

News release

Review looks at the competence of immigration services providers

28 November 2022

New guidance on providing immigration services should help those solicitor firms in England and Wales undertaking immigration work.

The guidance follows a [thematic review into immigration services](https://higher-rights.sra.org.uk/sra/research-publications/immigration-asylum-thematic-review/), [https://higher-rights.sra.org.uk/sra/research-publications/immigration-asylum-thematic-review/] which looked at the continuing competence of those providing the services. The review found that although generally firms were providing a good level of service, there were areas of concern that needed to be addressed.

The [immigration guidance](https://higher-rights.sra.org.uk/solicitors/guidance/immigration-work-guidance/) [https://higher-rights.sra.org.uk/solicitors/guidance/immigration-work-guidance/] advises firms on matters identified in the thematic review. such as discussing the strengths and weaknesses of the client's case with them, clearly outlining the client's options, preparing properly for online hearings, and making it easier for clients to feedback or complain.

Effective supervision of staff was one of the areas looked at in the review, so we have produced a [second piece of guidance](https://higher-rights.sra.org.uk/solicitors/guidance/effective-supervision-guidance/) [https://higher-rights.sra.org.uk/solicitors/guidance/effective-supervision-guidance/] to look at that issue in depth. It reminds firms of their obligations, the need for effective supervision, and how supervision might be properly carried out in different situations, including where staff spend a great deal of time working from home.

Paul Philip, SRA Chief Executive, said: 'Users of immigration and asylum legal services can be some of the most vulnerable people in society. The consequences of poor legal services can be particularly severe, long-lasting, and difficult to rectify for this group.

'This is an area of work which needs providers to be up to date in what is often a challenging landscape. Our recent review found lots of good practice in solicitor firms. It also showed that there are areas where some firms need to do better, for instance when it comes to good record keeping, reporting misconduct in other firms, and appropriate supervision of less senior staff. This package of guidance - alongside tips on good practice in our review - should help firms to improve.

'Most solicitors do a good job, and we want to support firms to make sure they meet high standards, including when it comes to maintaining competence. Where we found firms falling short, we took the necessary

action to address our concerns and to bring them into compliance with our requirements. We will continue to take robust steps to ensure that this group of vulnerable clients get the help that they need.'

We referred ten firms into its disciplinary processes after finding significant shortcomings.

The thematic review included discussions with stakeholders, an online survey involving 40 firms, in-depth interviews with solicitors at 38 of those firms and a file review of two cases from the 38 firms.

Among other issues, the review found issues of poor record keeping and failures to keep proper training records. It also found a reluctance to report potential misconduct at other firms – which is a regulatory requirement.

In addition to publishing new guidance, which we are working with key partners to promote, we will provide further resources for those working in the sector and for the users of immigration services. We will undertake a follow up review in 12 to 18 months to understand the impact. Additional steps could include sampling providers' training records or issuing a warning notice.

We have previously published reviews on services provided to asylum seekers in [January](https://higher-rights.sra.org.uk/sra/research-publications/asylum-report/) and [December](https://higher-rights.sra.org.uk/sra/research-publications/asylum-seekers-report/) 2016.