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Dear Sir/Madam,

Immigration Services Commissioner's Response to the UKBA consultation on Family Migration

I am grateful for the opportunity to respond to this consultation.

I am specifically responding to the issues raised in Questions 17 and 18.

While I support the proposition in Question 17, I must qualify that, while I believe that OISC regulated advisers and solicitors can apply their professional skill and knowledge of their clients in viewing applications and documents, this can not be taken as endorsing such applications and documents as being genuine nor indemnifying the application itself.

As to Question 18, I believe that there are processes in place to ensure, as far as practicable, that those who give advice on the proposed marriage-based leave to remain applications are fit and competent to do so. The proposal is similar to the Nationality Checking Service run by certain local authorities and regulated by my Office since 2004. It has provided clients with an expedited service and local authorities with added income. I see no reason why this should not be the case with the current proposals, which will promote freedom of choice for clients and the certainty of a complaints process should anything go wrong. As it will result in an expansion in the role of local authorities, it is vital that my Office is kept informed of developments.

Yours faithfully,

Suzanne McCarthy
Immigration Services Commissioner