

Despite efforts by Welsh Government to strengthen the immigration advice and legal sector, Wales lacks a comprehensive strategy for the sector's regeneration and growth. The scarcity of immigration legal services in Wales, against a backdrop of general decline in legal provision, demands a strategic approach that builds broad collaboration. Development is more than a matter of funding; the current lack of expertise and poor infrastructure require a long-term strategy.

Decision-makers and stakeholders could seize this opportunity to almost completely reimagine the sector. Due to its geographic and population size, innovative and integrated services could be modelled in Wales on a relatively small scale, while at the same time connecting and engaging nationally.

What will we gain from developing a strategy for the immigration advice and legal sector?

Developing a co-produced strategy has many benefits. Engaging with a broad range of stakeholders and people with lived experience of migration will bring new insights and a deeper understanding of challenges facing people who need access to advice and justice. Competing interests can be better balanced and potential impacts of changes better highlighted. Strategic sector development will lead to a more sustainable, longer-term vision that builds on current strengths and addresses hidden challenges. Some of the benefits are set out below.

An integrated sector

A strategy for development can target resources to support existing relationships and partnerships and identify where there is potential to develop new collaborations and where they are needed.

Community focus

A strategy that is co-produced with people with lived experience and which aims to strengthen and develop community-based approaches would result in services that are more accessible, more resilient, and more responsive to need. A piecemeal approach to funding and development risks duplication or waste of resources by implementing services that are not targeted where there is most need.

Best practice built on existing resources

Involving a wide range of potential partners brings benefits from the greatest expertise. Identifying what currently works and why will help to develop improved infrastructure for skills exchange, training, and development schemes.

Strong links with frontline and community services

Community organisations, frontline support services, and informal networks can offer insight into need and ease access to regulated immigration advice.

Engaging funders and resource-providers

Strategic involvement of funders results in better targeting of grants and subsidies. A strategy will also benefit from an understanding of what has worked in the past and will be improved by engaging funders' expertise in sector-building, funder partner networks, and identifying under-funded communities or areas of work.

Influencing policy

A well-developed strategy can give a clear picture to decision-makers and funders and demonstrate where policy changes can be effective in addressing priority needs. Engaging influencers, researchers, and policy experts in developing a strategy will strengthen its evidence base.

Evaluation, monitoring, and evidencing need

Developing a strategy for the immigration advice sector in Wales could present an opportunity to develop and implement a workable, common approach to reporting and data collection, focusing on a few vital key indicators. This could provide valuable Welsh-specific data about migration, needs, and services that could be used to attract future funding and inform the further development of services.

In short, developing a comprehensive, co-produced strategy would make for a more effective and more sustainable immigration advice and legal sector.

What is an effective and sustainable sector?

An effective and sustainable immigration advice and legal sector is one that...

...is financially sustainable

Legal aid is the biggest single funding source enabling access to justice in the UK. The loss of legal aid for many types of immigration case since 2012, the extreme inadequacy of Emergency Case Funding as a safety net, and the crumbling network of immigration legal aid solicitors, all continue to have a devastating effect on access to justice in Wales. But it is not the only source. Welsh Government funding is essential to meet duties in relation to human, economic and social rights, and to address social injustice. Other potential sources of funding include local authority funding or commissioning, trust and foundations, private sources, and other forms of statutory funding, including funds from public health and police commissioners. A strategic approach to harnessing and integrating funding is essential to the long-term health of the sector.

...meets need

The sector must meet the needs of all migrants who need immigration legal advice and help, and free or low-cost advice and representation must be available to all who cannot afford it. Good geographical coverage is vital to reach migrant communities in North and West Wales, in rural areas, and without good transport links. Provision must be adaptable to changing need and fluctuating populations. It must sustain people throughout the legal process, whether they need one-off advice, casework, or representation at tribunal or in the courts.

...engages and is led by lived experience

An effective strategy should design a sector that is staffed by people with lived experience of the immigration system, and fairly includes them as trustees, managers, policy makers and decision-makers. This means designing structures, training, and regulatory systems that are accessible and supportive for migrants. Service users need to be empowered and able to exercise their rights.

...is resilient and responsive to change

A resilient and responsive sector needs a mix of free, low-cost, and fee-charging provision that ensures that people can access justice when they need it, a strong and balanced mix of legal aid and IAA provision, new legal services, legal and advice services embedded in community organisations and frontline support, and a strong and healthy third sector in which to thrive.

...develops and draws from a sustained pool of expertise

The problem of how enough specialist immigration advisors can be trained and developed requires careful planning. This requires creativity and a mixture of immediate and longer-term measures. Staff need strong career pathways within the sector but also across sectors, so that varied expertise can be drawn on and can nourish related sectors. Good capacity and a healthily-sized sector are key.

...is integrated with a wider network of provision and support

Collaboration between specialist legal advisors and frontline agencies can result in better referral networks and more seamless support. People's immigration needs do not exist in isolation from their social and welfare needs. It is important that legal services are not segregated from other migrant support services, but that they link into each other and work mutually in the interests of the people who use them.

How could such a strategy be developed?

A strategy for rebuilding the immigration advice and legal sector needs to involve all relevant partners, including people who use immigration legal services. Developing and implementing a strategy involves open and ongoing conversations with stakeholders, comprehensive mapping of existing and potential services, imaginative thinking, and political will.

Over the next year, the Bevan Foundation will deliver a project which aims to create an outline strategy for developing the free-at-source immigration legal sector in Wales. To do this, we will map need and provision across Wales, look at where and how new and complementary services might be developed, and consider how different stakeholders and partners could work together to improve sustainability and development.

More information about this project can be found [on our website](#).

Read the full report

Our report Desert to Oasis, the case for a strategic approach to building a strong immigration legal sector in Wales, is available at <https://www.bevanfoundation.org/resources/strategic-approach-immigration-legal-sector/>

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