



Strengthening Immigration Advice in the South West

**Bristol Law Centre and Bristol Refugee Rights
July 2022**

Contents

1. Background

2. The context

3. Who needs advice in the SW?

4. Who provides advice in the SW?

**5. Looking ahead: Six priorities for
support**

Executive summary

The South West's immigration advice sector has been decimated in recent years. Major cuts to legal aid since 2012 – coupled with a hostile immigration policy agenda – have reduced advice provision across the UK. In the South West, only a small number of committed not-for-profits are currently able to provide free or low-cost immigration advice.

Our region particularly needs greater capacity to meet specialist immigration advice and legal representation (OISC Levels 2 and 3, or equivalent) needs. Greater provision is needed across the piece, both for cases within the scope of legal aid (such as most asylum casework), and for cases outside the scope of legal aid (most immigration casework).

NGOs and many local authorities expect demand for specialist immigration advice in the South West to rise – possibly substantially – over the coming period. This is due to the rapidly changing migration landscape across the region, including asylum dispersal patterns and the new cohorts of resettled and sponsored refugees. Significant ongoing pressures are being created by immigration rule changes, most recently as a result of the Nationality and Borders Act 2022.

The South West's immigration advice sector will need strategic thinking, investment and support, to help providers to plan within a very challenging environment. New partnerships will be needed, both across the sector and with charitable trusts, foundations, and local authorities.

This report highlights six priorities for support :

1. Supporting **legal literacy among frontline organisations**
2. Strategically **growing the region's specialist legal capacity**
3. Developing **support networks and multi-agency collaborations**
4. Investing in **new models for training and supervision**
5. Building **referral and advice partnerships**
6. **Collective advocacy and strategic litigation**

1. Background

This briefing

Background

This briefing has been commissioned by the Bristol Law Centre and Bristol Refugee Rights, under a grant from the Justice Together Initiative. This grant aimed to scope the advice landscape in the region, and support the development of a funding bid aimed at strengthening specialist immigration advice provision across the South West.

This briefing offers a regional perspective on the immigration advice landscape across the South West, based on wide consultation with advice providers and local government. We hope it is a useful addition to ongoing discussions aimed at strengthening immigration advice in the region.

Briefing aims

The aims of this briefing are to :

- Highlight the **rising demand for immigration advice** in the South West
- Give an overview of the **current landscape of not-for-profit immigration advice** across our region.
- **Highlight six priorities for support**, to strengthen the South West's ability to meet immigration advice needs over the coming period.

Acknowledgements

This briefing was written by Ruth Grove-White between April and July 2022, with inputs from Karen Bowers and Mike Booker (Bristol Law Centre) and Beth Wilson (Bristol Refugee Rights).

It will be of particular interest to advice providers, funders and local government working on social justice issues in the South West, and looking to strengthen the immigration advice landscape.

Warm thanks go to all those who participated in the survey, interviews or discussions that fed into this briefing.

Methodology

This briefing draws upon a range of perspectives, including NGOs, Citizens Advice offices, legal providers and local government officials in the South West region, as well as perspectives from other regional & national initiatives in this field. It has been primarily informed by the following:

Online survey of South West advice providers

A short online survey was distributed among not-for-profit providers of immigration advice in the South West in April 2022, which received 28 responses. Respondents included eleven Citizens Advice offices, nine local NGOs, three local offices of national organisations, three community law centres / non-profit legal providers, and two university law clinics.

Interviews with key stakeholders

Discussions and interviews were held with around 40 people from NGOs, advice services and local government, between April and June 2022, including Asylum Welcome Oxford; Bournemouth, Christchurch and Poole Citizens Advice; Bristol Refugee Rights; Bristol Law Centre; Bristol Mayor's Office; Citizens Advice Cornwall; Cornwall County Council; office of Darren Jones MP; Devon County Council; Devon and Cornwall Refugee Support; Gloucestershire Action for Refugees and Asylum Seekers; Gloucester County Council; Greater Manchester Immigration Aid Unit; Harbour Project; IOM UK; International Care Network; Migrant Legal Project, North East Law Centre; Plymouth City Council; Plymouth Hope; Refugee Action; Refugee Support Devon; University of Exeter Law Clinic; University of Plymouth Law Clinic and Dr Jo Wilding.

Written resources

The briefing also draws upon a review of written resources in the field, including:

- *No access to justice: How legal advice deserts fail refugees, migrants and our communities*, by Dr Jo Wilding for Refugee Action (2022)
- *Methods for Increasing the Capacity of Immigration Advice Provision*, by Ceri Hutton and Jane Harris, for Paul Hamlyn Foundation and Trust for London (2020)
- *A Strategy for Funding Immigration Advice in London*, by London Funders, commissioned by Paul Hamlyn Foundation and Justice Together Initiative (2021)

2. The context

The demand for immigration advice in the South West

The past decade has been damaging for public law services across the South West – and across the UK more widely.

Major cuts to legal aid since 2012 – coupled with a hostile immigration policy agenda – have devastated our region’s immigration advice sector.

Rising demand for immigration advice

In 2022, there is a high demand for immigration advice across the South West, coupled with a squeeze on available provision. This has been due to a number of factors:

- **Resettlement and sponsorship of significant numbers of refugees** fleeing conflicts in Syria, Afghanistan and Ukraine, across the South West. NGOs and local authorities report that there is likely to be a rapid increase in legal advice needs among this group as numbers continue to increase, especially for those with complex situations.
- **Wide dispersal of people seeking asylum across the region**, including in initial accommodation hotels located outside the city centres where advice and support services have traditionally been based. As a result, new cohorts of asylum seekers with complex cases, including unaccompanied children, have arrived in advice ‘deserts’ such as Cornwall and rural Somerset.
- **Tough changes to immigration law and policy.** The legal routes for people to live legally within the UK have greatly reduced as a result of national policy changes over recent decades. This has included steep increases in fees for immigration applications.
- **Brexit**, following which EEA nationals were required to apply for settled or pre-settled status by June 2021 in order to continue living here lawfully. This has resulted in significant and urgent advice needs across the South West for many EEA nationals.
- **The Covid-19 pandemic**, which created new needs among SW migrant communities and particularly those with no recourse to public funds. The pandemic has also extended delays in Home Office decision-making on asylum & immigration applications.

Many NGOs and local authorities across the region expect the number of people requiring immigration advice in the South West to rise over the coming three years. This is partly due to the cumulative effect of immigration rule changes over recent years. It is also due to the changing policy landscape, including the Nationality and Borders Act 2022, & the government’s ‘Full Dispersal’ approach to asylum-seekers.

Why good, affordable immigration advice matters

There are compelling reasons to ensure that people in the South West can access free or low-cost immigration advice when they need it.

Many people coming to live in the South West from overseas – whether asylum seekers, refugees or migrants – will, at some point, need immigration advice for themselves or their family members. This could be for a wide range of reasons, some of which will inevitably require complex immigration casework to resolve.

Legal advice is often needed, for example, to help people to apply for asylum or leave to remain in the UK, escape an abusive partner, access welfare support, apply for settlement or British citizenship for themselves or their children, or assist them upon discharge from hospital or prison. Even where the immigration rules appear to provide straightforward routes for people to live in the UK, such as refugee resettlement or sponsorship schemes, many people in reality will need timely and affordable legal assistance in order to follow these pathways smoothly. Others will have complex life situations which affect their immigration status, and will need high-level legal advice to resolve matters.

When people cannot access the immigration advice they need, they and their families may lose their right to live in the UK. They may lose any access to public funds and be unable to work lawfully in the UK. They are more likely to need emergency assistance from local authorities, for example under Section 17 of the Children Act 1989, or other support from NGOs or statutory services.

Common issues which arise in relation to insecure immigration status include:

- Financial problems and destitution
- Mental and physical health issues
- Domestic abuse and family breakdown
- Sofa-surfing and street homelessness

This mapping has heard about ongoing welfare issues arising from immigration status issues across all the counties of the South West. Improving access to low-cost immigration advice is likely to be in the interests of all services working on social welfare issues in the region.

How immigration advice works

OISC accreditation

In the UK, only immigration advisers registered with the Office of Immigration Services Commissioner (OISC), or solicitors, barristers and members of approved professional bodies are legally able to provide immigration and asylum advice. Not-for-profit organisations such as charities or law centres wishing to give immigration advice must ensure that both their organization and the individual adviser are registered with OISC. Advice can be given at one of 3 'levels', in either immigration law or asylum and protection law (although advisers can be authorized in both areas). The advice that can be delivered is strictly determined by OISC authorisation.

Organisations registered at OISC Level 1 can provide signposting and advice on straightforward immigration cases – but cannot assist on asylum casework. Organisations at Level 2 can deliver more complex immigration and asylum casework. Level 3 organisations – along with solicitors' firms and barristers – can deliver advocacy and representation, and all casework up to Tribunal appeals. Specifically-authorized Level 3 advisers can pursue judicial review as a possible remedy for their clients.

Legal aid

Public funding for immigration and asylum advice has been steadily reduced over recent decades. In 2012, major changes introduced by the Legal Aid, Sentencing and Punishment of Offenders Act dramatically decreased the funding for legal advice, and removed most immigration matters from the scope of legal aid altogether (although some cases may qualify for Exceptional Case Funding).

In the South West, the legal aid cuts have contributed to a steady reduction in specialist immigration advice services. The Devon Law Centre, which ran an award-winning immigration and asylum advice service, closed its doors altogether in 2012. Few organisations are now willing or able to take on a legal aid contract, due to the significant auditing, supervision and regulatory demands of the Legal Aid Agency (LAA). In 2022, the LAA is trying to encourage legal aid providers out of the region to take on South West cases, due to the lack of in-region provision.

Free or low-cost legal immigration advice providers in the South West now need support from a range of funding sources, including trust and foundation grants, local authority commissioning and fee-paying clients, to continue operating.

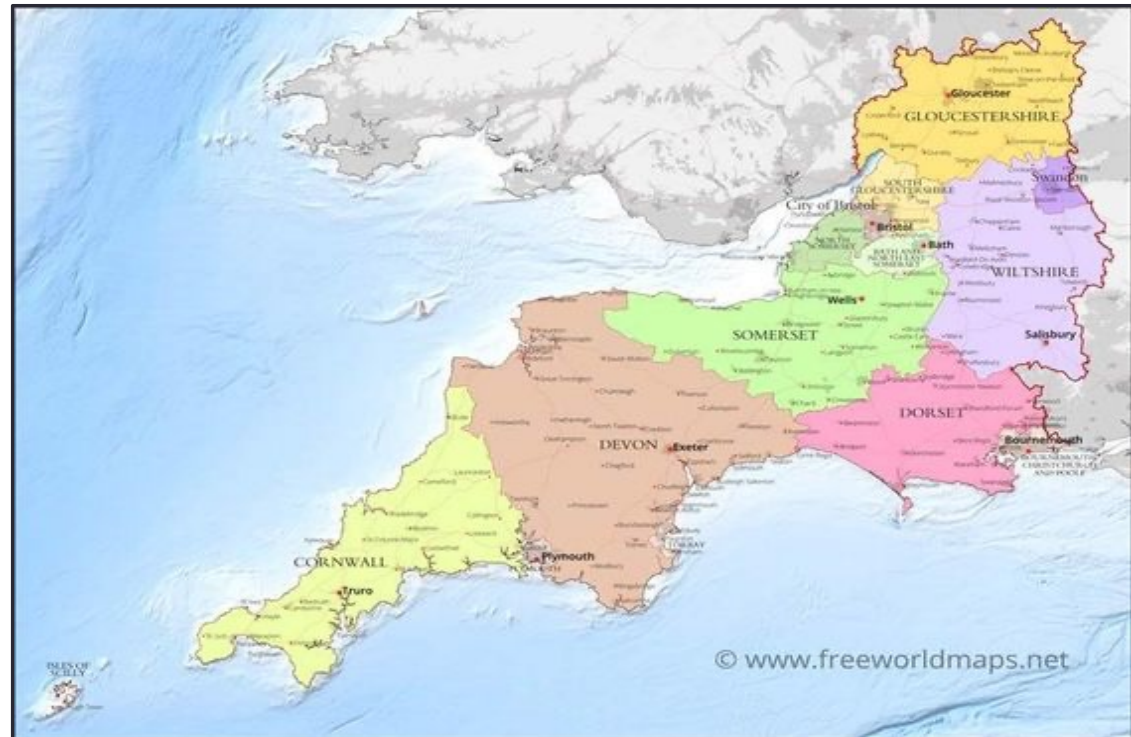
3. Who needs advice in the SW?

Mapping the South West

The South West region is the **largest geographical region** in the UK, and comprises the counties of Wiltshire, Gloucestershire, Somerset, Devon, Dorset and Cornwall, as well as the unitary authorities of Bristol, Bath and North East Somerset (BANES), North Somerset and South Gloucestershire.

The South West is home to an **estimated 6% of the UK's migrant population – around 500,000 individuals** (Wilding 2022). This includes refugees, asylum seekers, economic migrants, international students and foreign national prisoners living across the region. The picture of migration to the region is **rapidly evolving** due to the changing dynamics around refugee and asylum seeker resettlement.

Included in this figure are an estimated **27,000 people with no legal immigration status** (Wilding 2022). An additional cohort are in a precarious position or at high risk of losing their immigration status.



Asylum seekers and refugees in the South West

The South West has a **well-established history of accommodating asylum-seekers**. Today the main asylum dispersal areas are Bristol (which in 2021 recorded 258 asylum seekers in receipt of S95 asylum support), Gloucestershire (190) & Swindon (211) in the north of the region, and Plymouth (267) in the south.

Government policy is now to disperse people seeking asylum more widely under a new Full Dispersal model. All the counties of the SW have been receiving **dispersed asylum seekers** in recent years, including unaccompanied asylum-seeking children. Due to housing shortages, people are increasingly being accommodated in local hotels, including in Bristol, Bournemouth, Cheltenham, Exeter, Gloucester, North Somerset, Swindon and Tiverton. Most of these areas have very limited immigration advice services, and hence NGOs, law firms and local authorities have had to quickly mobilise to provide outreach or remote support.

In the past five years, a series of national **resettlement and refugee sponsorship** programmes have led to people from Syria, Afghanistan and Ukraine (and smaller numbers of British Nationals Overseas from Hong Kong) settling across the South West, supported through a combination of statutory provision and private hosting arrangements. This is contributing to a fast-changing landscape of potential advice need across the region - local authorities in Devon and Cornwall, for example, are each currently planning for the arrival of over 1000 Ukrainian nationals since March 2022, and these numbers may well rise further.

Legal advice needs

Pressing legal advice needs among asylum seekers & refugees in the South West range across the following issues:

- Applying for asylum in the UK.
- Advising unaccompanied asylum-seeking children dispersed across the region.
- Applying to bring family member/s to live in the UK.
- Making fresh asylum claims on the basis of new evidence.
- Further leave, indefinite leave to remain (ILR) and/or nationality applications for resettled or sponsored refugees and their family members.

Migrants in the South West

The South West has a significant population of foreign nationals who have come to the region for a range of reasons, including for work, study or to join family members here. This includes **both EEA nationals and non-EEA nationals**, long-standing residents and more recent arrivals, and people with a wide variation of immigration statuses and situations.

Currently, legal advisers and local authorities report that there are particularly acute issues around access to specialist immigration advice in the towns and cities with a history of asylum dispersal (Bristol, Gloucester, Plymouth and Swindon), where **complex immigration status issues** are more common.

However, the region's migration patterns have been increasingly diverse. Employment of **migrant workers**, including significant numbers of European (EEA) nationals in the agriculture, hospitality and social care sectors, for example, have contributed to growing advice needs across rural regions such as Cornwall, Devon, Dorset and Somerset. Legal advisers in, for example, Exeter, report that they now see referrals from smaller towns and villages in North Devon for which there is little other provision.

Legal advice needs

Pressing legal advice needs on immigration or nationality matters include:

- Supporting EEA nationals to secure status. Although 292,000 EEA nationals in the South West did resolve their status before the June 2021 deadline, a further 116,000 have 'pre-settled' status and over 9000 have neither settled nor pre-settled status.
- Leave applications for people who have been subject to domestic violence.
- Article 8 family and private life applications – for which Exceptional Case legal aid funding (ECF) may be secured.
- Renewal applications for leave to remain
- Applying for settlement, citizenship, or for children to be registered as British citizens.
- Assisting people who have been trafficked or subject to modern slavery.
- Assisting people being threatened with removal or deportation from the UK

4. Who provides advice in the SW?

The South West: a sustainable immigration advice sector?

What we need

Ideally, in the South West, there would be a sustainable ecosystem of organisations working at all levels to provide free or affordable advice to refugees and migrants. This would allow provision in the region to flex and respond to changing demand as new communities settle in the region, and would include:

- A wide range of charities, community groups and statutory services providing emergency assistance, integration support and non-legal guidance. None of this requires accreditation with OISC.
- Multiple community-based organisations registered at OISC Level 1 to give basic legal advice and signposting and assist with straightforward applications.
- Multiple advice providers registered at OISC Level 2 to deliver more complex immigration casework and asylum claims.
- Multiple specialist legal services registered at OISC Level 3 (or equivalent) to deliver complex immigration and asylum casework, appeals, and representation in the immigration Tribunals. This would include a robust legal aid-funded sector, with both senior caseworkers and solicitors able to undertake certificated work.

The reality in the South West

However, the current picture in the South West falls short of this. Our region is currently identified as an 'acute immigration advice desert' (Wilding 2022), with shortages in all areas of provision, from frontline support up to high-level advocacy & representation.

The capacity issues are most pressing at OISC Levels 2 and 3 (and equivalent) where the handful of not-for-profit providers risk being swamped by the level of need in the region. Complex immigration cases are regularly referred out of the region to providers in Cardiff, Newport, Oxford or even London, causing significant expense and disruption to clients and support organisations. In the past few years, it has been increasingly difficult to place clients with advisers out of the region due to national shortages in capacity.

Currently, the South West's resources to resolve complex immigration and protection matters – at a time when numbers of asylum seekers, refugees and migrants are expected to rise across the region – are severely impeded.

Frontline services and OISC Level 1 advice in the South West

Non-OISC accredited frontline services in the South West

A range of frontline organisations provide support or guidance to migrants and asylum seekers across the South West, but are not registered with OISC to provide immigration advice. This includes migrant community organisations, CABs, sponsorship groups and resettlement initiatives; some frontline organisations with expertise in, for example, domestic violence or homelessness, and statutory services supporting families with no recourse to public funds (NRPF).

These organisations are often the first port of call for people in need of immigration advice. They can play a crucial role in supporting people to resolve any immediate financial, housing or health needs and / or addressing any safeguarding issues. Where these services identify immigration status issues, they then need to refer the individual or family concerned onto more specialist immigration advisers. Some specialist providers in the South West collaborate with frontline organisations to pick up complex cases. Plymouth Domestic Abuse Service, for example, often refers clients to Migrant Legal Project in Plymouth, whilst the NRPF team in Gloucester County Council regularly refers migrant families to Bristol Law Centre for assistance.

OISC Level 1 advice providers

42 organisations across the South West are currently registered with the OISC to deliver Level 1 signposting and advice. This is often provided in conjunction with frontline support services at drop-ins or advice clinics. Level 1 organisations regularly need to refer more complex cases on to higher-level advisers.

The majority (27) of the Level 1 advice providers in the South West are Citizens Advice offices, which are exempt from OISC registration. There are three registered Red Cross offices in the region at Level 1. There is also a cohort of small migrant and refugee support organisations delivering Level 1 support, including International Care Network (Bournemouth); GARAS (Gloucester); Devon and Cornwall Refugee Support (Plymouth); Plymouth Hope; and Harbour Project (Swindon). A significant number of Level 1 providers would like to provide a Level 2 service in order to meet growing need, but have been as yet unable to secure the resources or supervision to do so.

OISC Level 2 & Level 3: Bristol, Gloucestershire Somerset and Wiltshire

Bristol

Currently, Bristol holds the greatest capacity in the South West to take on asylum and immigration casework at OISC Levels 2 and 3. Bristol Citizens Advice, Bristol Law Centre (BLC) and Migrant Legal Project (MLP) are currently actively providing free or affordable advice at OISC Levels 2 and 3 although all manage with small teams of no more than 5 advisers. Bristol Refugee Rights is registered with OISC to deliver asylum advice at Level 3 and immigration advice at Level 2, but due to capacity issues currently only delivers advice at Level 1.

Eight of the South West region's nine legal providers registered with the Legal Aid Agency (including Bristol Law Centre and Migrant Legal Project) are based in Bristol, with 86% of the legal aid matter starts allocated for the South West region for 2018-21.

Bristol's providers regularly take referrals from elsewhere in the region. However, capacity issues prevent Bristol's specialist services from being able to meet all the unmet advice need across the South West, leading to many referrals going out of the region altogether, including to Cardiff, Swansea and Oxford.

Gloucestershire

Gloucestershire currently has no not-for-profit OISC Level 2 or Level 3 immigration advice provision. Gloucester Law Centre has reportedly been unsuccessful in recruiting to specialist immigration advice positions and has been unable to run this service since 2017.

Somerset

Somerset has a limited not-for-profit advice service at Level 3 which is targeted at EU Settlement Scheme applicants across the South West, and run by a single caseworker employed by the International Organisation for Migration. The service is due to run until September 2022.

Wiltshire

Swindon Citizens Advice offers an OISC Level 2 service run by a part-time adviser. Wiltshire Law Centre in Swindon used to hold an immigration legal aid contract, but due to difficulties in recruiting a suitably qualified solicitor has since closed this service.

OISC Level 2 & Level 3: Devon, Dorset and Cornwall

Devon

Devon has a number of small organisations providing free or affordable immigration advice at OISC Levels 2 and 3, which are described as '*firefighting*' in the face of substantial unmet need. Cases not taken on in Plymouth tend to be referred to legal representatives in Bristol and Cardiff.

In Plymouth, the main not-for-profit specialist advice provider is Migrant Legal Project, registered at Level 3, which has offices in Bristol, Cardiff and Plymouth. The MLP office in Plymouth is the only legal aid provider outside of Bristol in the South West. As of 2022, MLP has two Level 3 caseworkers who focus primarily on legal aid work including asylum casework and domestic violence applications. The Red Cross office in Plymouth runs an OISC Level 2 service, which focuses on refugee family reunion cases.

Beyond this, a number of small not-for-profit services pick up complex immigration casework at Level 2, most of which falls out of the scope of legal aid. The University of Plymouth runs a small immigration law clinic which focuses on complex immigration cases at OISC Level 2 and is managed by a part-time immigration solicitor. In Exeter, Refugee Support Devon has an OISC Level 2 advice service run by a part-time staff member and three volunteers (one of whom is also accredited at Level 2). The University of Exeter immigration law clinic is registered at OISC Level 3 although due to staffing shortages has mainly focused on providing one-off advice and referrals during term-time.

Dorset

There are currently no not-for-profit OISC Level 2 or Level 3 advice services in Dorset. International Care Network in Bournemouth, which used to provide Level 3 advice, is now operating at Level 1 after being unable to recruit a qualified Level 3 adviser. Referrals from Bournemouth tend to go to Southampton, Bristol, Taunton (for EEA national cases) or London.

Cornwall

There are no not-for-profit advice services at OISC Level 2 or Level 3 in Cornwall. Referrals from Cornwall currently tend to go to services in Plymouth or Bristol, or to be referred out of the region altogether.

**5. Looking ahead:
Six priorities for support**

1. Supporting legal literacy among frontline organisations

Frontline organisations provide vital support as a first port of call for many migrants and refugees in the South West. As new arrivals, including resettled and sponsored refugees and dispersed asylum seekers, continue to settle in new areas across the region, a range of organisations and local authorities are providing vital support to them on a range of issues. Many frontline organisations are not OISC-registered and therefore have a limited ability to advise on immigration and protection law.

A number of frontline organisations in the region would like to develop their role in responding to immigration advice needs— either on an ad hoc basis or by formally accrediting with OISC to deliver advice. This would enable them to better solicit the right information from clients, establish their need for further advice, and make appropriate referrals to qualified advisers where needed. Strengthening their skills and knowledge would also allow the small number of higher-level advisers in the region to focus on complex casework and legal advocacy.

In order to do this, **frontline organisations will need some support** to help them review their ability to respond to immigration queries, and to develop their skills and capacity where needed.

Some organisations and local authorities may find it beneficial to **develop their legal literacy on an ad hoc basis**, by strengthening their networks with immigration organisations or web platforms such as Free Movement, joining relevant google groups or mailing lists, or enabling staff and volunteers to access basic trainings on immigration matters.

Some organisations would benefit from **connecting with second tier support initiatives** such as Refugee Action's Frontline Immigration Advice Project, or undergoing more in-depth training on key client groups, for example courses run by organisations such as Rights of Women or Coram Children's Legal Centre.

Other frontline organisations may wish to **become formally accredited under OISC at Level 1 (or above)**. To do so they would require the resources and support to secure training and formal supervision, and to be able to embed and maintain this service within their organisation's operational model.

2. Strategically growing specialist legal capacity

There is an urgent need to build on existing advice provision, to grow the OISC Level 2 and 3 legal capacity in the South West region. This needs to be approached strategically and sustainably given the ongoing squeeze on funding for this work.

Strategies for building capacity in the sector could include:

- **Investment in training up and supervising advisers** who are already settled in the South West (see *Priority 4*). Organisations in Bristol, Bournemouth, Gloucester, Plymouth and Swindon have all reported major difficulties in recruiting to specialist posts, and 'brain drain' when qualified advisers leave the region. To combat this we will need new, coordinated training, apprenticeship and/or supervision strategies, to build capacity at OISC Levels 2 and 3 (or equivalent), and provide career pathways for advisers to encourage them to stay in the South West.
- **Developing and strengthening partnerships.** Specialist services will need to work together in order to combat the very challenging environment. This could include strengthening existing collaborative partnerships between specialist agencies, frontline organisations, national charities and solicitors' firms both in the region, and more widely via remote means. It could lead the development of new partnerships, models such as sharing legal advisers between organisations or bigger collaborative efforts such as joint referral hubs (see *Priorities 3 & 5*).
- **Designing targeted specialist advice services to meet entrenched or emerging advice needs.** Advice providers may need to develop specific advice projects to assist groups such as resettled or sponsored refugees, dispersed asylum-seekers (including unaccompanied children), families with no recourse to public funds, or those subject to inadmissibility claims and/or removal notices.
- **Exploring new outreach models for specialist advice services.** Specialist services might consider the role of remote advice provision (and/or hybrid models) - where appropriate client support can be provided by NGOs. Some local authorities would be interested in seeing new online or outreach resources for clients and support services (e.g. GPs etc) to strengthen understanding of legal pathways.
- **Building a range of support and funding partnerships.** To meet the needs of the future, specialist advice services will need sustainable funding. Existing not-for-profit providers will need investment in order to be able to take on (or expand) LAA contracts. Given the challenges, most specialist providers will need to secure funding from a range of sources such as trusts and foundations, and to be able to demonstrate the value for money that their services represent to local authorities.

3. Networking and multi-agency collaborations

Professional networks – both virtual and in-person –play an important role in sharing expertise and bringing about new collaborative approaches.

Some advisers in the South West are already part of existing networks related to immigration issues, including (but not limited to):

- **Bristol Refugee and Asylum Seeker Partnership**
- **Plymouth Refugee and Asylum Seeker Network**
- **South West Access to Justice Network**
- **South West Strategic Migration Partnership**
- **Immigration Law Practitioners Association SW Network**
- **Refugee Action Frontline Immigration Advice Providers Network**

After two years of limited networking during the Covid-19 pandemic, a number of advice providers would now welcome **new opportunities to meet in-person, share information and build relationships with other providers**. Although the South West is a large region, many advice providers report that they would benefit from rebuilding regular contact with other advisers, local authorities and specialist agencies with experience of complex casework.

There is particular interest among advice providers in connecting with other agencies in the same or neighbouring counties. Frontline providers in Gloucestershire, Somerset and Wiltshire, for example, would find it useful to have more contact such as **information-sharing, networking and referral partnerships** – with one another and with Bristol-based providers and statutory representatives. In Devon and Cornwall, most advice providers report that they would like to adopt a **more collaborative, joined-up approach** with one another. This could help to make best use of limited capacity in the south of the region, and combat any sense of disconnection or isolation.

Some organisations would welcome **regional or county-wide support for registered caseworkers, such as googlegroups or mentoring relationships**. This would ideally enable remote casework guidance to be given advisers from different organisations, and allow for ad hoc peer support and information-sharing.

4. New models for training and supervision

There is a strong demand across the South West for training and formal supervision to help to accredit immigration advisers at, in particular, OISC Level 2, in order to try and address the capacity issues in the region. This would also help to create a pipeline for future recruitment to Level 3 (and equivalent) positions.

Raising adviser's OISC levels requires considerable time and resources, and this has been the barrier thus far for many groups including CABs and migrant support organisations. Formal supervision to bring an adviser up from OISC Level 1 to 2, for example, can take a year or more, plus continued ad hoc support while the adviser builds their experience. The very low number of qualified supervisors in the South West has meant that this has not yet been feasible for most organisations wishing to move to OISC Level 2.

Since the rise of remote working during the Covid-19 pandemic, remote or hybrid supervision arrangements are now more of an option for Level 1 organisations wishing to move to Level 2 e.g. via contracts with larger NGOs, law centres or law clinics. Unless pro bono supervision can be secured, this would still require funding to cover time and associated expenses of both parties.

Current initiatives which could be built upon include:

- **Refugee Action Frontline Immigration Advice Project (FIAP)**. Many advice organisations are now members of Refugee Action's Frontline Immigration Advice Project, through which they can access online OISC trainings and other organizational resources. FIAP does not usually provide supervision, although did help Refugee Support Devon to accredit to Level 2 in 2021 via a pro bono remote supervision arrangement. The remote supervision model could be further explored in future with FIAP and/or other national or regional organisations.
- **Plymouth University Law Clinic** is training up an OISC Level 2 caseworker in-house, supported by grant funding, who could be engaged locally to boost Level 2 capacity in Plymouth. More widely, this supervision model could be captured and replicated elsewhere.
- **Bristol Law Centre** has is hosting a trainee solicitor under a Justice First Fellowship. This scheme enables newly qualified lawyers to get experience 'on the job', supervised by the host organization & could be explored by others in the SW.

5. Referral & advice partnerships

Working in partnership with other organisations takes time but can lead to more effective use of the limited capacity available. Formal referral or outreach partnerships can be set up between frontline community organisations, specialist providers, local authorities and private law firms, with benefits for both partners and clients.

Examples of current referral / outreach partnerships in the South West include:

- **Bristol:** Bristol Refugee Rights (OISC L3 registered, but currently delivering at L1) and Bristol Law Centre (OISC L3) have a referral partnership to support complex immigration cases in Bristol. BRR conducts initial case assessments and triage & provides wrap-around support, and BLC takes on the legal casework. Both organisations regularly liaise to assess capacity & track progress.
- **Plymouth:** Devon and Cornwall Refugee Support (OISC L1) and Migrant Legal Project (OISC L3) in Plymouth have a referral partnership which centres around a shared client database. This reportedly helps both organisations to speed up case assessments, assess capacity and make referrals, and provide wider support.
- **Bournemouth:** Bournemouth Christchurch and Poole Citizens Advice runs an outreach partnership with a Level 3 immigration adviser from local firm ABC Above and Beyond. ABC provides pro bono, initial immigration advice sessions for visitors to a monthly CAB clinic. ABC also provides ad hoc support to BCP CAB advisers to help them upskill.

With support, there may be scope to extend or deepen current partnerships in the South-West, and/or introduce new relationships of mutual benefit to those involved. Ideas to explore could include:

- **New advice partnerships with charities, local authorities or private law firms** to provide free or low-cost advice services to specific client groups where there is common recognition of likely future need.
- **'Sharing' specialist advisers between similar organisations.** This is being trialed in other regions, e.g. Slough Refugee Support and Reading Refugee Support Group currently share a Level 3 solicitor who takes on complex immigration cases for both.
- **Setting up joint hubs for immigration and asylum referrals.** This is being piloted by the North East Law Centre in partnership with Justice First and the North of England Refugee Service, and could be considered in the South West - perhaps centring around Bristol in the North and Plymouth in the South.

6. Collective advocacy and strategic litigation

The South West's immigration advice sector will continue to exist within an extremely turbulent economic and political landscape over the coming years. National and regional approaches towards refugees and migrants will continue to develop, and further policy challenges no doubt lie ahead.

Advocacy and influencing

Although they have limited capacity, advice providers in the South West will continue to be well-placed to understand the frontline impacts of regional and national policies affecting migrants and asylum seekers. It is important that, wherever possible, advice providers are assisted to capture the evidence from their work, and bring it to bear in calling for policies and practices that are compassionate, equitable, and which protect the rights of migrants and refugees. This could take the form of individual or collective advocacy actions, across a range of issues.

Over the coming period, there will be regular opportunities for our region's advice providers to engage in strategic influencing work (as capacity and resources allow). This could involve continuing to engage with a range of bodies such as local authorities, MPs and the South West Strategic Migration Partnership, where there are likely to be significant shared interests in strengthening the regional advice landscape. It could also involve dialogue with national bodies such as the Legal Aid Agency, OISC and the Home Office to make the case for a more sustainable approach towards not-for-profit immigration advice in the UK.

Strategic litigation

There will be a crucial role for strategic litigation in shaping the policy landscape via the courts, and particularly as the full range of provisions in the Nationality and Borders Act 2022 enter into force. We will need experienced solicitors in the South West who are able to bring judicial review proceedings, to challenge the lawfulness of decision-making by the Home Office or other public bodies in the courts where necessary.

For further information please contact:

Karen Bowers, Bristol Law Centre: karenb@bristollawcentre.org.uk

Beth Wilson, Bristol Refugee Rights: beth@bristolrefugeerights.org

**Funded by the Justice Together Initiative
July 2022**

