



Bryony Rest, Partner and Solicitor

Bryony has over 25 years' experience as an immigration solicitor.

You can find her on Twitter @BryonyRestDG

Our 'cuppa with' series is an informal chat with one of our team to give a deeper understanding into their area of law and share some little-known legal facts!

1. What is the best part of your job?

I enjoy helping clients to achieve the immigration status they need, whether that is reuniting a family, assisting someone to obtain settlement and citizenship or helping a business employ a skilled worker from overseas who is vital to their organisation.

Making people feel secure and enabling them to be able to live, work, study and do business in the UK is why we do what we do.

2. And the worst?

Dealing with the Home Office, particularly in recent years with the hostile environment that has been created towards migrants, is very challenging. The Home Office is a huge faceless Government department. Communication with them is extremely difficult and it can often feel like we are up against a brick wall. The outsourcing of many of their frontline services to other companies who are also difficult to communicate with and have their own sites and processes has not helped.

Navigating the frequently changing Immigration Rules and procedures is complex. At times a 'tick in the wrong box' can result in a rejected or refused application.

We see the damage that the immigration system can do to lives and the distress it causes people.

3. What does a typical day entail?

Our clients are at the heart of everything we do and most of my day is spent liaising with clients and working on their cases.

We ask clients to get in touch with us early on in their case so we can assess their situation and provide honest, clear advice on the likelihood of success from the outset.

We usually have initial face to face meetings with clients, currently mainly via Zoom, to ensure we understand what it is they would like to achieve or the problem they need help resolving, explore the options available to them including the requirements they need to meet and explain the procedures and costs involved.

Ensuring we keep a track of and meet key dates such as making an application before a client's visa runs out is imperative in immigration work as the consequences of not doing this can result in a client becoming unlawfully in the UK, unable to work, study or access services. I check our department diary every day to check that these are being met.

There is a lot of form filling, document checking and drafting detailed representations in support of a case. Almost all applications are now made online and require supporting evidence to be uploaded to their own or their outsourced partner companies' sites. I also draft grounds of appeal and for Judicial Review applications and skeleton arguments for appeal cases. Occasionally, I am required to attend tribunal hearings.

I have a team of 5 and check in with them regularly to provide supervision, share information and legal developments.

To keep abreast of the latest immigration law requirements, rules and guidance I look at information frequently from various sources including the Home Office website, e mail updates from the Immigration Law Practitioners Association (ILPA), Blogs such as on the Free Movement site and Twitter. I also have a network of contacts with other immigration lawyers around the UK that I am in regular contact with for support.

As a co-sub convenor of ILPA's Yorkshire and North East Working Group I help arrange our quarterly meetings. I am also a member of ILPA's Family and Economic Migration Working Groups and contribute to their meetings. Through ILPA I have the opportunity to share views, for example in response to a White Paper or the Independent Chief Inspector's call for evidence about front end services, and suggestions for improvements which they can pass on to the Home Office to feed into immigration policies. It is very rewarding when this does result in practical positive change.

I also do occasional training for ILPA, as well as attending courses and Conferences myself. I sometimes get asked by the media for comments on particular individual cases involving immigration that are in the news or on current immigration hot topics, such as the changes to work visas.

4. What would people be most surprised to find out about your job?

How difficult it is to legitimately enter the UK to live or work. There are requirements such as a minimum salary level, English language, showing adequate finances to support yourself and your family and required skills levels for work visas.

The price of Home Office fees! For example, it costs around £3500 for an initial 2 ½ year visa to bring a spouse to the UK in Home Office fees and the cost of English and TB tests, and more if a priority service is used. If an application is unsuccessful the fees are not

refunded. It is imperative that people get good advice at the outset to understand the requirements and procedures otherwise a lot of time and money could be wasted.

5. Has your job changed a lot since Brexit?

The process for entering the UK to live and work is now the same for someone from the EU as for someone from anywhere else in the world following the end of freedom of movement.

We are advising many EU nationals and their family members on their rights to now enter and live in the UK and also employers on their ability to employ workers from the EU whereas previously most did not need to make any application at all.

6. Tell us some little-known facts about this area of law...

- Just because you were born in the UK does not mean you are British
- Just because you are married to a British citizen does not mean you have automatic right to stay
- People with limited visas to live in the UK, including children, have to pay extra (on top of any tax and National Insurance liability) in order to use the NHS

If you would like to speak with Bryony or one of the Immigration team, give us a call on 0191 232 9547 or visit www.davidgray.co.uk