to undertake appropriate checks on the drafting of fee-earners is likely to result in a referral to the Solicitors Regulation Authority or other regulatory body. A supervisor who fails to ensure that the work of a more junior fee-earner does not contain false cases or citations is likely to be more culpable than a lawyer who fails to ensure that his own work is free from such "hallucinations".

59. The claim form by which judicial review is sought in the Upper Tribunal has now been amended so as to require a legal representative to confirm by a statement of truth that any authority cited within the form or in any documents appended to it (a) exists; (b) may be located using the citation provided; and (c) supports the proposition of law for which it is cited. Other forms and directions are to be similarly amended. A legal representative who signs such a statement in a case in which false authorities are cited should ordinarily expect to be referred to their regulatory body.

60. Uploading confidential documents into an open-source AI tool, such as ChatGPT, is to place this information on the internet in the public domain, and thus to breach client confidentiality and waive legal privilege, and any such conduct might itself warrant referral to the regulatory body and should, in any event, be referred to the Information Commissioner's Office.

Fiona Lindsley

Judge of the Upper Tribunal
Immigration and Asylum Chamber

17th November 2025