



# Vulnerability Good Practice Guide

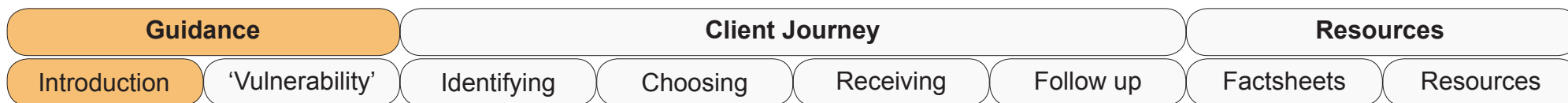
## Immigration Clients

A user guide for barristers working with vulnerable adult immigration clients to help them identify, assess and manage client vulnerabilities in line with good practice.

April 2018

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## Purpose of the guide

This guide has been developed in collaboration with barristers, clerks, consumer organisations, legal regulators and other stakeholders.

It has been developed primarily for barristers who work with adult immigration clients, to help them identify, assess and manage client vulnerabilities in line with good practice. It will also support barristers to meet their regulatory obligations under [the BSB Handbook](#) and [the Professional Statement for Barristers](#), as well as their legislative duties, including under the Equality Act 2010 and Mental Capacity Act 2005. However, others in chambers who have contact with vulnerable clients will also find aspects of this guide useful, such as clerks and practice managers.

Whilst the guidance, advice and good practice provided within this guide does not form part of the Handbook and is therefore not mandatory (except where regulatory or legislative duties are explicitly stated), we would expect barristers to follow good practice in meeting their legislative and regulatory obligations in this area.

This guide is one outcome of the recommendations made in the Bar Standards Board's [Immigration Thematic Review](#) (2016), to improve access to justice for consumers of immigration legal services and the quality of services provided to them. Consumers of immigration and asylum advice and services are often a particularly vulnerable group. This includes people seeking asylum who have fled abuse, torture, imprisonment or death in their home country. It may also include people with mental health problems, English as a second language or those with little or no understanding of English, individuals who are homeless or destitute and those who may be at risk due to their gender, religious beliefs, sexuality or other protected characteristics.

### Who should use the guide?

This guide has been designed for all barristers working in immigration, whether acting on a referral or public access basis. Whilst we recognise that where a solicitor is instructed they will usually have more contact with the client, and are often best placed to identify vulnerability, assess client needs and manage these appropriately, the dynamic and fluctuating nature

<sup>1</sup> The unique vulnerabilities and challenges faced by child migrants (including unaccompanied child migrants) are outside the scope of this guide. If you are working with a child, you should seek specialist guidance.

Guidance		Client Journey				Resources	
Introduction	'Vulnerability'	Identifying	Choosing	Receiving	Follow up	Factsheets	Resources

of vulnerability means that all legal service providers must be jointly responsible. Furthermore, vulnerability can be difficult to identify, and issues can sometimes be missed. As a barrister, you need to be fully aware of the factors involved when working with vulnerable clients, including the identification of any issues or vulnerabilities, how to assess any resulting needs and how to manage them in line with good practice.

Parts of this guide will also be useful for clerks, practice managers and others who have contact with vulnerable clients and responsibility for service delivery. Factsheet 7 of the guide is aimed specifically at clerks and practice managers.

### How and when to use the guide

The guide will help you identify and assess vulnerability, as well as manage any resulting and/or changing needs throughout the case. It can act as a helpful prompt for picking up on indicators of vulnerability, and provides guidance on how you may wish to adapt your service provision accordingly. It will also help you to review your services and ensure they are fully accessible to vulnerable consumers. The format has been designed so that you can quickly access and retrieve the information you need.

In addition to using the guide when meeting a client, preparing a case or reviewing accessibility requirements, you may also wish to use the guide to form the basis of in-house training or a refresher course on vulnerability for barristers and other members of staff. It may also be used in risk management activities when considering vulnerable clients.

Clerks, who often engage with clients directly, will find it useful to know how to exercise good practice when communicating and engaging with clients and ensure services are accessible.



## Guide structure

This guide has been developed with an immigration focus and comprises:

- A longer guidance document, following each stage of the immigration consumer journey;
- Seven factsheets covering discreet topics; and
- Two annexes:
  - Annex 1 – [Useful Contacts](#) (to which you can direct your client towards additional support)
  - Annex 2 – For [further resources](#)

The guidance document focuses on a typical legal consumer's client journey, which consists of:

- [Identifying](#) a problem or legal need;
- [Choosing](#) a provider and engaging them;
- [Receiving](#) legal advice and/or representation; and
- [Follow-up](#) i.e. satisfaction with service, escalation of any issues.

For each stage of the journey, the guidance explores barriers that are specific to consumers seeking immigration advice and services and offers advice and solutions as to how some of these could be overcome.

The factsheets focus on specific topics. These may be utilised to when identifying, assessing and managing client vulnerability, and you may refer to them as and when issues arise. The factsheets are not necessarily immigration specific and can be applied more generally to other areas of law. The following topics are covered in the factsheets:

- [Factsheet 1](#) – Enabling access to your service
- [Factsheet 2](#) – Identifying and assessing vulnerable clients and their needs
- [Factsheet 3](#) – Identifying victims of trafficking
- [Factsheet 4](#) – Issues to consider in relation to court proceedings
- [Factsheet 5](#) – Client care and communication
- [Factsheet 6](#) – Issues with mental capacity
- [Factsheet 7](#) – Dealing with vulnerable immigration clients (For clerks and practice managers)



Whilst the guide provides good practice guidance on areas that are particularly relevant to barristers, it cannot feasibly hope to cover all aspects of working with vulnerable consumers. Good practice examples, useful online tools, resources and further literature are included throughout the guide. If you wish to find further information on a particular area, [Annex 2](#) (Further Reading) will signpost you appropriately.

### Acknowledgements

This guide has been developed with input from and in collaboration with others. We would like to extend our sincere thanks to the following organisations:

- The Solicitors Regulation Authority
- The Office for the Immigration Services Commissioner
- CILEx Regulation
- The Legal Services Consumer Panel
- The Bar Pro Bono Unit
- The Access to Justice Foundation
- Bail for Immigration Detainees

- Law for Life
- Hibiscus Initiatives
- The Roma Support Group
- Garden Court Chambers
- Richmond Chambers LLP
- Matrix Chambers
- No. 8 Chambers
- Doughty Street Chambers
- 9 Park Place



# Section 1: What do we mean by 'vulnerability'?

## Definition

Attempts at defining vulnerability most often describe people being at an increased risk of detriment due to individual characteristics or circumstances. However, the way in which services are provided and the levels of care taken can also impact upon a consumer's vulnerability and susceptibility to detriment<sup>2</sup>.

For the purpose of this guide, we will adopt the British Standard on Inclusive Service Provision (BS18477)<sup>3</sup> – also adopted by the Legal Services Consumer Panel (LSCP) – to help us understand what we mean by 'vulnerability'. The Standard sets out a range of risk factors, which are defined as circumstances that could contribute towards making a consumer vulnerable. The presence of one or more risk factors could increase the likelihood of a consumer being at a disadvantage or suffering loss or detriment during a transaction or communication with an organisation. Risk factors can be made up of both individual factors and market factors.

## Vulnerability in the legal services market

The LSCP adopted and applied the BS18477 to a legal services setting in 2012, and later published a guide for legal services regulators on recognising and responding to consumer vulnerability in 2014<sup>4</sup>. By adopting the Standard, the LSCP sought to develop a shared approach and language around consumer vulnerability within the sector.

<sup>2</sup> Financial Conduct Authority (2015) [Occasional Paper No.8: 'Consumer Vulnerability'](#)

<sup>3</sup> British Standards Institution (BSI) (no date) [Fair, flexible services for all](#) (A summary of the British Standard on Inclusive Service Provision (BS18477))

<sup>4</sup> Legal Services Consumer Panel (2014) [Recognising and Responding to Consumer Vulnerability](#)



## Individual risk factors

The LSCP expanded on the list of individual risk factors contained in the Standard to take account of the legal services market. These risk factors are:

Age	Living alone
Being a carer	Location
Bereavement	Lone parent
Cultural barriers	Loss of income
English as a second language	Low income
Health problems	Low literacy
Inexperience	Mental health issues
Lack of internet access	Physical disabilities
Learning disabilities	Relationship breakdown
Leaving care	Release from prison

- **Long-term or permanent characteristics** could include people who have learning disabilities, those on a low income or with low literacy levels, and communities that face cultural barriers to market participation.
- **Fluctuating vulnerabilities** describe people who are vulnerable due to transitory situations, such as mental health issues, English as a second language or those with little or no understanding of English, health problems and lack of internet access<sup>5</sup>.

These individual risk factors can be short-term or long-term, and might fluctuate over time.

5 Legal Services Consumer Panel (2014) [Recognising and Responding to Consumer Vulnerability](#)





**Market risk factors**

The British Standard states that the way the modern market, service sectors and organisations work can cause or contribute to consumer vulnerability. They can place consumers at a disadvantage in accessing and using products and services, and in seeking redress. In the context of the legal services market, the LSCP argues that:

*“The legal services market shares many of the characteristics of markets which cause significant consumer detriment, and the nature of legal services mean any consumer can feel vulnerable<sup>6</sup>.”*

The LSCP identified several market risk factors in the legal services market, including information asymmetry, concerns about cost, a range of access and redress barriers and a lack of quality signals.

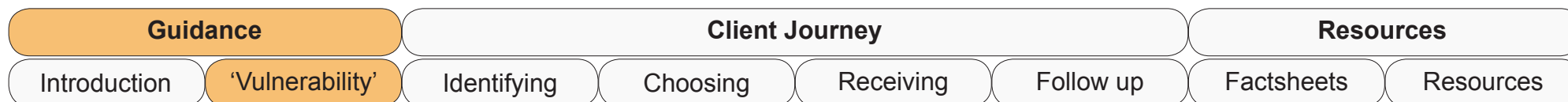
**Vulnerable immigration clients**

There are different types of immigration client, and not all will be considered vulnerable. For example, more experienced immigration clients may be well educated and able to use the internet and personal or business contacts to research the market and secure high quality advice. However, the majority of non-professional clients seeking immigration advice will be vulnerable in some way<sup>7</sup>.

We know from our supervision activity that many barristers are acutely aware of the vulnerabilities of their clients. Barristers consider it to be in their interests to identify vulnerability, as it tends to be central to the legal case made. It was also reported to be relevant to their personal interest in practising in this area of law. It is evident from our supervision visits to chambers that assessing and effectively dealing with a vulnerable client is key in the provision of good quality immigration advice and services. There is, however, less clarity around whether clients are currently being assessed for vulnerability in a consistent manner, and uncertainty about what happens if they are assessed as vulnerable.

6 Ibid

7 BSB (2016) [Immigration Thematic Review](#)



### Individual risk factors

As part of the BSB's thematic review of immigration advice and services<sup>8</sup>, published in May 2016, and our ongoing engagement with consumer organisations, we identified a range of individual factors which can contribute towards making an immigration client vulnerable. These include:

- Age (young or old).
- Being a victim of modern day slavery/trafficking (both those who have escaped and those who are currently being trafficked);
- Being an offender or ex-offender;
- Being in immigration detention;
- Cultural barriers;
- Family conflict or separation;
- Fear of children being taken out of school;
- Fear of sudden deportation;
- Financial hardship;
- Gender-based persecution /gender identity-based persecution;
- Persecution on the grounds of sexuality;
- Language barriers;

- Mental health issues;
- The underlying reasons for seeking asylum;
- Trauma experience; and
- Unaccompanied minors.

We also noted that, in the field of immigration, these vulnerabilities often come in combination. Having a multitude of issues can affect a person's ability to engage with services and processes. Furthermore, immigration clients are likely also to be seeking legal advice with regards to other areas of law, such as housing, banking and welfare.

Clients who display or experience one or more of the risk factors above should not automatically be considered vulnerable. These are simply indicators of risk. Whether a client is vulnerable will depend on their particular situation, the type of service they require and how accessible that service is to them.



## Market risk factors

As part of our thematic review<sup>9</sup> we conducted our own analysis of market factors. In particular, we explored potential barriers to accessing and seeking good quality advice. We identified three main market risks for immigration clients:

- **Access risks:** these are the barriers faced by consumers of immigration legal services when trying to access the legal help they need, including a lack of access to legal aid;
- **Information asymmetry:** this risk highlights how immigration clients and potential clients lack the information and knowledge they need to identify the right type of provider, choose which provider to use, follow progress of their case once they have instructed a provider and seek redress when things go wrong; and
- **Quality risks:** these are the risks that the quality of services provided by different practitioners (barristers, solicitors, Office of the Immigration Services Commissioner (OISC) advisers) can be variable.

This guide is part of the BSB's response to these market risks. Since the thematic review, we have also published guidance in several languages for immigration consumers, as well as guidance for frontline organisations that support them<sup>10</sup>, to help them understand the types of providers that can assist with their legal issue, the differences between them, how to recognise what 'good' and 'poor' service looks like and seek redress if things go wrong. These are available on the [BSB's website](#).

<sup>9</sup> Ibid

<sup>10</sup> BSB (2017) [Guidance on immigration and asylum related issues: Professionals and consumers](#)

Guidance		Client Journey				Resources	
Introduction	'Vulnerability'	Identifying	Choosing	Receiving	Follow up	Factsheets	Resources

## Section 2: The “Client Journey”

Assessing and managing vulnerability is essential to improving the consumer experience. Helping vulnerable people understand their legal problem and be able to effectively access justice incurs a number of benefits, including:

- Vulnerable people better understand their legal issue and likely outcome;
- The safety and wellbeing of vulnerable people is supported;
- A positive impact on the reputation of legal providers;
- Upholding the rule of law; and
- Protecting the public<sup>11</sup>.

As part of the BSB’s immigration thematic review, we looked at a typical legal consumer’s client journey. An individual (or organisation) with a legal problem will go through several different stages in identifying and responding to their legal need. Whilst every consumer’s experience will be individual to their circumstances, we can categorise this in general terms using a four stage model<sup>12</sup>, as set out in the opposite column.

### 1. Identifying

- First awareness of the problem or legal need

### 2. Choosing

- Deciding upon a response to that problem
- Selecting a provider to assist

### 3. Receiving

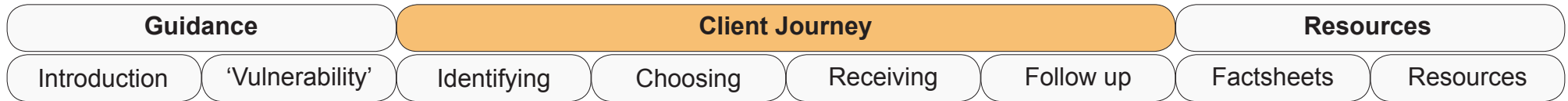
- Engaging that provider
- Receiving legal advice/ representation

### 4. Follow up

- Satisfaction with service, escalation of any issues
- Feedback, recommendations and referrals to others
- Repeat client?

<sup>11</sup> Solicitors Regulation Authority (2016) [Providing services to people who are vulnerable](#)

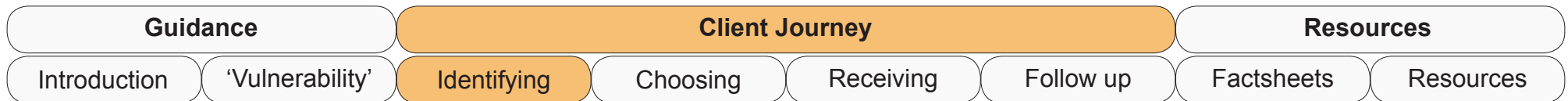
<sup>12</sup> BSB (2016) [Risk Outlook](#)



The review recognised that immigration clients may come to barristers at different stages of this journey. In particular, as part of our supervision fieldwork, barristers told us that the client's contact with the barrister can often be at the final stages of a case. Regardless of the stage at which the client instructs the barrister, however, the barrister should be aware of vulnerabilities and issues to look out for, as these may not be the same for every stage of the journey i.e. they can change over time. Issues earlier in the journey can also be missed.

The immigration client's journey was also considered by a reference group made up of other regulators, third sector organisations and representative bodies. The group assisted the BSB in refining a client's journey through the immigration system. They advised that there was a wider range of issues that affect immigration clients, including housing, family, banking and welfare, and not just the right for people to be and remain in the UK. The group therefore felt that barristers should be aware of the interconnectivity of such issues, as although they may be unable to advise in specific areas they can signpost to organisations that can help.

The issues discussed above and others that are relevant to the stages of the client journey are explored more fully in the following sections. For each stage of the journey we consider what vulnerabilities and issues barristers may be faced with, and provide solutions and options as to how these could be overcome. Where possible we have provided worked examples.



## Section 3: “Identifying”

The initial stage of the typical client journey is becoming aware of the problem or legal need, then deciding upon a response to that problem. Even at this initial stage there are various barriers that can prevent individuals from recognising they have a legal problem, including:

- Legal capability barriers. Legal knowledge and understanding amongst the general population is low. Consumers may not recognise an issue as a legal matter, know their legal position or how to address it<sup>13</sup>;
- The complexity of navigating the legal system;
- A lack of familiarity with the legal system and how to explore options; and
- A lack of familiarity with legal terminology and language.

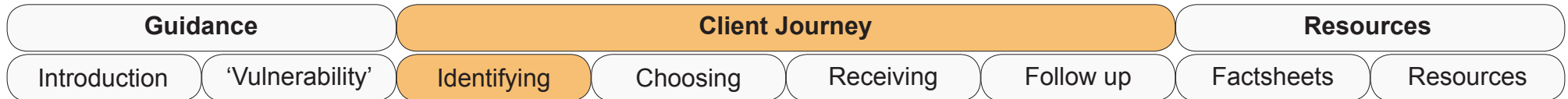
### Additional issues to consider for those seeking immigration advice and services

For immigration clients, the barriers highlighted above can be compounded by additional issues, such as:

- **The lack of voluntary organisations that can help individuals recognise they have a legal need and signpost appropriately** – In the past, voluntary organisations provided the route by which many people obtained advice and referral to a solicitor or barrister. Our thematic review found that many of those voluntary organisations no longer exist due to funding issues<sup>14</sup>.

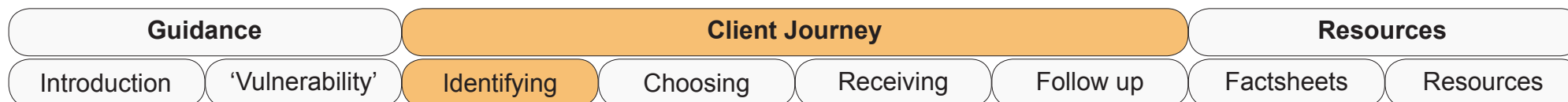
<sup>13</sup> [The Public Legal Education Evaluation Framework \(2011\)](#), developed by the Personal Finance Research Centre (PFRC) at the University of Bristol, discusses and explains legal capability, and contains a legal capability evaluation framework. The framework identifies four key domains when evaluating legal capability, including a person’s ability to recognise and frame the legal dimensions of issues, the ability to find out more about the legal dimensions of issues and situations, dealing with law-related issues and engaging and influencing.

<sup>14</sup> Toynbee Hall’s report, [Trusting the dice](#) (2015), on immigration services and the demand for such advice found that providers of immigration advice in the borough were increasingly few in number and under considerable pressure. This was translating into difficulties for clients who were trying to access increasingly oversubscribed services.



- **Legal aid cuts** – Due to a significant curtailment of the types of immigration work for which legal aid is available, even if individuals are able to identify that they have an immigration related legal need, they may be unable to afford advice or representation.
- **A lack of knowledge amongst clients** – Research commissioned by the BSB<sup>15</sup> on the experiences of immigration clients found that consumer organisations felt there was a general lack of understanding amongst clients about their legal circumstances, the stages of an immigration case and particularly at what stage representation might be required.
- **Capacity issues** – The provision of immigration legal services can be labour intensive work for public access barristers, particularly sole practitioners. Our thematic review found that public access barristers have been hesitant to advertise their services because they have enough work.
- **Hesitancy in seeking advice** – People in need of immigration advice can be hesitant to seek it due to their personal circumstances. The level of vulnerability can potentially convince people to approach their community for advice in the first instance. Individuals may then receive legal help from those that have been recommended from their networks, through word of mouth, rather than directly approaching barristers, solicitors or OISC registered advisers for legal advice. This, in some circumstances, leads to incorrect advice and an exacerbation of the issue.
- **Quality issues** – Our review found that immigration clients can often access or be provided with inaccurate information either due to multiplicity of information sources, unintentionally due to the complex and changeable nature of immigration law, or deliberately on the part of unscrupulous and/or unregulated providers.

15 IFF Research (2013) [Immigration Client Experience Research](#)



## How can you overcome some of these issues?

You may not be able to address all of the issues highlighted above. However, below are some suggestions that may make it easier for potential immigration clients navigating this stage of the client journey.

### Information provision

You should consider where information about your services will have the most impact and is likely to be most beneficial. Relying solely on websites will exclude certain groups from receiving that information. For example, those in need of the most urgent immigration advice may be in detention centres, where they are unlikely to have access to the internet or may have just arrived in the country. You may wish to explore whether you are able to reach out to such groups: you could develop information pamphlets and disseminate these to local centres or organisations, or simply make contact to introduce yourself and ensure they are aware of your services<sup>16</sup>. This will facilitate potential immigration clients being able to make contact with a legal service provider should they wish to do so.

### Building links in the local community

Barristers are expected to have an awareness of the wide range of organisations supporting the administration of justice and their roles, as well as be able to identify and advise clients of alternative sources of advice and funding available to them<sup>17</sup>.

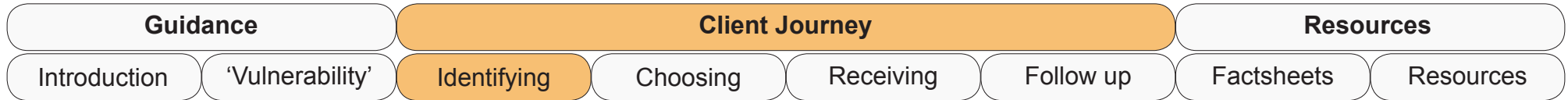
We know from our thematic review and engagement with consumer organisations that people in need of immigration advice and services will often look to friends, family and others within their community for advice. Some individuals will seek advice from community, cultural and faith groups/places of worship. This may result in poor advice due to a lack of knowledge and expertise, particularly given the fast-changing nature of immigration law. Organisations and groups that come into contact with people needing immigration advice and services would benefit from being able to direct individuals towards appropriate and professional legal advice and services.

As such, you may wish to familiarise yourself with local support services and community organisations, including those that take on a signposting role. Building links with voluntary organisations can be beneficial in terms of both ensuring your services are

<sup>16</sup> See competence 1.9 in the [Professional Statement for barristers](#). Barristers are expected to be able to exercise good communication, through any appropriate medium and with any audience as required in their work, including being able to identify the audience and respond appropriately to any needs and sensitivities created by individual circumstances.

<sup>17</sup> BSB (2016) [The Professional Statement for Barristers](#) (1.4)





visible and accessible to these consumers, and for you to be able to refer clients who require additional support to those that can help. It additionally reduces the risk of consumers accessing poor or incorrect advice. You could consider introducing yourself to local groups and making them aware of the services you can provide, to ensure that anyone seeking professional immigration advice can be directed towards your services. This may be particularly beneficial for public access barristers. For more information see [Factsheet 1](#) (Enabling access to your service) and [Annex 1](#) for useful contacts.

### **Advertising and transparency – public access barristers providing immigration advice and services**

Although our thematic review found that not all public access barristers advertise the fact they provide immigration advice and services, in the future all providers are likely to be required to set out the legal services they provide. The BSB has consulted on new proposals that will increase transparency around costs, services and redress. If approved, it will be mandatory for barristers to provide basic information on both the types of service they offer and redress available<sup>18</sup>. The BSB is also considering the scope of barrister's fee requirements. Barristers will be required to comply with any transparency requirements from 2020. This increased transparency should help address some of the issues identified around inconsistent information provision and the lack of affordability of advice.

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More information on these proposals can be found in our [consultation document](#).



## Section 4: “Choosing”

Once a consumer has identified they have a legal need and decided on an appropriate course of action, the second stage of the journey involves selecting and choosing a provider to assist. There are various barriers at this stage that can make choosing particularly difficult for a consumer, including:

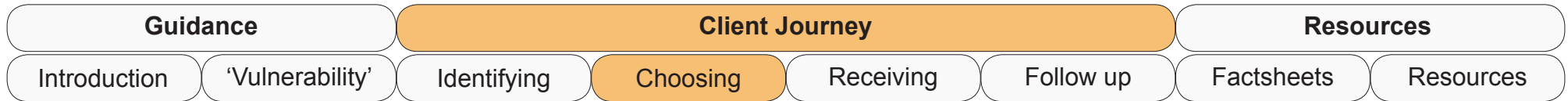
- The difficulty for consumers in assessing quality and value;
- The challenge in finding an appropriate provider to meet needs and understand what those needs are;
- A lack of good quality comparison data;
- The fact that legal services can often be a distress purchase, made in difficult circumstances;
- Perception issues, particularly around cost, and lack of trust in legal professionals or authority generally;
- A lack of clear information on costs; and
- The fact that choosing the basis of instruction (public access, intermediaries, terms of engagement etc.) may be confusing.

### Additional issues to consider for those seeking immigration advice and services

As in the initial stage of the client journey, there are additional factors that should be considered for those seeking immigration advice and service, including:

#### **Lack of understanding of different provider “types”**

The Solicitor’s Regulation Authority’s (SRA) report on the “Quality of Legal Services for Asylum Seekers” found that asylum clients struggle to understand the difference between provider types and regulatory protections. Research commissioned by the BSB in 2013<sup>19</sup> similarly found that immigration clients were not entirely sure of the differences between a barrister and solicitor, even after having been through the immigration legal process.



This evidence was supported by consumer engagement sessions conducted by the BSB when developing its guidance for immigration consumers<sup>20</sup>. Almost none of the consumers who participated could articulate the difference between a solicitor and a barrister, and many were not aware of OISC-registered advisers, despite having been through or currently going through the legal process.

### Inaccurate information provision

The thematic review also found evidence to suggest that inaccurate information provision is a barrier to clients accessing immigration advice. The BSB hosted a Roundtable in 2013, attended by representatives from the profession, consumer organisations and other regulators, which highlighted concerns that clients were not being provided the right information at the right time. Word of mouth recommendations and internet search engines were reportedly common tools used to find immigration advice, but clients had a limited understanding to inform their choice. The 2013 BSB commissioned research found evidence of

a substantial amount of misinformation circulated within communities, which placed those needing immigration support at risk of exploitation and exposure to poor quality advice and services<sup>21</sup>. The "[Trusting the Dice](#)" report similarly found that clients frequently have very little accurate information on which to base choice, often paying over the odds for advice which can be either futile or inaccurate.

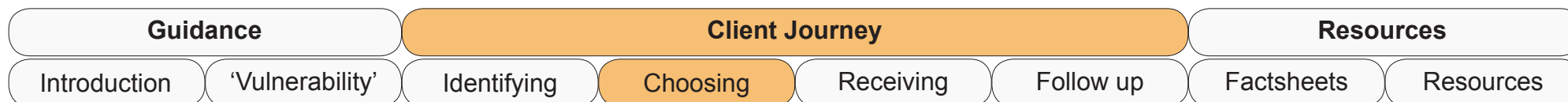
### "No market"

At a BSB roundtable in 2015, there was consensus that there is little choice in terms of provider for the majority of people seeking immigration and asylum services. The group felt that there is 'no market' for many consumers, making the decision on choice of legal representation very difficult.

Our engagement with consumer organisations as part of this project supports this finding. One consumer organisation said that the idea that clients have "free choice" when choosing a provider is "not reality", and that clients have very little choice in selecting a provider (e.g. due to cost, location, lack of understanding of different providers), particularly if they are funded by legal aid.

<sup>20</sup> BSB (2017) [Guidance on immigration and asylum related issues: Professionals and consumers](#)

<sup>21</sup> IFF Research (2013) [Immigration Client Experience Research](#)



### Supply vs demand

Evidence gathered during our thematic review suggests that there is an increased demand for immigration advice and services but not necessarily the supply to meet this. A number of barristers who were public access accredited expressed reluctance to actively promote that option because they felt that the work is less profitable (because clients need more 'hand-holding' by both the barrister and clerk) and carries more risk. Those engaging primarily in public access work find that they get enough work through word of mouth recommendations and do not need to advertise their services. This means that vulnerable consumers trying to navigate their way through the legal system for the first time are unlikely to find services by good quality barristers publicly advertised.

### Geographical issues

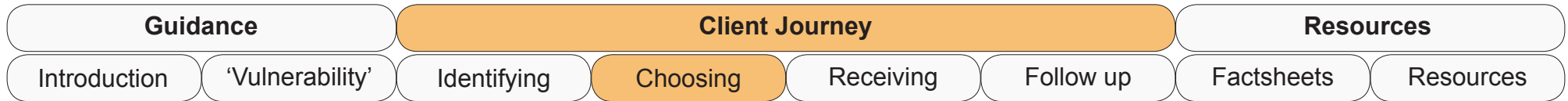
Chambers that carry out immigration work tend to be clustered around the towns and cities where immigration tribunals are located. Our review found that some of the most vulnerable people who find themselves in need of urgent immigration services, but who were not located in one of these centres, might struggle or even find it impossible to locate good quality advice.

### Costs

Cost can be a significant barrier to accessing advice and can heavily influence the choice of legal service provider that an individual makes. Cuts to legal aid for immigration advice and services has compounded this issue further. Our review also found that there is a lack of clarity around costs and some evidence of over-charging<sup>22</sup>.

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More information in relation to issues around cost can be found in our [Thematic Review report](#) from paragraph 128 onwards.



## How can you overcome some of these issues?

Barristers are expected to respond appropriately to those from diverse backgrounds and to the needs and sensitivities created by individual circumstances. Barristers should be receptive and responsive to how those needs might be met through making adjustments to their own practices, including providing information in a way that others can understand, taking into account their personal circumstances and any particular vulnerability, and recognising and taking reasonable steps to meet the particular needs of clients, including those who are disabled or vulnerable<sup>23</sup>.

### Enabling access

Consider how you present information in advertising or marketing materials, particularly if you accept public access instructions. To facilitate the process of choosing a provider for consumers, you should be transparent about costs and the services you are able to provide. For example, publishing your pricing model (e.g. fixed fee, hourly rates, capped charges) on your website will help consumers understand the basis on which they will be charged and know what to expect. You should also be clear about whether any additional charges are likely to be incurred (e.g. court fees and other disbursements).

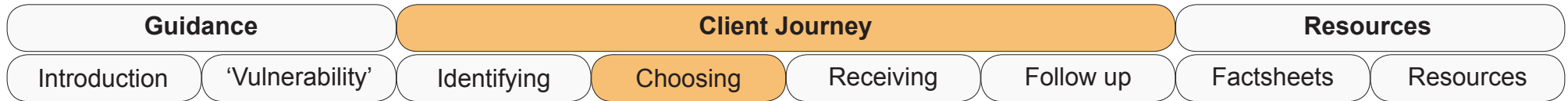
Some chambers' websites publish consumer reviews of the service they have received to better inform others. As discussed above, we expect it will soon be a requirement for barristers to publish basic information in relation to cost, service and redress. You could also consider how prominent this information is on your website and any other advertising/marketing material.

Further useful information on enabling access can be found in [Factsheet 1](#) (Enabling access to your service).

### Translation and key information

For many people seeking immigration advice and services, they may have little or no understanding of English, or English may not be their first language. If your website or any printed marketing material is in English, this may make it difficult for a potential client to make an informed choice. Consider the area in which you provide immigration advice and services, as certain locations may require the provision of services in a particular language. If you are aware of communities in your area where English is not a first language, you could consider the need for website translation and the translation of any printed material. If sections of your website are translated, clients should be clearly

23 BSB (2016) [The Professional Statement for Barristers](#) (3.3)

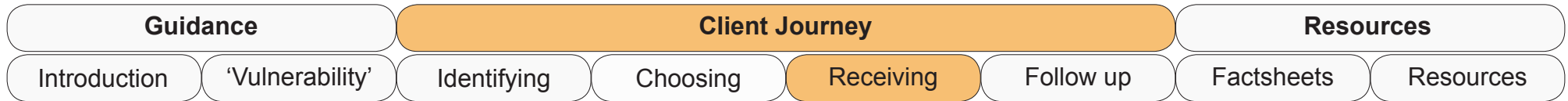


directed towards these in the translated language. [Factsheet 1](#) (Enabling access to your service) sets out good practice in ensuring website accessibility. Refer to [Annex 2](#) (Further resources) for organisations that can assist.

### Flexibility

Consumers are now able to access services more flexibly: they can instruct barristers directly, and can 'unbundle' services according to their needs. The latter affords the client more control over their case, and the ability to keep costs down. You may wish to consider whether this is a service you could offer clients. Unbundled services can increase access to justice for those who cannot afford a 'full service'.

However, this will not be suitable for all clients, and you must bear your regulatory duties in mind, and refer to the Public Access Rules in the BSB Handbook if you are uncertain. More information on what you should do when offering unbundled services is available in the section below.



## Section 5: “Receiving”

At this stage of the client journey the consumer receives legal advice and/or representation. The barriers to consider at this stage include the following:

- Clients can struggle to build trust and communicate their needs effectively, especially under tight time constraints;
- Clients can lack the opportunity to build rapport with their lawyers;
- Clients may not receive a service that is tailored to their particular needs, especially if they are vulnerable;
- A lack of understanding of what is expected of the client, including the documentation and information they need to provide;
- A lack of understanding of the necessary protocols, procedures and implications if the legal outcome is complex; and

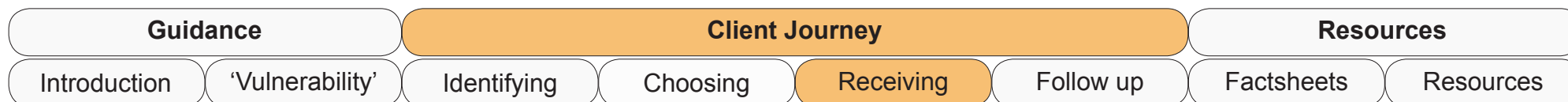
- Clients who take an ‘unbundled approach’ will need to manage lines of responsibility carefully.

### Additional issues to consider for those seeking immigration advice and services

This stage of the client journey is crucial when it comes to identifying, assessing and managing vulnerability. When a consumer has chosen you as their provider, it is important that you take steps to identify, assess and put in place actions to manage vulnerability. Additional barriers/issues you should consider to those listed above are explored further below.

#### **Value concerns/failure to give clear information about fees**

During the supervision fieldwork the BSB undertook in 2015, serious concerns were expressed by barristers about providers of immigration legal services attracting clients with an initially low fee offer and then raising the fee; providing evidence of “marking up” fees. This means that genuine providers are subject to fee pressures to remain competitive, which creates difficulty



for barristers to remain in the immigration market as well as confusion for clients who may perceive immigration legal services by certain providers as wholly unaffordable.

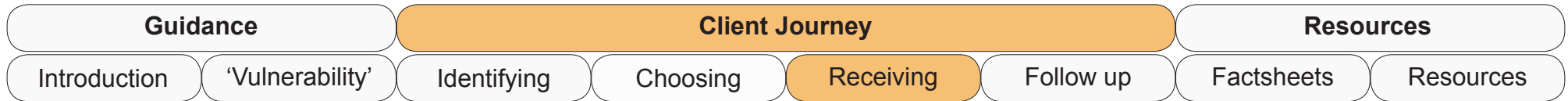
#### **Lack of awareness about what constitutes a good service**

Our research confirmed that clients often associate the quality of immigration advice with cost. This is also highlighted in the "[Trusting the Dice](#)" report by Toynbee Hall. The BSB's Immigration Thematic Review Roundtable also highlighted that immigration, asylum and nationality work is a very complicated and challenging area of law. It was not uncommon for less experienced advisors to 'get out of their depth'. The BSB commissioned research<sup>24</sup> highlighted positive views about the advice clients received from their barrister. However, several clients felt the amount of advice they had received was minimal, and that they would have appreciated more detail or explanation. Consumer organisations also stated in this research that clients had a tendency to judge the quality of advice received purely on the basis of the outcome achieved in their case.

Our thematic review likewise found that a negative result in a case is often seen by clients as an indicator that they have received a poor service. During the supervision fieldwork, specific concerns were expressed that clients might not be able to establish whether they are likely to receive, or indeed have received, "good quality" service, as there is no transparent way for them to ascertain this. Chambers said that in the absence of other measures, price is often taken as a sign of good quality – the perception being that the more expensive something is, the better the quality. This could compound the effect of poor service by allowing unscrupulous providers to charge higher and higher fees to vulnerable clients.

24 IFF Research (2013) [Immigration Client Experience Research](#)





### Supply chain risks

Clients may seek immigration advice and services from you after having sought services elsewhere, or you may be the last link in the supply chain. Our thematic review found that a poor standard of advice is often provided at the outset of a case by an intermediary, including family/friends as well as professionals, which may have an effect on your ability to provide a competent service. Anecdotal evidence from the consumer organisations with which we have engaged suggests that unscrupulous providers can mislead clients about the merits of the case and their chances of success. We also received reports that it is extremely difficult for those receiving legal aid to change their provider if they are unhappy with the service, often requiring a formal complaint to be made.

You should be mindful of the possibility that your client may not have received appropriate advice or client care in the supply chain before reaching you, and that it may be too late for you to rectify all problems. A report on "[Models of immigration advice, advocacy and representation for destitute migrants, focusing on refused asylum seekers](#)" states that the damage done by poor advice early on is, in some cases, irreparable<sup>25</sup>.

### Lack of cultural competence and people skills

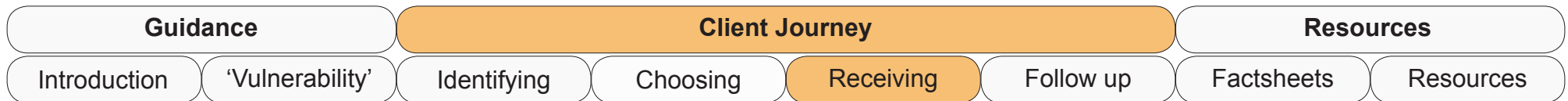
The evidence we collected in our thematic review highlighted that barristers or other individuals engaged in the provision of services might demonstrate a lack of social and cultural insight, interpersonal, communication skills and empathetic behaviours, which may impact on the ability to provide a good service.

### Immigration detainees

Those in immigration detention include some of the most vulnerable consumers of legal services, and they often struggle to access professional legal advice and services. Research commissioned by the Bar Council<sup>26</sup> found that not everyone succeeds in obtaining the legal aid they are entitled to as promptly as they require, and that many people struggle to secure free legal representation to challenge their detention in court. It suggests that access to publicly funded immigration advice much earlier would help people resolve their immigration status or make plans to leave the UK and thus avoid detention.

<sup>25</sup> Clayton (2015) [Models of immigration advice, advocacy and representation for destitute migrants, focusing on refused asylum seekers](#)

<sup>26</sup> SOAS (2017) [Injustice in Immigration Detention: Perspectives from legal professionals](#) (Research report commissioned by the Bar Council)



## How can you overcome some of these issues?

### Communication and building rapport

Communication is integral to effectively managing client vulnerabilities and addressing some of the issues highlighted above. Barristers are expected to exercise good communication skills, choose appropriate means of communication, be able to adapt their language and communication to suit their audience and recognise and respond appropriately to what others communicate to them<sup>27</sup>.

If your client has a learning disability or a limited understanding of English, being patient and clear in your communication is especially important. You may need to adapt your style of communication to ensure the information you are relaying is easily understood by your client. You should also be aware that language barriers can make the identification of learning disabilities difficult. This further highlights the importance of involving a professional interpreter where required.

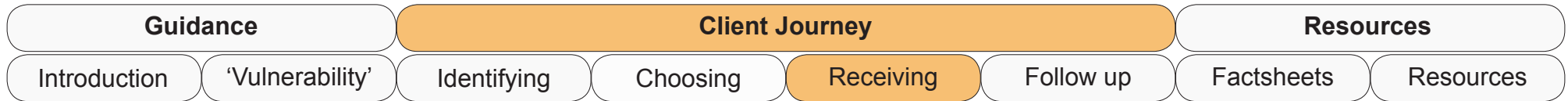
Using plain English at all times is especially important when you are dealing with a vulnerable client. You could check your client's understanding of what has been said by summarising and asking them to summarise information. Be alert to verbal and non-verbal cues which may indicate a lack of understanding. Some clients,

for example, will nod or smile out of politeness. If your client does not seem to fully understand what has been said, consider the need for an interpreter/translator and other potential means of communication.

Clients may not know how to properly engage with their legal provider, including the documentation and information they need to provide to advance their case. For example, your client may not know they need to inform you of simple facts such as a change of address or telephone number. Clearly explain to your client at the earliest opportunity what you need from them and why, and encourage them to contact you if they experience a change of circumstances.

Be aware of the challenges of cross-cultural communication. People from differing cultures have different styles of communication and may interpret tone, style and language in a way you may not have expected. To be effective at communicating across cultures, it is key that you employ positive listening skills, are able to build an effective rapport and identify when a misunderstanding has occurred.

<sup>27</sup> BSB (2016) [The Professional Statement for Barristers](#) (1.9)



See [Factsheet 5](#) for more guidance on effective client care and communication, including advice on client care letters and cross-cultural communication.

### Tailoring your service

The BSB Handbook requires all barristers when accepting instructions to confirm in writing the terms and/or basis on which they will be acting, including the basis of charging (rC22). Consider whether a client care letter is the most appropriate means of achieving this – if not, you will want to think about how you can tailor your communications to suit your client's needs and preferences.

Research commissioned by legal regulators and the LSCP into client care letters found that they are perceived as difficult to read, and are particularly problematic for vulnerable consumers, including those with low literacy, visual impairments, or for whom English was a second language<sup>28</sup>. Difficulties engaging with client care letters was found to be most acute for those with low literacy levels. There was consensus amongst this group of research

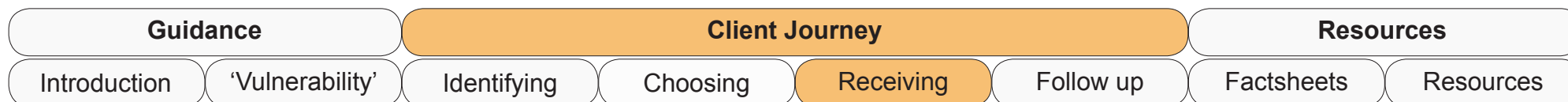
participants that existing communications do little to help them understand the legal process, and many expressed a reluctance to ask for support from their legal provider.

Taking the time to understand any potential challenges is important. You may need to spend extra time explaining the process fully and ensure that this is sufficiently broken down i.e. what steps will be taken<sup>29</sup>. You could offer clients clear guidance to help them clarify the information contained within the client care letter, or the opportunity to have any questions answered by, for example, encouraging them to give you a call. If guidance on understanding client care letters is available, this should be clearly highlighted.

[Factsheet 2](#) and [Factsheet 5](#) provide more information on how you can tailor client care letters and your service effectively.

<sup>28</sup> Optimisa Research (2016) [Research into Client Care Letters](#)

<sup>29</sup> *Ibid*



## The use of interpreters

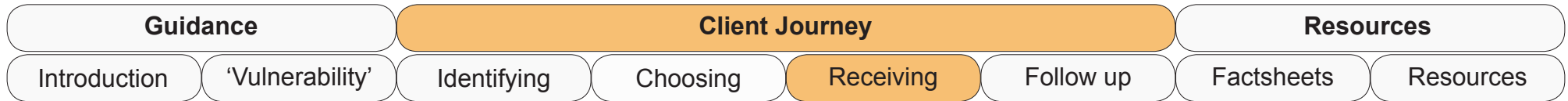
You may have a client who requests that a family member or friend accompany them to client conferences to translate. If this occurs, carefully consider any potential risks, including the possibility of inaccurate translation or undue influence/unequal power dynamics, as well as implications for legal professional privilege. However, if there is limited funding for an interpreter and the client requests and consents to the use of a family member or friend, this may in some cases be the most convenient arrangement, providing it is adequately managed and carefully monitored.

The quality of interpreters is variable, and our thematic review highlighted the potentially severe consequence for clients where there is substandard service delivery<sup>30</sup>. Mistakes can be made both in terms of accuracy and properly conveying the nuances of what is being said. Interpreters' personal characteristics can also impact on service delivery, such as cultural attitudes and beliefs, and you should be aware of the potential for impartiality and bias (whether conscious or unconscious). You should also be alert to the interpreter taking on a more active role than is appropriate or required.

When an interpreter is required, use one which is registered, and bear in mind potential cultural, dialectal, gender, sexuality and any other relevant considerations. For example, female victims of modern day slavery, domestic and/or sexual violence and abuse may require a female interpreter/intermediary in order to be able fully to participate in proceedings and discuss their experiences openly. You may also need to consider the situation in your client's home country to avoid possibilities for bias or discrimination from third parties.

For example, in some countries there are a number of cultural groups with conflicting views, and some of these groups will hold prejudicial views about one another. If your client belongs to a minority group which has suffered discrimination, seek to explore any issues that may impact on the decision about the interpreter/intermediary. To ensure you are aware of any issues which should be factored into decision-making in hiring intermediaries, you may wish to seek advice from specialist agencies and other third parties involved with or supporting your client (providing the client consents to this).

30 Bar Standards Board (2016) Immigration Thematic Review



If you are struggling to source an interpreter with the required dialect, or finding an interpreter capable of translating a particular dialect is causing significant delays you may wish to consider whether there is another proficient language that could be utilised instead (French is usually quite common), where an impartial interpreter will be easier to source and engage.

If you are working with a client who needs an interpreter on a public access basis, you may need to consider whether the case is suitable for direct access and whether the client is able to make arrangements to contract an interpreter themselves (if required).

### Managing expectations at the outset

Barristers are expected, where appropriate, to keep clients informed of case progress and manage their expectations, including in relation to options, the range of possible outcomes, risks and timescales<sup>31</sup>.

As highlighted above, barristers are often the last link in the supply chain, and clients tend to associate the outcome of their case with the quality of service they have received. To mitigate against this risk, you should manage your client's expectations

appropriately from the outset. If there is little chance of success (either due to the merits of the case, or because the client has already been the subject of poor advice or service from a different provider) you should be clear with your client about this and advise them on what (if anything) can be done.

Managing expectations is also crucial if you provide unbundled services. As noted in the previous section, offering unbundled services can provide greater flexibility for clients in terms of cost and service, and may facilitate access to professional legal services for some who may otherwise be unable to obtain it. If you do opt to offer unbundled services, ensure that the client fully understands what you will and will not be doing, and that they will retain responsibility for the aspects of work you have not been instructed to undertake.

31 BSB (2016) [The Professional Statement for Barristers](#) (3.5)



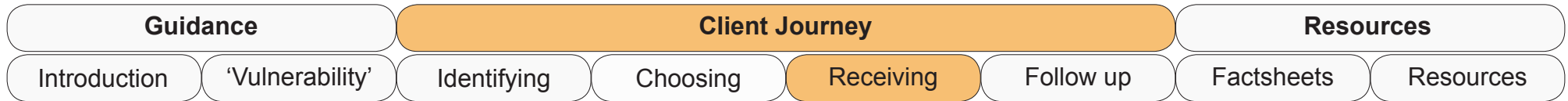
Ensuring clarity on respective responsibilities is important, and mitigates against the risk of client dissatisfaction further down the line. You will also wish to bear in mind your regulatory duties to consider whether such services are appropriate in the circumstances, and whether your client's best interests are better served by different legal representation (rC17). If you are unsure, refer to the Public Access Rules in the BSB Handbook.

### **Managing cases where the client has received poor advice and services**

You should be alert to the possibility that your client may have received poor advice and services from another provider, or from friends, family or those within their community before they come to you. If you become aware that a client has received poor advice and services from another legal provider, you should consider whether the client's interests are best served by different legal representation and, if so, inform the client to that effect (rC17). Rapport sessions can be useful in this respect, providing an opportunity for the client to raise any concerns.

If your client has received poor advice and services, check they have been provided with necessary information, and that they understand their case, the grounds, their chances of success and options going forward. You may also wish to highlight the client's right to complain about their providers.

In the event that you meet the client for the first time at court and become aware that your client has received poor advice and services, you may need to request an adjournment and ensure your client understands the reasons for this (e.g. because the solicitor has failed to discover key evidence). If such a situation arises, consider whether the client's best interests are better served by another legal service provider, and inform the client if so. Also, consider whether your client is aware of their entitlement to complain. You could direct your client towards other providers who may be able to help, or provide them with [Annex 1](#) (Useful Contacts).



### Consider the use of family, friends and carers when providing services

Family, friends and carers can be best placed to assist in advising you of a client's vulnerabilities, communication issues and levels of understanding, including the person's ability to maintain concentration, when they are showing signs of distress or unease. Yet the knowledge that carers have is often under-utilised and the benefits of involving them unrecognised. If a client attends meetings with a carer, family member or friend, you could encourage them to participate in conversations and provide input where relevant.

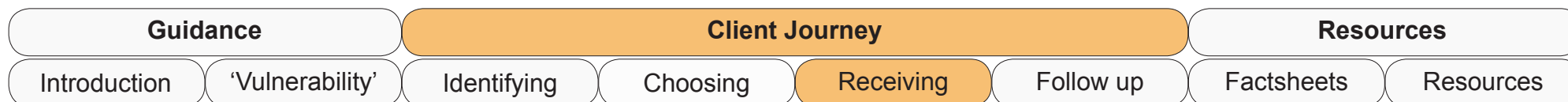
However, there are a number of important considerations you should make before involving a third party or discussing the case with a third party present, including legal professional privilege, conflicts of interest, taking instructions from a third party, possible power imbalances or undue influence and whether the third party is a witness in the case. Third parties can sometimes fail to act in the client's best interests and you should be particularly aware of this when the client is vulnerable.

Where a carer claims to have authority to act on the client's behalf, you may find the CARERS protocol helpful to ensure this is appropriately managed.

### CARERS Protocol<sup>32</sup>:

- **C**heck for authority - check for proper authority (e.g. power of attorney) and request evidence of this. If evidence is not produced, you can take the following steps:
- **A**void discussing any details of your client's case with the carer, or even acknowledge that there is a case.
- **R**eassure the carer that any concerns they have will be listened to and considered.
- **E**xplain to the carer that if you take notes of their concerns these will be recorded as observations (unverified).
- **R**ecord any observations and concerns, including any actions needing to be taken. Confirm what has been recorded with the carer.
- **S**ummarise what has been agreed and get the carer to confirm this.

<sup>32</sup> Money Advice Trust (2016)



Where carers are involved, remember that they may be vulnerable themselves. Caring responsibilities can have a significant impact on a person's wellbeing: carers can suffer stress-related symptoms that can be severe and long lasting, as well as social isolation due to the amount of time spent providing care to the person. They sometimes struggle to access the help and information they need, and report often feeling excluded from the process involving the person for whom they care. You should be mindful of this when dealing with carers or family members. Set boundaries early on to establish a constructive dynamic, and ensure that everyone involved in the process is comfortable and knows what to expect.

Although developed in the context of mental health care, the Carers Trust's ['Triangle of Care'](#)<sup>33</sup> guide sets out best practice to include and recognise carers as 'partners in care'. It highlights the fact that carers are often the first to be aware of a developing crisis, and are best placed to notice early warning signs. These principles are equally applicable in the legal services context, and apply not only to clients with mental health problems, but to vulnerable clients generally.

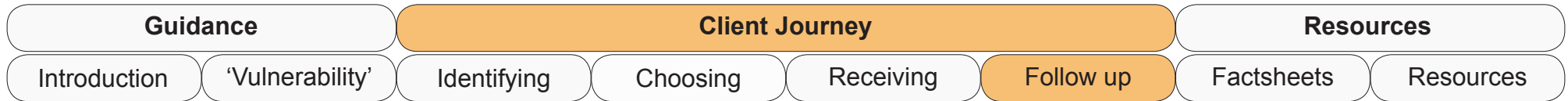
### **Ensure communication with intermediaries/referrers (including solicitors and OISC advisers)**

If you are the last link in the supply chain and a client has already been through a process or has been referred by an intermediary/ other professional, you should engage in an active dialogue in order to ascertain key information. For example, if you have been instructed by an OISC adviser or solicitor on behalf of a client, it would be reasonable for that client to expect the adviser or solicitor to share information in relation to vulnerabilities that have already been identified. In this scenario you should be proactive and ask the solicitor or adviser if their client's needs have been assessed. This will prevent the client having to repeat information.

### **Immigration detainees**

Immigration detainees often have a low awareness of their rights, including their entitlement to legal aid in respect of their detention matter. If your client is an immigration detainee, take extra care to ensure they understand they are entitled to apply for legal aid (or exceptional case funding, where relevant). Ensuring that clients are aware of their entitlement to legal aid funding inspires confidence in the service that is being provided. You must also be clear about the basis upon which you are instructed. For example, if you are instructed to represent them at an appeal, but not to undertake their application for bail.





## Section 6: “Follow-up”

At this stage of the client journey there will either be satisfaction with the service or escalation of any issues. There may be feedback, recommendations and referrals to others. As with the other stages of the client journey there are various barriers that should be considered at this stage of the process including:

- A complex variety of routes for redress differing between regulatory bodies;
- A lack of take-up of redress routes even when dissatisfied;
- The fact that clients can find the overall process confusing and intimidating. They may perceive that it is ‘stacked against them’ and they are taking on lawyers ‘at their own game’;
- Limited mechanisms for providing and sharing helpful feedback on service received; and
- Difficulty in separating satisfaction with outcome from quality of service.

### Additional issues to consider for those seeking immigration advice and services

There is a contradiction between the view that immigration work is deemed to be high risk and therefore likely to generate more complaints compared to other areas, versus our observation that actual complaints levels are low. Chambers that were visited as part of the thematic review told us that various factors may reduce the likelihood of immigration clients making a complaint or questioning the service they are receiving. For example:

- Certain cultures hold legal professionals in high esteem and are unlikely to question them;
- Particularly vulnerable consumers at risk of removal or deportation may be afraid that making a complaint will bring them into conflict with the authorities who will remove them;



- Other types of vulnerability mean that the client is completely dependent on the barrister, solicitor or OISC adviser to direct the case and keep them informed, so they are likely to be unable to hold them to account; and
- Clients are unlikely to complain after they have been removed from the country.

### How can you overcome some of these issues?

#### Managing expectations

A report commissioned by the SRA and Legal Ombudsman (LeO) into solicitors' handling of complaints found some disparity between what consumers expect from the service and solicitors' perceptions of consumer expectations. Communication was particularly important to consumers: they want clear information about the legal work and costs at the start and end of the work, and at appropriate intervals throughout. If communication is clear and timely, consumers are less likely to be dissatisfied. To this end, you may wish to agree with your client when and how you will be in touch to provide updates at the start of the case.

Managing expectations is key to an effective relationship with clients, and can prevent dissatisfaction or complaints further down the line. To this end, you should be honest with your client from the outset, including about the prospect of success and likely outcome.

You may also wish to prepare your client for the worst case scenario. This may be especially important for clients who lack a clear understanding of the law and legal process, as well as those with a limited understanding of English. Helping them to prepare for all eventualities encourages trust and confidence in you and your service.

#### Explain the outcome of the case

After the case has concluded, you should be aware that your client may not fully understand the decision or its implications. Clearly and simply explain the decision to your client and what this means for them. If you receive the judgment in writing, you could call the client or arrange a conference to discuss the outcome. If they want to challenge the decision, you should explain what their options are, and ensure that sufficient support is provided to enable them to make an informed decision.

## Guidance

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After having explained the outcome of the case, you could discuss next steps with your client, ensuring they are aware of all the options available to them. If there are no further routes to redress, you should be clear about this.

### Good practice example

Dalia has appealed the decision to refuse her application for asylum. Dalia's barrister is instructed on a direct access basis. The barrister receives a copy of the Tribunal's written decision, which upheld the refusal. The barrister calls Dalia to explain that the Tribunal has dismissed her appeal and what this means for her in practice. The barrister advises Dalia of her right to apply for permission to appeal to the Upper Tribunal and the grounds for doing so. The barrister explains that they are able to argue that the Tribunal had not followed correct procedures. The barrister knows that Dalia sometimes struggles to process information quickly, and would be unlikely to be able to make an informed decision immediately, over the phone. The barrister asks Dalia whether she would like to arrange a meeting to discuss her options in more detail. Dalia agrees.

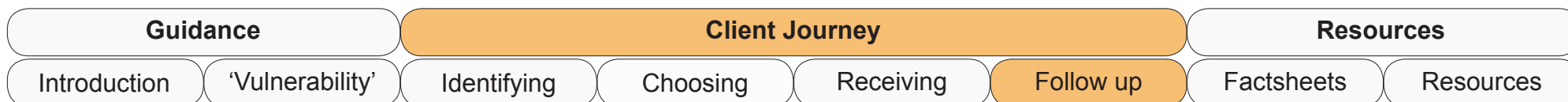
Dalia and the barrister meet at chambers the following week. The barrister asks Dalia whether she recalls the contents of the

telephone conversation the week previously to check she both remembers and understands what was said. Dalia says she understands that she has no right to remain in the country unless she appeals the decision on the grounds that the Tribunal did not follow correct procedures. Dalia asks what her chances are that an appeal would be allowed. The barrister tells her that it is difficult to predict the outcome of a case, but that arguable grounds have been identified and, in the barrister's opinion, there are reasonable prospects of success.

The barrister then explains that any work they do in relation to the appeal is not covered by the original fees, and explains how fees would be charged going forward i.e. at an hourly rate. Dalia states she would like to appeal. The barrister explains that Dalia is able to remain in the country and need not make any arrangements until the appeal has been decided.

The barrister sends Dalia a new client care letter, setting out the work agreed to be done, expected timelines and fees. The barrister advises Dalia about the various stages of the appeals process, and provides contact details should she have any questions.





### Ensure your client understands routes of redress

Section 2D of the BSB Handbook sets out your obligation to provide clients with information on their right to complain, including their right to complain to LeO (rC99). You are also obliged to ensure that chambers' website or other literature displays information about chambers' complaints procedure. The complaints process can be confusing to navigate and you should explain the process as simply as possible.

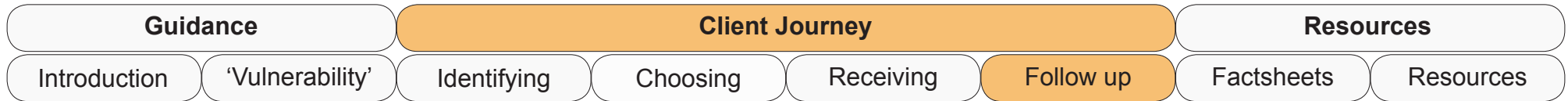
Provide reassurance to clients that if they complain, they will not suffer adverse consequences as a result. You could consider including a statement in your complaints information that making a complaint will not have an impact on the outcome of ongoing cases.

If your client has received poor advice and/or services from another provider, you should ensure they are aware of their right to complain. You may in some cases wish to encourage them to make a complaint, as this may be necessary or relevant to the case.

### Good practice example

Lawrence is applying for asylum. He is unhappy with the service he has received from his barrister and informs his solicitor that he wants to complain. Lawrence's solicitor calls the barrister to explain Lawrence's dissatisfaction. After a discussion about Lawrence's concerns, the barrister directs the solicitor towards the complaints procedure on the chambers' website. Lawrence's solicitor says that Lawrence has requested a copy of the forms and does not have access to the internet at his current residence. The solicitor asks whether the barrister can send a hard copy of the forms to Lawrence. The barrister agrees.

The barrister explains the steps involved in making a complaint to the solicitor so that the solicitor can relay this information to Lawrence, including that chambers has an eight-week timescale for responding to complaints. The barrister provides the contact details of a clerk that the solicitor or Lawrence can contact to track the progress of the complaint, or should they have any questions. The barrister emails the clerk to inform them of this conversation, and sends a written copy to Lawrence's solicitor. The clerk makes a note of this, and sets a reminder to contact Lawrence's solicitor to provide updates.



Four weeks after the complaint has been received, the clerk calls the solicitor to state that the complaint is still being considered and that they will be in touch when a decision has been taken.

### The use of complaints information and other feedback

Barristers should respond appropriately to clients' concerns and complaints<sup>34</sup>. You may also want to consider how you best utilise the information you receive via complaints and other feedback you collect. Not only can you use the opportunity of a complaint to provide redress to your clients, but you can also use the information to improve your service, where necessary. Research by the SRA and LeO<sup>35</sup> found that good complaint handling has an important role in improving service standards, as well as understanding consumer expectations and providing an opportunity to improve client retention. It recommends that providers consider collecting feedback in different ways to understand consumer expectations, including through the use of feedback forms and online reviews at the end of the work.

<sup>34</sup> BSB (2016) [The Professional Statement for Barristers](#) (3.5)

<sup>35</sup> London Economics (2017) [Research into the experiences and effectiveness of complaints handling processes](#) (Research commissioned by the Solicitors Regulation Authority and Legal Ombudsman)

Guidance		Client Journey				Resources	
Introduction	'Vulnerability'	Identifying	Choosing	Receiving	Follow up	Factsheets	Resources

## Factsheets

Below are links to shorter factsheets that focus on specific areas that you may wish to consider as part of identifying, assessing and managing client vulnerability. The factsheets are not necessarily immigration specific and can be applied more generally to other areas of law (*internet access is required to open the factsheets*):

### Factsheet 1

Enabling access to your service

[Open](#)

### Factsheet 2

Identifying and assessing vulnerable clients and their needs

[Open](#)

### Factsheet 3

Identifying victims of trafficking

[Open](#)

### Factsheet 4

Issues to consider in relation to court proceedings

[Open](#)

### Factsheet 5

Client care and communication

[Open](#)

### Factsheet 6

Issues with mental capacity

[Open](#)

### Factsheet 7

Dealing with vulnerable immigration clients (*for clerks and practice managers*)

[Open](#)

**Guidance****Client Journey****Resources**

Introduction

'Vulnerability'

Identifying

Choosing

Receiving

Follow up

Factsheets

Resources

# Resources

Use the links below for useful contacts to direct your client towards further support, and resources for further reading on the themes raised in this guide:

**Useful Contacts**

Directing your client  
towards further support

[Open](#)**Further Resources**

Useful resources for  
further reading

[Open](#)

**Contact us:**

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