

Sent by email to consultation@sra.org.uk



30 April 2020

Dear Sir/Madam,

The Legal Services Consumer Panel (the Panel) welcomes the opportunity to respond to the Solicitors Regulation Authority's (SRA) consultation on delivering immigration advice and services.

The Panel is pleased that the SRA has worked closely with the Office of the Immigration Services Commissioner (OISC) to develop these set of proposals which we consider to be reasonable and proportionate. More importantly, we are pleased that the plans have been developed to minimise consumer confusion.

We agree that solicitors working in OISC regulated firms should explain clearly to clients that they are acting in their capacity as an OISC registered adviser. However, we are of the strong opinion that this explanation, which is a form of information remedy, should be standardised. This would require both the SRA and OISC to agree the form of words and its presentation.

The Panel has consistently raised concerns about the effectiveness of information remedies in the legal services sector, especially when providers can develop their own means or style of communicating regulatory information. In 2017, we published a report¹ which emphasised the need for regulators to consider standardising some information requirements. We believe this is one such occasion where the information should be standardised. There will be varying levels of protection for consumers who use solicitors working in an SRA authorised entity, compared to those working in an OISC regulated firm. It is, however, likely and reasonable for consumers to think that engagement with all solicitors offer equal protection. We therefore believe that communication around issues such as how to make complaints and any available consumer protection should be set out clearly, with both regulators working on the content, format, as well as how the information should be presented to consumers. Moreover, this should be tested with consumers prior to implementation. We believe this would make the proposals stronger.

The Panel fully supports and welcomes the SRA's proposal to build better understanding around the risks consumers face when procuring immigration advice. The Panel highlighted immigration advice as a priority concern in 2016² and we recently raised concerns about the quality of advice in this area.³ We are also pleased with the

¹ LSCP, The Development of Information Remedies in legal services, 2017.

² LSCP, Priority Areas of Law, 2016

³ LSCP, Response to the SRA's consultation on assuring advocacy Standards

collaborative approach the SRA plans to adopt, and we would be pleased to contribute to the development of this project.

Yours sincerely,

A handwritten signature in black ink that reads "S Chambers". The signature is written in a cursive, flowing style.

Sarah Chambers

Chair

Legal Services Consumer Panel