



18 Feb 2020

OISC Winter Newsletter

Commissioner's New Year Message

Welcome to the 2019/20 Winter edition of the new-look OISC Newsletter.

Over the last few months the political changes with a new government and EU Exit/Brexit have given a renewed focus to the immigration debate.

Over the coming months we will be involved in conversations, debates and reports on everything from the re-drafting and simplification of Immigration Rules to the possible introduction of a points-based Immigration System.

Whatever level of change this might bring, it is the role of the OISC to ensure that those needing immigration advice have access to the best possible service, and that immigration advisers are considered an integral part of the whole immigration system.

Recently I have met with senior government officials, the other immigration bodies and advisers from across the country including visits to Scotland and Northern Ireland to gain first-hand your thoughts and ideas re the Immigration industry in the UK.

Although I am still relatively new to the role, I have gained a greater understanding of the importance of strong immigration advice to advice seekers, the key regulatory

role played by the OISC and the need for advice seekers, advisers and the OISC to collaborate in the future.

Over the coming year, this understanding will see the OISC re-define its focus; developing a new vision for the OISC and working in close collaboration with industry and stakeholders to bring it to fruition.

To this end, as I said in the last newsletter, it is important that you are kept up to speed with such changes and this new look newsletter, as well as the [Facebook Group Page](#) and a [Twitter](#) account, has been designed to be easier to follow when you are on the move.

However good communication goes both ways and I would welcome any feedback on OISC and its work, as well as on the look of this newsletter.

I look forward to working with you over the coming weeks and months of 2020.

Yours

John Tuckett



EU Settlement Scheme - Authorisation to provide advice

Over 50 organisations have been approved to give advice under the EU Settlement Scheme (EUSS). In addition, around 200 individual applicants have also been authorised to provide advice in this bespoke category of immigration services. It has been good to see that the introduction of the new OISC category in February 2019 has attracted the numbers of applicants it did and entry into the regulatory scheme has generally proved to be a smooth process.

Anyone wanting to apply for authorisation to provide advice on the EU Settlement Scheme must have a Disclosure and Barring Service (DBS) Certificate, and delays in receiving the DBS Certificate could affect how quickly we can make an application decisions.

If you are applying as an individual applicant, please make sure you are familiar with the DBS process and timescales and apply as early as possible.

You can read more information on the OISC's DBS application procedure [here](#).

New Complaints Redirection and Professional Conduct presentations published

Keep a look out for two new online presentations on Complaints Redirection and Professional Conduct on YouTube or via the [OISC website](#). These presentations are part of a portfolio of OISC presentations that help support OISC regulated advisers and can be included as part of a CPD Plan.

The [Professional Conduct](#) course provides an overview of the OISC Code of Standards and how it relates to your role as an immigration adviser. It sets out the principles of acting in the best interests of the client, including client confidentiality

and how to withdraw from a client. Please note that there is no voice-over with this course.

Coming soon, the Complaints Redirection presentation provides information about the OISC's redirection scheme and the benefits it offers to advisers and complainants. The scheme allows an organisation to resolve and settle complaints of a less serious nature without direct intervention from the OSC. The presentation provides an overview of how the scheme works, what makes a good investigation and possible resolution outcomes.

Other available presentations are Consumer Satisfaction, Premises Audit and Welcome to the OISC. It is recommended that all advisers view the [Welcome to the OISC](#) presentation.

Consumer Information

Changes to OISC website – information for people looking for immigration advice

The OISC are pleased to report that a number of new documents have been published on the OISC website (see main box on OISC website www.oisc.gov.uk or [via this link](#)) which are aimed specifically at improving information for people looking for immigration advice and how to access regulated immigration advisers. Keeping this new section up to date is part of our ongoing work to improve the content and structure of our website. We hope the new content and more prominent position of key information will better explain the regulatory system and the benefits of using a properly regulated adviser.

The new section now includes information on:

- [Who are the OISC and what do we do?](#)
- [Finding and using an OISC regulated organisation](#)

- [Adviser finder site](#)
- [What you can expect from your adviser](#)
- [Getting the best from your adviser](#)
- [Complaints](#)
- [What you can expect from the OISC](#)
- [Judicial Review: What you need to know](#)
- [FAQs](#)

Update of sample Q&As

New Level 2 and Level 3 sample question and model answer papers are now available on the [OISC website](#).

The newly published questions and answers are from past papers and provide comprehensive and detailed model answers. They are designed to help candidates test themselves in a 'live', timed, exam environment without inadvertently seeing the answers beforehand should they wish to avoid doing so.

The papers include the following categories:

- Immigration Level 2
- Immigration Level 3
- Asylum and Protection Level 2
- Asylum and Protection Level 3

OISC and Social Media

The OISC has recently launched its own [Facebook](#) and [Twitter](#) sites, to help keep you informed about what we are doing, new features on our website, the latest in our series of training presentations on [YouTube](#) and more.

We are using these channels in order to share info and engage with more of our stakeholders - from immigration advisers to those want to use their services to those with an interest in immigration matters.

It is still early days but as of Feb 18, we had 105 Twitter followers and 99 followers on Facebook. We have changed the style of our Facebook to embrace our commitment to greater sharing.

As more use these channels, we expect those numbers to grow. So why not follow us yourselves!

John Tuckett invited to speak at Westminster Legal Forum keynote seminar.



Immigration Services Commissioner John Tuckett will be speaking at the Westminster Legal Forum key note seminar - *Priorities for the UK Immigration system - reforming migration law, tackling irregular migration and next steps for policy*.

His contribution to the session entitled *The UK's immigration rules - key points from the Law Commission's reforms and priorities for regulation*.

After he speaks, he will be taking part in a Q&A with the Law Commission.

Other planned sessions at The Caledonian Club in Halkin Street on February 25th event include:

Policy and implementation - assessing Government's plans for immigration policy moving forward including the timeline for its introduction, and the next steps for policy implementation;

Reforms to migration law - with the Law Commission's expected report on their project to redraft guidelines for immigration laws, and wider issues of accessibility and ease of use for stakeholders;

Irregular migration - priorities for border control and international co-operation post-Brexit, including the proposed stricter criminality thresholds on entry and removal of immigrants, together with discussion on the UK's potential withdrawal from the Schengen Information System; and Priorities for business - concerns about access to skilled workforce post-Brexit, the impact across sectors, quotas, and the MAC's review.

For further details click [here](#)

COURT REPORT

Whizzlaw Associates – Kalpesh Karia

A Barnet man has been banned indefinitely from providing immigration advice or services - the most serious sanction which can be recommended by the Immigration Services Commissioner.

Kalpesh Karia, also known as Bobby Karia, of Whizzlaw Associates Limited, Barnet, North London, received this ban following a ruling made by the First-tier Tribunal, General Regulatory Chamber (Immigration Services) after an investigation into a serious complaint about Mr Karia's practice.

As well as Mr Karia and Whizzlaw Associates Limited being banned indefinitely (having been registered since 2004) they were also directed to repay the complainant the sum of £4,300 which was held to be an unreasonable fee to charge.

Visa and Appeal Services UK – Hamidali Jiva

Hamidali Musa Jiva, owner and sole immigration adviser of Visa and Appeal Services UK, Bolton, was sentenced to an 18-month Community Order, 180 hours of Community Payback and ordered to pay costs and compensation totalling more than £3,500 after pleading guilty to four counts of providing unregulated immigration advice and services

Mr Jiva's illegal and substandard advice led to one client needing to return to their country of origin in order to start a fresh application.

London City Associates – Alexandra Zernova

Alexandra Zernova, sole Director of London City Associates and former employee of charity Solicitors International Human Rights Group, (SIHRG was fined £3,500 and ordered to pay £2,000 costs after she pleaded guilty to seven charges of providing unlawful immigration advice through her company London City Associates.

E-applications Forms

The OISC is moving towards the total use of electronic application forms for all submissions to become OISC registered advisers and for those wanting to maintain OISC registration.

Applications for registration by the OISC should be completed online using our electronic application forms and submitted via Dropbox, the OISC's file sharing platform.

So, for a method which is secure, efficient, convenient, and reduces the need for paper, we strongly recommend the use of our electronic applications system. Please follow this [link](#) for further details.

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