



## Life in law - Audio

*Immigration law*

### CONTRIBUTORS

Introduction	Keren Bright (KB) Director of the Law Programme The School of Law The Open University
Principal contributor	Mahmud Quayum (MQ) Immigration Adviser Camden Community Law Centre, London
Other voices (speaking order)	Ian Webb (IW) (at 3'57") Receptionist at time of recording Camden Community Law Centre, London
	David Chirico (DC) (at 10' 13") Barrister, 1 Pump Court, London

**Introduction - KB** Mahmud Quayum has been advising people on immigration issues for more than 20 years. Today he's representing a client before an asylum and immigration tribunal.

**MQ** My name is Mahmud Quayum. I work as an immigration adviser at Camden Community Law Centre which is based in North London.

This hearing centre is in Hatton Cross, which is very close to Heathrow Airport. We were not allowed to record within the premises - not inside the court, but not even within the premises - so we are just standing on the footpath near a roundabout, and you can hear all the 'planes coming and going. This is First-tier Tribunal (Immigration and Asylum Chamber). Here you have cases heard where people are either refused entry to this country or refused permission to remain in this country.

I'm here to represent my client who married in Iran and his wife made an application to come to this country. This application was made at the British Embassy in Iran. She was refused because they believe that he will not be able to support his wife without the state benefit. This arose because he, himself, is currently not working and in receipt of various benefits, including disability benefit. He was a victim of torture and at the moment is unable to work.

At this hearing today, I'll be representing a client and arguing her case that she should be allowed to come in to join her husband in this country. I expect that there will be a representative from the Home Office, who will

be representing the British Embassy in Iran, to oppose the case. So I'll now be going in.

***Sound of 'planes overhead . . . fading into coffee shop atmos***

**MQ**

I've just come out of the hearing. I'm very excited, both for the client and his wife, because the judge gave a decision allowing their appeal. Normally, in cases like this, there will be someone from the Home Office defending the decision of the British Embassy, but today there wasn't one available so the judge had to ask a lot of questions to my client. My client had to prove that he has an ongoing relationship with his wife, who is currently in Iran. He produced lots of emails and photographs of them together, family pictures. All those things together made the judge believe my client and say that they have an ongoing relationship; also that he is able to support his wife without any additional benefit from the state, and that's why the judge allowed their appeal.

When the judge gave the decision, there was no reaction on my client's face that I could see. So when the judge finished his reasoning and we were coming out, the client asked me, 'What has happened?' And obviously he missed the very first sentence, and I think it is because he was so stressed he did not hear the good news when it came out of the judge's mouth.

***London Underground atmos . . . 'This is a Piccadilly line service to Cockfosters' . . . sound of doors closing . . . street atmos fading into sound of receptionist answering telephone at Camden Community Law Centre***

**IW at 3'57"**

**Good afternoon, Camden Law Centre. Can I help you?**

**MQ**

My job is to give advice on immigration law. People come to me when their friends or relatives or spouse are refused entry in this country, or those who are in the country, those who want to study and remain in this country. I'm an immigration adviser, but not a barrister or a solicitor. I am regulated by Immigration Services Commissioner. It is a criminal offence to give immigration advice unless you are exempt or regulated.

To be eligible for advice in the Law Centre, people will have to be resident in Camden Borough, as well as in low income group. The advice that we give at the Law Centre is free to the user because we are funded by Camden Council as well as, for those who are on low income, we get funding from the Legal Services Commission.

I started work as an immigration adviser some 27 years ago; 25 of these is in Camden Community Law Centre. I came to give immigration advice because, before actually starting immigration work, I was doing some community work and I saw there the shortage of quality advice in this area, and I thought that I could make a difference to people's lives. This was also to do with my own community, that is Bangladeshi community, where the need was most at that time. But, of course, the demography of the Borough has changed. I now advise Somalis, Eritreans, even Australians. The pay is not all that good, but the work is very, very rewarding because, at the end of the day, you reunite people - whether it is the mother, son, husband, daughter - people from all corners of the world to live together.

**MQ (aside)**

**I will now switch on my computer - probably you will have to deal with about 40 or 50 emails . . . (Fade)**

**MQ** Apart from being an immigration adviser, I also teach at Westminster University in Legal Practice Course - immigration law. I helped to design this course some ten years ago and still teaching there. I am also a member of the Law Society's Immigration Committee, and also an assessor for the Law Society's Accreditation Scheme. This Scheme is for immigration advisers, those who give publicly funded immigration advice, and they must be accredited. I am currently marking a whole lot of scripts because an exam just happened last week and I have to get up early in the morning to do it, or I do some when I get back home at night, or over the weekends. As you can see, apart from being an immigration adviser, I do all these other things and I could not have achieved that without the support of my wife, who almost single-handedly raised our three children because I'm always leaving early or going home late.

***Telephone rings***

**MQ** **Hello, Ian. I'm in the middle of something. Could you please take her number and I'll call her back with an appointment later on . . .**

**MQ** In my job, I generally deliver a package from start to finish. I will take instructions, assist a client in making an application for the spouse who is abroad. I will advise during that process what documents they need to submit as part of evidence to meet the requirements of the immigration rules. If the application is successful, then it's all well and good. If the application, however, is refused, then I will assist them in lodging a notice of appeal as well as prepare for the hearing because, in these cases, the actual person who is refused is abroad and we are assisting their spouse who is in this country. During the appeal process - appeal before the tribunal - I will also help them to prepare their witness statement. I will also prepare a skeleton argument to assist the court, giving the background and the law and the issues in this case.

I usually appear before the tribunal about two or three times a month representing the clients. Generally, I go to Hatton Cross near Heathrow or Islington in North London for my hearings. These are the areas that service my clients in Camden. If the case goes beyond a tribunal - for example, to Court of Appeal - I then instruct barristers to represent.

***Telephone rings***

**MQ** **Sorry, I have to take this call . . . Hello . . . *Walaikum salam* (greeting in Bangla at 8' 56" meaning 'Peace be upon you too') . . . (Fade)**

**MQ** My advice to someone who wants to be an immigration adviser would be that, first of all, they would have to work with integrity. Secondly, they will have to be empathetic to client's situation, but not to the extent of them being engulfed themselves with client's problem. You have to be, to some extent, detached from client's problem otherwise you cannot advise objectively.

Currently, my clients get free advice, because they're on low income. If the Legal Aid Bill goes through the Parliament in current form and becomes law, then they will no longer be eligible for free legal advice on immigration matters. Unless there are some other funding comes to the Law Centre, I'm afraid Law Centre will probably no longer be able to give them free immigration advice.

I must go now, we have a volunteer barrister coming to give legal advice this evening. We rely heavily on these barristers; they come here to give their time up after the whole day of work.

**MQ**

**Oh, hello, David. Good to see you. Good day? . . . (DC: murmured 'Hello' at 10' 13") . . . (Fade)**

**AUDIO ENDS**