

News story: Former barrister convicted for giving illegal immigration advice

Mr Michael Wainwright, aged 33, of Bromley Crescent, Ruislip pleaded guilty at Southwark Crown Court on Tuesday 2 May 2017, to 8 offences of providing unregulated immigration advice between May 2013 and June 2016.

The offences committed over a 3 year period commenced when Mr Wainwright was a practising barrister. His entitlement to practice did not include accepting instructions from clients. He was suspended on the 5 August 2014 and then disbarred from practicing as a barrister on 3 December 2014.

Following his disbarment Mr Wainwright formed a legal services company Crested Associates Ltd, which he used to commit further offences, targeting vulnerable persons seeking immigration advice until finally remanded into custody on the 2 May 2017.

His conduct in committing these offences included:

- conducting cases when not entitled to do so
- contacting detainees facing deportation at Immigration Removal Centres and promising to lodge Judicial Reviews or make bail applications on their behalf
- failing to make applications to the Home Office or the Immigration Tribunals for which he had been instructed and paid by the applicants
- lodging Judicial Reviews and applications before the Upper Tribunal and at the High Court
- making applications before Tribunals as the “applicant in person” and seeking fee remissions
- appearing in person as a representative before Immigration Tribunals when no longer qualified to do so
- making false claims as to his status before the Immigration Tribunals or claiming to act as a McKenzie Friend

On 28 June 2017 at Southwark Crown Court His Honour Judge Hehir sentenced Mr Wainwright to a total of 22 months imprisonment. He was also ordered to pay compensation to the victims totalling £2,858.

When sentencing HHJ Hehir said:

Your conduct represents a flagrant disregard for not only the standards of profession you used to be a part of, but also the Bar Standards Board and also the criminal courts and their orders too.

The facts of the eight offences have been very fully opened to me. They reveal that you persistently and in a sophisticated fashion, held yourself out to vulnerable and often desperate people.

The prohibition is there for good reason. Whether or not those who

seek help for immigration advice or services have a good case, or are entitled to be in the UK is neither here nor there. They and their families are highly vulnerable and often desperate.

Charlatans like you take advantage take of their difficulty and desperation and by doing so you can only harm their interests. You were deliberately taking advantage of these people.

Speaking about the decision, Deputy Immigration Services Commissioner Dr Ian Leigh said:

These are serious offences that are aggravated by a knowing disregard of the statutory regime, and I am pleased with the outcome in this case.