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Dear Karen,

I read carefully the 'discussion document for consultation'. I am passion about immigration law. I am a member of ILEX and an advisor that regulated by OISC. I am currently taking part in IAAS. The LSB document has been well prepared. It certainly identify gap in the service provision and raises serious questions. I am sure we will have better regulators at the end of the process.

Here is my comment. I hope you find it useful:

LSB consultation: Regulation of immigration advice and services

Q1) I think you captured most of the key issues. There are missing points in my view:

- One missing point is the fact that most consumer in this field may not use the 'complain' as a mechanism for expressing their dissatisfaction. Indeed the consumers, due to the nature of their inquiries, probably do not know whether the service they received has met the minimum standard. Some solicitors are using non-qualified member of certain community to attract customer (for example recruiting an Iranian staff to attract Iranian consumers). The bad/poor practice is likely to hide from regulator bodies. In reviewing the role of regulator, there is a need for much better observation and regulation on staff and files to identity the poor advice and services even when there is no complain.

- There is no reference in the document to the costs of the effective regulation. If better regulation needs higher registration fee, then this issue needs also careful consideration. In particular it looks you are going to ask more work and better observation from regulator, then the question is who is going to pay for it.
- There is no reference in the documents on how LSB is going to challenge a regulator decision. For example, IPS has closed its immigration register since 2004 without any reasonable explanation. This issue have had bigger impact on BME member of CILEx. Is LSB in position to ask IPS to review its decision?

ILEX immigration course has high quality and very well cover all aspect of immigration law. It will be good news to see that IPS reopens its immigration registry. ILEX is a good route for many people who works and wants to improve their career.

Q2) I agree in some extent. This issue needs closer observation.

Q3-a) it covers most risks. However, in my work experience in asylum and immigration field, I discovered that both legal aid solicitors and private ones, are not using the 'country expert and medical expert' as they should for different reasons: legal aid ones probably have staff who do not know how to instruct an 'expert' or there is not enough time to seek the approval of LSC on expert's fee; and private ones because either the client cannot afford the expert's fee at the top of immigration fee and also the lack of competency on instructing the expert. **Regulators should ask higher competency/criteria for those advisors who want to take client at the detention centres.**

Q3-b) The documents does not have any reference to the fact that only OISC investigate/prosecute anyone who provides immigration advice without being qualified as defined in IAA1999. This part of OISC is very important to protect consumers. LSB may consider whether to extend this role of OISC to other regulators.

Q4-a) As stated in the report, since 2004 IPS do not accept any new member for regulation. They have only 27 authorised members under IPS immigration registry. It is in the best interest of public that IPS reopen its door, especially there are many BME members who study at ILEX.

Q4-b) It is important all regulatory bodies try to collect same data from its members; in particular which segment of immigration law they have clients. For example if in a period of one year, the service provider does not have one single case of EEA, then the regulator body should either put restriction on practicing in that segment or demand specific CPD on the area which there was no client. Under current system, there is no reference to this issue.

Q4-c) OISC may consider promoting its member to take 'high court cases'. The current criteria put restriction on OISC members to take any 'judicial review'. From my work experience OISC members are often passion about immigration law and improve their quality constantly. This is in the best interest of public and makes the market more competitive. I have no data on IPS and whether its current **27** members are allowed to take 'judicial review cases'.

Q5) from a consumer point of view, while it is possible for a customer to find information about how SRA and OISC regulate their members, this is not the case for IPS. It is in the public interest that the regulators provide information on how they regulate its members in a simple language.

Q6-a) I find it very good and in the best interest of the consumers that we have different regulatory bodies. It makes the market more diverse and increase the competition. In the line of the recent changes of legal aid criteria, even the role of OISC become more important in terms to increase the competition in favour of consumers.

Q6-b) The immigration law has covered by many topics, **there should be a direct connection between the minimum requirements of 'CPD' and all the topics in the immigration law.** It would be desirable if all regulators: SRA, OISC and IPS, have the similar requirements of 'CPD'. This is in the best interest of the consumers and service users. All regulators currently ask for minimum hours of 'CPD', but there is no requirement on the topics.

Q7) It is desirable indeed. OISC already has great power to investigate complain and take appropriate action. In spite if this fact, your proposal is in the best interest of consumers.