

Immigration services

What are we trying to do?

All solicitors should uphold the high professional standards that we and the public expect of them. This is especially important in areas such as immigration where those involved may be among the most vulnerable in society.

To make sure this is happening we are promoting the materials available to firms to help them understand and meet their obligations. We are also highlighting how we will take action if and when we find this is not the case.

Who needs to know?

Law firms, solicitors and other staff providing immigration services to clients. Also consumers and wider stakeholders.

What's going on?

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 where providers need to be up-to-date in what is often a challenging landscape, and the public need to have confidence that the profession has high professional standards.

Warning notice

We have issued a warning notice to firms

[<https://www.sra.org.uk/sra/news/press/2023-press-releases/immigration-warning-notice/>] on the back of themes we have picked up through recent investigations, as well as through our wider work. The notice reminds solicitors of their obligations to uphold the rule of law and to act with honesty and integrity.

Guidance and support for firms

Published in November 2022, our latest immigration guidance

[<https://www.sra.org.uk/solicitors/guidance/immigration-work-guidance/>] provides law firms and solicitors with guidance on issues such as:

- Where they can work if they wish to undertake immigration work.
- How our supervision rules and their obligation to provide a proper standard of service apply in the delivery of immigration work.

- Their obligations to uphold the rule of law and support the administration of proper legal processes when undertaking or supervising immigration work.

In support of this guidance we have also published a range of further resources [<https://www.sra.org.uk/solicitors/resources/immigration-services/>] to help firms and individual understand their obligations and what best practice looks like in this area.

Thematic review

We published a thematic review [<https://www.gov.uk/government/publications/oisc-regulation-and-solicitors>] of immigration services in 2023 which found that while overall there was a good standard of service provided by the law firms we reviewed, there were still some areas that needed addressing. Many of these issues were addressed in the above guidance.

Our enforcement work

If we find evidence that solicitors or firms we regulate have acted in ways that contravene our rules, and in particular their duty to act legally and uphold the law, we can and will take action.

For instance, in the last year action we have taken has resulted in solicitors been struck off for failure to carry out their immigration duties properly, and in July 2023 we intervened into three law firms [<https://www.sra.org.uk/sra/news/press/2023-press-releases/three-immigration-firms/>] involved in immigration services, as a result of information provided to us by the media.

If you have any information or evidence that a solicitor or firm has acted illegally or unethically please report them to us [<https://www.sra.org.uk/consumers/problems/report-solicitor/>] .

Further work

We are commencing a wider thematic inspection of the immigration sector, looking at compliance with our 2022 new guidance. This will look at a cross section of firms working in the asylum sector.

We are expanding and promoting the information on our rules and best practice within immigration which is available to law firms.

We have published a range of information, including new content tailored to asylum seekers and interpreters, on the public-facing Legal Choices [<https://www.legalchoices.org.uk/legal-choices/got-a-legal-issue/im-claiming-asylum/immigration-solicitors-and-legal-advisers>] .

Resources

- Immigration work - guidance
[<https://www.sra.org.uk/link/e7efee6f010f439ba48a85b24ac45e37.aspx>]
- SRA Thematic Review 2022 into immigration services
[<https://www.gov.uk/government/publications/oisc-regulation-and-solicitors>]
- SRA Thematic Review 2016 into legal services provided to asylum seekers
[<https://www.sra.org.uk/link/5bf8a1a9d961462dba00d8c9f3f7415c.aspx>]
- OISC – Regulations and guidance for solicitors
[<https://www.gov.uk/government/publications/oisc-regulation-and-solicitors>]

What have we said

- Solicitors warned over immigration services
[<https://www.sra.org.uk/link/599f4f8b3fe1432eb528f82be7389c7a.aspx>]
- Statement: SRA closes down three immigration firms
[<https://www.sra.org.uk/link/cd3d461b04c6453db0df0e5f2a02d6be.aspx>]
- Letter from Anna Bradley (Chair of the SRA) to Lord Chancellor 31 July 2023
[https://www.sra.org.uk/link/cd3d461b04c6453db0df0e5f2a02d6be.aspx#collapse_a945]