

Charitable Immigration Advice in the East of England: An overview

Produced for the Justice Together Initiative

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1. Background

1.1 This briefing

The briefing has been commissioned by Norfolk Community Law Service and Suffolk Law Centre, under a development grant from the Justice Together Initiative, and written by Ruth Grove-White.

The development grant aimed to support a scoping of the charitable advice landscape in the region, towards the development of one or more funding bids aimed at strengthening access to specialist immigration advice across the East of England.

This briefing offers a regional perspective on the charitable immigration advice landscape across the East of England, at a time of fast-changing demand for legal services. It focuses on the availability of not-for-profit legal advice, and particularly free advice at OISC Level 2 and above, in the region.

It aims to:

- Map the changing demand for **immigration advice** in the East of England
- Give an overview of the **current landscape of not-for-profit immigration advice** across our region.
- **Highlight some priorities for support**, to strengthen the region's ability to meet immigration advice needs over the coming period.

This scoping process has benefited from the time and inputs from a significant number of individuals and organisations working to support refugees, asylum seekers and other vulnerable migrants across the region. Warm thanks are offered for their time and contributions to this initiative. A full account of the methodology and list of the individuals and organisations who have fed into this briefing can be found at the back of the paper.

1.2 Explainer: Regulation of immigration advice

Immigration and asylum legal advice in the UK is tightly regulated. Advice providers must be registered with the Office of Immigration Services Commissioner (OISC), or be solicitors, barristers or members of approved professional bodies.

The majority of charities and other not-for-profits providing legal advice are regulated under the OISC registration system. Both the organisation, and their individual advisers, must qualify and maintain registration with OISC. Registration falls under two categories: 'Asylum and Protection' and Immigration'. Advisers may be registered under one or both of these categories, and at one of three levels:

- **OISC Level 1** – providing signposting and advice on straightforward immigration cases. No substantive asylum work is permitted at this level. Some organisations are registered at L1 to provide advice on the EU Settlement Scheme only.
- **OISC Level 2** – delivering more complex immigration and asylum casework, including asylum claims.
- **OISC Level 3** – delivering advocacy and representation, alongside casework up to Tribunal appeals. Specifically-authorized Level 3 advisers can bring forward judicial reviews in order to challenge decisions made by the Home Office or other public bodies.

1.3 Legal aid funding

Statutory 'legal aid' funding is available, via the Legal Aid Agency, for some immigration and asylum cases, although this is limited to cases which fall 'in scope' of legal aid. The 2012 Legal Aid, Sentencing and Punishment of Offenders Act (LASPO) significantly reduced the

statutory funding for immigration and asylum advice services, and removed most immigration matters from the scope of legal aid - although some cases may still qualify for 'Exceptional Case Funding'.

In order to take on a legal aid contract, all advisers ('caseworkers') must be accredited under the Law Society's Immigration and Asylum Accreditation Scheme (IAAS) and there are strict supervision, financial and administrative requirements.

2. Introduction

In 2023, there is a critical shortage of free immigration legal advice across the UK. The East of England region is a recognised immigration advice 'desert', facing a rapidly evolving set of challenges.

A largely rural region, the East of England has a history of accommodating asylum seekers and refugees, as well as migrant workers, across its six counties. This has led to a steady, ongoing demand for immigration legal advice. However, despite the range of committed voluntary sector organisations working across the region, provision of immigration legal advice is limited by the limited funding for this work, and a shortage of qualified advisers. This means that accessing free or low cost immigration advice is increasingly difficult.

The availability of free legal immigration advice varies significantly across the region. Until recently, in the West, (particularly Bedfordshire and Cambridgeshire), where demand for immigration legal advice has historically been highest, there has been greater voluntary sector capacity and at least some legal aid advice provision (although by no means adequate to meet all the need).

Norfolk and Suffolk in the East of the region have faced a comparatively lower demand for immigration legal advice, but neither county has any legal aid provision at all. The voluntary sector immigration advice services in this part of the region (mainly based in Norwich and Great Yarmouth) are all relatively small and report a growing need for specialist advice.

The South of the region (particularly Essex and, more recently, Hertfordshire), has faced a further set of dynamics. Although there have been higher levels of immigration here and very limited legal aid provision, the proximity of these counties to London has enabled some access to legal advice via referrals and outreach partnerships with providers in the capital.

During the past two years, the picture has changed considerably. An already-stretched legal advice ecosystem across the East of England has come under intense new pressures. The rapid and ongoing arrival of thousands of new asylum seekers into hotels and hostels across the region since 2021 has led to a significant rise in demand for legal aid asylum casework. All counties in the region – and particularly Hertfordshire, Bedfordshire and Essex – have received high numbers of asylum seekers who need welfare support and legal representation. Demand for legal aid advice now far exceeds supply – a situation which urgently needs to be addressed.

However, whilst the sudden rise in demand for advice among newly arrived asylum seekers is dominating the agenda of many voluntary organisations (nationally as well as regionally), this is part of a much wider, and longer-term challenge. Legal advice provision for migrants and asylum seekers in the East of England has been steadily eroded for decades. There are a range of committed organisations providing dedicated services across the region. But, as advice providers across the UK are reporting, the sector is under-funded and organisations are struggling to recruit and retain qualified staff.

The demand for immigration legal advice – and the pressure on the voluntary sector in the East of England – is set to continue. Migrants and asylum seekers across the UK are subject to an increasingly hostile policy environment in the UK, and now face a thicket of complicated and ever-changing laws and policies. Immigration application fees are prohibitively expensive, and Home Office decisions are subject to unprecedented delays.

Any efforts to strengthen access to legal aid advice in the East of England over the coming period will need to take a broad, strategic approach. This should have an eye to the long-standing need to invest in voluntary sector advice capacity across the region – including both legal aid provision and services for cases which fall out of the scope of legal aid.

In addition, the region's voluntary sector will require both strategic and financial support over the coming period, to help organisations to make the most of existing resources and capacity. This will demand new approaches, partnerships, and resourcing in order to support the sustainability of voluntary immigration advice services into the future.

3. Immigration advice needs in the East of England

3.1 Overview

The East of England region comprises the counties of Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Norfolk and Suffolk. It is the UK's fourth largest region, and is a recognised immigration advice desert¹.



A largely rural region, the East of England is home to 9% of the UK's migrant population². This includes refugees, asylum seekers, economic migrants, EEA nationals, international students, foreign national prisoners and undocumented migrants. There are an estimated 40,210 undocumented people in the East of England region, including over 15,000 undocumented children³.

¹ No access to justice: How legal advice deserts fail refugees, migrants and our communities, by Dr Jo Wilding for Refugee Action. May 2022

² Jo Wilding 2022

³ Jo Wilding 2022

During the recent period, the demand for legal immigration advice across the East of England region has increased. There are a number of key groups with growing immigration and asylum advice needs, including:

3.2 Asylum-seekers

Since 2000, asylum seekers have been accommodated ('dispersed') in designated local authority areas across the UK whilst their application for protection is considered.

The East of England has traditionally accommodated asylum seekers within key dispersal areas across the region, and in particular Luton (Bedfordshire); Peterborough (Cambridgeshire); Thurrock, Southend on Sea, Basildon and Harlow (all Essex); Norwich (Norfolk) and Ipswich (Suffolk). The table below indicates the dispersal patterns across the region in 2021 based on records of Section 95 support, for a population of 1052 asylum seekers⁴.

Area	Dispersed population	Breakdown
Bedfordshire	222	Luton 188
Cambridgeshire	194	Peterborough 190
Essex	327	Thurrock 189, Southend on Sea 60, Basildon 45, Harlow 34
Hertfordshire	73	
Norfolk	125	Norwich 114
Suffolk	69	Ipswich 88

Regional dispersal patterns have contributed to the establishment of settled refugee populations, including from Africa and the Middle East, and particularly across Bedfordshire, Essex, Cambridgeshire and Norfolk. This has led to an ongoing demand for legal immigration advice in these areas, including asylum claims, representation and appeals, as well as specialist legal advice on complex immigration status issues, some of which is out of the scope of legal aid.

In April 2022, the Government announced it was adopting a new 'full dispersal' policy, under which asylum seekers can be dispersed to any local authority in England, Scotland and Wales. This has led to a rapid increase in the numbers of asylum seekers dispersed to the East of England⁵.

As of December 2022, a total of 6,259 asylum seekers were receiving support from local authorities in the East of England⁶. 4,261 of these people were in receipt of Section 98 support, which usually comprises temporary emergency accommodation in hostels or hostels. The numbers of new asylum seekers receiving Section 98 support are currently particularly high in Hertfordshire (1,509 people) and Bedfordshire (1,053).

⁴ Table showing local breakdown of s95 support figures in the East of England, March 2021. Ref: Dr Wilding 187. Please note these figures refer to the main asylum applicant only and are likely an undercount as, whilst some of these figures refer to single people, others will be families including dependants on one main asylum application.

⁵ The new 'full dispersal' policy was confirmed in April 2022

⁶ This figure includes asylum seekers receiving Section 95, Section 98 and Section 4 support in the East of England region as of 31 December 2022. Government data available at: <https://www.gov.uk/government/statistical-data-sets/asylum-and-resettlement-datasets#local-authority-data>, in the dataset: 'Asylum seekers in receipt of support by local authority', last updated 23 Feb 2023. Again, figures are likely to be an undercount as refer to the main applicant.

However, all the counties in the region have received substantial new cohorts of asylum seekers into hotels and hostels since early 2022, as can be seen in the table overleaf⁷.

County	People in receipt of S98 support by a local authority
Bedfordshire	1,053
Cambridgeshire	255
Essex	627
Hertfordshire	1,509
Norfolk	468
Suffolk	349

The Government's full dispersal policy has significant implications for the region's advice providers. It is being delivered on an ad hoc basis, depending on availability of temporary accommodation, and individuals arrive often at very short notice. New arrivals have a range of urgent needs, including for legal advice and representation regarding asylum claims, which require OISC registration at Level 2 (Asylum and Protection). Some will need further advice from OISC L3 advisers in future, in order to appeal decisions and/or to make new asylum claims based on fresh evidence.

The capacity of the voluntary sector to meet the needs of new asylum seekers is highly varied across the region. For example, Hertfordshire is the county that has seen the biggest influx of asylum seekers into contingency accommodation over the past year. However, only a very small number of voluntary organisations are working with asylum seekers in Hertfordshire, amid very high levels of demand for legal advice and welfare support.

In addition, the East of England has received a high number of unaccompanied asylum-seeking children. In 2021 it had the third-highest number of unaccompanied children of all regions and nations of the UK⁸. Some unaccompanied children require advice regarding their age assessments by the authorities, and/or other specialist advice. This need is rising significantly in line with the rising numbers of asylum seekers in the region. In addition, some care-leavers aged 18-24 who arrived as asylum seekers, also have specialist legal advice needs.

3.3 Resettled refugees and bespoke visa holders

Since 2014, the UK Government has introduced a range of bespoke refugee protection initiatives, including refugee resettlement programmes, and sponsorship schemes. New arrivals in the East of England have included:

- **Resettled refugees.** As of October 2022, 1,176 refugees, including from Afghanistan and Syria, had been resettled across the East of England since 2014 under official refugee resettlement programmes including the UK Resettlement Scheme, the Vulnerable Persons Resettlement Scheme and the Vulnerable Children Resettlement Scheme⁹. Refugees have arrived across the region, with Hertfordshire, Cambridgeshire and Norfolk receiving the highest numbers of resettled refugees.

⁷ Government data, 31 December 2022. Ibid.

⁸ No access to Justice: How legal aid deserts fail refugees, migrants and our communities', blog post by Caroline Albuérne, Refugee Action, 9 June 2022. Accessible at: <https://www.refugee-action.org.uk/no-access-to-justice-how-legal-advice-deserts-fail-refugees-migrants-and-our-communities/>

⁹ Source: Home Office on Resettlement by Local Authorities. 2014 Q1 to 2022 Q3 dataset. Downloadable at: <https://www.gov.uk/government/statistical-data-sets/asylum-and-resettlement-datasets>

- **Sponsored Ukrainian nationals.** Since the Russian invasion of Ukraine in February 2022, over 9,400 Ukrainians have arrived in the East of England under the Homes for Ukraine sponsorship scheme¹⁰. Home Office data shows that the counties with the highest concentrations of Ukrainian arrivals to date have been Essex, Cambridgeshire and Hertfordshire.
- Since 2021, **Hong Kong British national (overseas) citizens** have been able to apply to stay in the UK for five years. Cambridgeshire, Hertfordshire and Essex were identified by the East of England Strategic Migration Partnership as potential ‘hotspots’ for arrivals in the region¹¹.

Due to the relatively high numbers of refugees and sponsored arrivals in the East of England, there is growing demand across the region for OISC L1 and L2 legal advice and casework relating to refugee family reunion and/or settlement applications. Depending on the nature of the case, some of this work falls under the scope of legal aid.

3.4 European Economic Area nationals

Since 2004 there has been significant immigration of EEA nationals from the ‘A8’ and ‘A2’ countries to the East of England, including for work in the agricultural and social care sectors, study and family reunion purposes¹².

Following Brexit, the majority of EEA nationals were required to apply for settled or pre-settled status by June 2021 in order to continue living here lawfully. This resulted in many EEA nationals requiring urgent legal advice – much of which could be met through targeted OISC L1 advice services across the region.

Although over 500,000 EEA nationals concluded their EU Settlement Scheme applications in the East of England before the June 2021 deadline, 194,630 people were only able to secure pre-settled status and 22,180 were refused status or submitted void applications¹³. This is a significant cohort of people who are likely to need further legal advice in order to resolve their status.

As such, legal advice – including at OISC L2 and L3 – will be needed in future to support EEA nationals who did not secure Settled Status, have complex cases (e.g. those with a criminal record) and/or those who arrived in the East of England after June 2021.

3.5 Migrants and refugees with complex cases

This scoping heard about a growing demand for specialist legal immigration casework across the East of England among groups across the region’s migrant and refugee population. This covers a range of cases and legal work, some of which are complex or engage human rights issues, including:

- Access to public funds (DDVC) and / or settlement (SET DV) applications for people who have been subject to domestic violence. Although these cases are usually eligible for legal aid, in practice some charities across the region are currently struggling to find solicitors willing to take them on.

¹⁰ Home Office Dataset: Visa data by country, upper and lower tier local authority. Data correct as of 31 January 2023. Downloadable at: <https://www.gov.uk/guidance/ukraine-sponsorship-scheme-visa-data-by-country-upper-and-lower-tier-local-authority>

¹¹ Website of the East of England Local Government Association Strategic Migration Partnership, as of 9th February 2022. Accessible at: <https://smp.eelga.gov.uk/hk-hub/welcome/>

¹² ‘A8’ refers to the 8 countries which joined the European Union in 2004: Czech Republic, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia. ‘A2’ refers to the two countries which joined the EU in 2007: Bulgaria and Romania.

¹³ Jo Wilding 2022.

- Article 8 family and private life applications.
- Applications for settlement, citizenship, or for children to be registered as British citizens.
- Assistance to people who have been trafficked or subject to modern slavery, including referrals to the National Referral Mechanism – the framework for identifying victims of trafficking.
- Assisting people being threatened with removal or deportation from the UK.
- Appeals, representation in the immigration tribunals and strategic litigation.

Depending on the nature of the case, some of this work falls within the scope of legal aid or can be paid for by Exceptional Case Funding. Other cases fall outside the scope of legal aid and must be supported from other sources.

3.6 Foreign national prisoners

In December 2020, there were 1,212 foreign national prisoners (FNOs) in the 13 prisons located in the East of England¹⁴. This was the third highest foreign national prisoner population across the UK's regions and nations¹⁵.

Although there are prisons in all six of the region's counties, foreign national prisoner numbers are particularly high in three counties: Cambridgeshire (402 prisoners in four prisons), Suffolk (233 prisoners in three prisons), and Norfolk (212 prisoners in three prisons)¹⁶. In 2023, discussions remain ongoing about the possible conversion of Highpoint prison in Suffolk into an FNO prison – if this goes ahead, it is expected that between 400 and 700 new bedspaces will be created for foreign nationals at the prison.

Many prisoners require specialist legal immigration advice at some point during their sentences, including on matters relating to nationality or immigration status, and/or regarding removal or deportation decisions. In some cases, the family members of foreign national prisoners also require legal immigration advice. Due to the potential expansion of the foreign national prisoner population in the East of England, this is likely to be a growing area of legal advice need – as such it will require a strategic response from the voluntary sector.

¹⁴ Jo Wilding 2022

¹⁵ Caroline Albuerne 2022. Accessible at: <https://www.refugee-action.org.uk/no-access-to-justice-how-legal-advice-deserts-fail-refugees-migrants-and-our-communities/>

¹⁶ Data as of 31 December 2020. Jo Wilding 2022

4. Immigration advice providers in the East of England

4.1 Legal aid provision

Ideally, the legal advice ecosystem in the East of England would include a robust legal aid-funded sector, with senior caseworkers and solicitors able to undertake certificated work. Legal aid provision would ideally include both private solicitors' firms and specialist voluntary organisations such as law centres and other community-based legal services.

However, this scoping heard that successive cuts to statutory funding over recent decades have had a significant impact on legal aid provision in the East of England region. In 2020-21 there were just 12 legal aid providers registered in the East of England, including ten private solicitors' firms, Luton Law Centre and Coram Children's Legal Centre¹⁷. Capacity within some of these firms was very low – five providers had only one accredited adviser listed on the IAAS register¹⁸.

Not only are there a relatively small number of legal aid providers in the East of England, but they are very unevenly spread across the region. In 2021 there were four providers based in Cambridgeshire (and Northamptonshire), and eight providers based in Bedfordshire and South Hertfordshire¹⁹. There were none at all in Suffolk, Norfolk or Essex which are not currently part of a legal aid 'access point', making referrals very challenging from these counties.

Since 2021, and as a result of the influx of new asylum seekers to the region, the pressure on the small number of registered legal aid providers has intensified. In effect, the region's voluntary sector are struggling to refer clients to the same, limited number of solicitors. Multiple charities across the region are reporting that providers they could previously rely upon to take asylum cases on are now unable to assist. As a result, charities are trying – often unsuccessfully – to refer asylum seekers out of the region, including to Birmingham, Nottingham and London. Some people are clearly being left with no legal representation in order to make an asylum claim.

There has also been a wider knock-on effect of this surge in demand for legal aid advice among asylum seekers. Some charities report that it is now more difficult to secure legal aid representation for non-asylum cases that fall within the scope of legal aid (such as domestic violence cases) or for cases which are out of scope but where Exceptional Case Funding has been secured.

4.2 Charitable immigration advice providers

The charitable landscape in the East of England comprises a range of charitable providers or free or low-cost legal advice for migrants, refugees and asylum seekers in the East of England. It includes frontline organisations which are not registered with the Office of Immigration Services Commissioner (OISC), organisations variously registered with OISC to provide L1, L2 and/or L3 advice, and other accredited providers²⁰.

The sector is in constant flux as a result of staffing and funding changes within organisations, and as a result of the dynamic policy environment. This briefing offers a topline summary of free legal advice provision in the East of England as of February 2023.

¹⁷ Jo Wilding 2022

¹⁸ Jo Wilding 2022

¹⁹ The Legal Aid Agency organises legal aid according to 'procurement areas' which do not match regional boundaries. Hence the Cambridgeshire and Northamptonshire access point straddles both the East of England region and the East Midlands.

²⁰ E.g. Solicitors, barristers and members of approved professional bodies.

Although internal casework data was provided by some organisations across the region, this data was not comparable due to variations in organisations' casework database systems. As such it has been excluded from the briefing.

4.3 Non-OISC accredited frontline services

The East of England region has a range of community-based organisations working on the 'frontline' with migrants and refugees which are not registered with OISC to provide any legal immigration advice. This includes some organisations with a specific focus on migrants and refugees, as well as some which focus on other social welfare issues such as domestic violence, homelessness and anti-racism work.

Although not legal advice providers themselves, these organisations are a crucial part of the legal advice landscape. They are often the first port of call for people seeking advice, and often continue to provide wraparound and welfare support to individuals once legal advice or representation has been secured. Frontline organisations rely on being able to make referrals to (preferably local) legal aid solicitors or OISC-registered advisers for specialist advice and / or legal representation.

Frontline organisations in the region which are not currently registered with OISC but which play an important role in supporting and signposting migrants to legal services include **Herts Welcomes Refugees** and **Watford and Three Rivers Partnership** in Hertfordshire; **Suffolk Refugee Support** in Suffolk; **English Plus** in Norfolk; **COMPAS** and **H.E.L.P** in Peterborough; **Refugee and Migrant Action (RAMA)** and **Essex Integration** in Essex.

Some of the organisations above are in the process of registering (or wish to register) with OISC to provide advice at L1 or above. For example, although **RAMA** in Essex is not registered with OISC, it provides access to legal advice through partnerships with University of Essex Law Clinic, RAMFEL and pro bono support from Anglia Immigration Law. RAMA is itself currently training two advisers towards OISC L1 registration.

4.4 OISC Level 1 organisations

Organisations registered at OISC Level 1 can provide signposting and advice on straightforward immigration cases. Common L1 immigration casework includes 'change of conditions' applications to enable migrants to access public funds, and biometric residence permit (BRP) replacement applications. L1 Asylum and Protection advisers cannot assist on substantive asylum casework which requires Level 2 accreditation. Some organisations registered at Level 1 are only permitted to assist with EU Settlement Scheme applications.

In 2021, there were 55 organisations across the East of England registered with OISC to deliver free Level 1 advice. This included 38 branches of Citizens Advice which are able to work at L1 with an exemption from OISC registration across the East of England. Norfolk county council is also accredited to provide advice at OISC L1.

OISC L1 voluntary sector providers based in the East of England include **ACCESS** in Norfolk²¹; the **Red Cross**, which has branches in Essex, Luton, Norwich and Peterborough; **BSC Multicultural Services**²² and **Suffolk Law Centre** in Ipswich; the **Polish British Integration Centre** and **Noah Enterprise** in Bedfordshire²³; **PARCA** in Cambridgeshire; and **The Bridge Plus** in Norfolk. Most of these groups are migrant-led, and/or community-based organisations.

²¹ OISC L1 registration limited to the EU Settlement Scheme

²² ²² OISC L1 registration limited to the EU Settlement Scheme

²³ Both organisations' OISC L1 registration limited to the EU Settlement Scheme although Noah Enterprise is currently recruiting for a L2 Immigration adviser.

Some of the L1 organisations above are in the process of moving, or wish to move, their registration up to OISC L2. Others wish to expand their OISC registration to meet evolving advice needs (e.g. to move from OISC L1 EUSS to L1 Immigration, or to L2 Asylum and Protection).

4.5 OISC Level 2 and 3 organisations

Organisations registered at OISC Level 2 can deliver more complex immigration and/or asylum casework. Organisations registered at Level 3 – along with solicitors' firms and barristers – can deliver advocacy and representation, and all casework up to Tribunal appeals. Specifically-authorized Level 3 advisers can pursue judicial review as a possible remedy for their clients.

There is a relatively strong network of L2 organisations in the East of England, but most services are relatively small and rely upon one or two registered advisers. Whilst there are a range of voluntary organisations providing L2 (Asylum and Protection) advice, there is less L2 (Immigration) capacity across the region.

There is very little OISC L3 provision across the East of England. **Luton Law Centre**, **Norfolk Community Law Service** and **RAMFEL** are among the main voluntary sector providers currently working at this level – all report that although there is demand for their services, their capacity is limited by funding and recruitment challenges.

Bedfordshire

Bedfordshire, in the West of the region, has a small number of dedicated OISC L2 and L3 legal services for migrants and refugees, including:

- **BRASS (Bedford)**. BRASS is a refugee community organisation which is registered at OISC Level 2 (Asylum and Protection), and focuses on refugees and asylum seekers in the Bedford area. BRASS has two OISC Level 1 registered advisers and one L2 adviser. The BRASS CEO also provides L2 advice on refugee family reunion through the University of Bedfordshire Law Clinic.
- **Kings Arms Project (Bedford)**. The Kings Arms Project is a charity tackling homelessness, displacement and isolation in Bedford and beyond. It runs a range of support and advice activities for resettled refugees and vulnerable migrants in the local area, as well as a helpline. Kings Arms currently has three registered OISC Level 2 (Asylum & Protection) advisers who are also L1 (Immigration) registered, and is upskilling other advisers to L1 (Immigration).
- **Refugee Council (Luton)**. The Refugee Council is registered in Luton to provide L2 (Asylum and Protection, and Immigration) advice.
- The **University of Bedfordshire** in Luton runs the Refugee Legal Assistance Project in partnership with BRASS. This is a legal advice clinic which is registered to provide L2 (Asylum and Protection) advice, and focuses on refugee family reunion.
- **Luton Law Centre** delivers both asylum and immigration legal advice at L3. It holds a Legal Aid Contract for immigration casework, and focuses on asylum casework and ECF applications. It receives referrals through a range of organisations including the Red Cross in Luton, and clients also enter the service through the free advice line run by the Law Centre. Luton Law Centre's immigration team currently comprises one supervising solicitor, one L3 solicitor, and one trainee.

Cambridgeshire

The main advice provider based in Cambridgeshire to provide free OISC L2 advice is **Cambridgeshire Ethnic Community Forum (Cambridge)**. CECF has one L2 adviser, who focuses on asylum and protection issues.

Essex

Citizens Advice Southend is the only L2 provider registered to provide free legal advice on asylum and/or immigration matters in Essex. **Coram Children's Legal Centre** is registered in Colchester to provide a limited free L3 advice service focusing on children with immigration and asylum cases.

The majority of L3 immigration cases in Essex that fall out of the scope of legal aid are reportedly picked up by the **Refugee and Migrant Forum of Essex and London (RAMFEL)**. Although RAMFEL is based in East London, it delivers some L3 casework in Essex in partnership with local organisations including **RAMA** and the **Red Cross (L1)**.

Hertfordshire

Despite the very high levels of new demand for legal asylum advice among asylum seekers in contingency accommodation, there is very little L2 or L3 legal advice capacity in Hertfordshire. The only registered voluntary sector provider is the **Refugee Council**, which is registered in Stevenage to provide L2 advice (both Asylum and Protection, and Immigration).

Norfolk

Norfolk has three organisations registered with OISC to provide free immigration advice at L2 or above:

- **GYROS (Great Yarmouth)**. GYROS is a refugee and migrant support organisation which delivers advice at L2 (Asylum and Protection, and Immigration) across Norfolk (excluding Norwich) and Suffolk, with some reach into Cambridgeshire. GYROS works with many organisations across the region through referral partnerships and outreach e.g. with ACCESS (L1) in Kings Lynn.
- **New Routes (Norwich)**. New Routes is a refugee support organisation, which provides advice at L2 (Asylum and Protection). The advice service is run by one L2 adviser and a trustee accredited at L1. New Routes works in partnership with other advice organisations including NCLS and Red Cross.
- **Norfolk Community Law Service (Norwich)** immigration advice service is registered at OISC Level 3 and focuses on immigration matters out of the scope of legal aid. It has relationships/referral pathways with grassroots groups across Norfolk, including The Bridge Plus+ Norwich and ACCESS (providing 2nd tier advice) in Kings Lynn and works with Suffolk Law Centre on complex EUSS casework. NCLS primarily focuses on L2 casework, including NRPf and domestic abuse, and has some limited L3 capacity to bring forward appeals on behalf of L2 clients if needed.

Suffolk

Suffolk has very limited OISC L2 provision, which is largely provided by **GYROS** (see above), based in Great Yarmouth in Norfolk.

Until recently, **Suffolk Law Centre** was registered at L3 through a service operated by pro bono outreach from a local solicitors' firm. However, since this closed, Suffolk Law Centre conducts legal triage at L1 EUSS now refers cases at L2 and above to GYROS and / or to providers in neighbouring counties, including to Luton, Essex and Norfolk.

5. Looking ahead: What is needed?

This briefing has identified six key areas where support could be given to the voluntary sector advice 'ecosystem' in the East of England, towards a more sustainable sector.

5.1 Voluntary sector networking

Local professional networks can help to sustain and feed a healthy immigration advice sector, by bringing organisations together in order to share information, knowledge, mutual support and skills.

There are a range of existing networks which variously engage some voluntary sector advice organisations in the East of England on matters relating to immigration advice, including:

- **National networks** – Some providers in the East of England are part of a range of national / remote networks, including the **Refugee Action FIAP Community of Practice**, and the **Asylum Support Advice Network** coordinated by the Asylum Support Appeals Project.
- **Regional level networks** – Some providers are involved in regional level networks relating to immigration and refugee issues coordinated by the **Strategic Migration Partnership (SMP)** within the **East of England Local Government Authority**. This includes regional groups such as the Migrant Worker Steering Group (MWSG), the Asylum and Refugee Reference Group, the Social Care Unaccompanied Asylum Seeking Children (UASC) group and the No Recourse to Public Funds group (NRPF). The SMP also coordinates local networks of statutory and voluntary sector agencies e.g. the **Essex Migrant Agency Forum**.
- **Local networks** – A range of local networks exist to support legal providers (although not limited to immigration legal casework). For example, the **Norfolk Community Advice Network (NCAN)** brings together many of the major advice providers in the county and has created a common referral point for legal advice enquiries across Norfolk, including on immigration issues.

However, there is currently an appetite among immigration legal practitioners to strengthen voluntary sector networking across the region. This could take the form of a new pan-regional network – run by and for the voluntary sector – to help to drive up capacity in the region. Based on views shared during this scoping, a new network could be designed around a range of objectives, variously including:

- **Enabling voluntary sector advice providers to make contact and share information.** By maintaining contact with one another through an email mailing list and/or regular online meetings, the region's providers could share relevant information and updates about immigration advice challenges and strategies.
- **Creating a shared picture of the challenges and resources across the region** through data-sharing between providers regarding service demand, casework outcomes and local capacity e.g. within legal aid solicitors. This could be used to inform a more joined-up approach towards service development and referrals across the region.
- **Providing professional peer support for immigration advisers.** A number of immigration advisers, particularly those located within small voluntary sector organisations, report that they feel under-supported and supervised regarding complex casework. A new regional network could provide a space for advisers to support one another on specific legal issues.
- **Providing a shared point for advice referrals.** More ambitiously, a regional network in the region could provide the basis for a shared referrals mechanism e.g. based on the NCAN model.

As an alternative to a pan-regional approach, smaller networks could be established e.g. at county-level or based around key 'hubs' e.g. in the East, West and South of the region.

5.2. Support to the frontline

Within the rapidly changing context in the East of England, a number of community-based organisations are currently being overwhelmed by the unmet need for legal advice among newly dispersed asylum seekers. Frontline organisations in Hertfordshire, Suffolk, Norfolk and Cambridgeshire variously report being '*overwhelmed*' '*distressed*' and '*struggling*'.

A number of frontline support organisations in the East of England would like to strengthen their legal literacy and ability to respond to requests for legal advice. Some of these organisations are not registered with OISC, while others are registered at OISC L1 or L1 EUSS.

Some frontline organisations would benefit from assistance and peer support to enable them to better understand the legal landscape, and strategically plan how to evolve their own services. This could include:

- **Strengthening the legal literacy of frontline organisations**, whether or not they are OISC-registered, by networking in with other legal organisations and networks e.g. Refugee Action Frontline Immigration Practitioners Project, engaging with online resources such the Free Movement website, or joining national networks or mailing lists (e.g. NACCOM, Asylum Matters, Refugee Legal Group).
- **Embarking on the process of registering as OISC L1 providers / increasing their OISC registration**, in order to meet changing demand. To do so they would require the resources and support to secure training and formal supervision, and to be able to embed and maintain this service within their organisation's operational model.

5.3 New specialist legal capacity (L2, L3 and above)

There is an urgent need for greater specialist legal capacity across the East of England, both in terms of legal aid provision and advisers at OISC L2 and L3 able to take on work out of the scope of legal aid. The region also needs experienced solicitors who are able to bring judicial review proceedings in order to challenge Home Office decision-making.

This additional capacity is needed particularly in order to:

- Address the immediate, rising need for **legal aid advice and representation**. Rapidly rising advice needs among new asylum seekers to the region currently outweigh provision within the legal aid sector and are leading to other in-scope casework not being picked up.
- Meet the entrenched, unmet need in the region for **advice and legal representation on cases which fall out of the scope of legal aid**.

To strengthen the specialist legal landscape, a longer-term, strategic approach will be needed. This could include a range of approaches:

- **Supporting the L2 advice landscape**. The East of England has a range of L2 services, who are a crucial part of the advice ecosystem and need to be supported and sustained. Ongoing strategic and financial support for L2 services will be needed in order to maintain these services and keep skilled advisers within the region.
- **Shoring up and expanding the limited L3 specialist capacity that currently exists within the voluntary sector** – in particular, Luton Law Centre, Norfolk Community Law Centre and RAMFEL – to support a more sustainable development of expertise and capacity. This could also involve supporting pathways for voluntary sector organisations to take on Legal Aid contracts into the future.

- **Ensuring that funding for advice services is strategic** and allows for planning and growth across the sector as far as possible. Secure and long-term statutory and grant funding will be needed where possible, to support the sustainability of specialist services.
- **Exploring new advice models**, including in partnership with local legal aid providers, to make the most of existing specialist capacity. This could include new information-sharing, outreach and remote advice models.
- **Support targeted advice services for particular groups with complex immigration advice needs in the region.** Many foreign national prisoners in the East of England's 13 prisons, for example, require specialist immigration advice services. Some of this advice could potentially be given remotely, alleviating the need for clearance and allowing for wider reach. This could be properly mapped and explored in partnership with organisations already working to support foreign prisoners, such as Ipswich and Suffolk Council for Racial Equality (ISCRE).
- **Working with the Legal Aid Agency** to provide evidence regarding the changing need for legal aid advice in the region, and explore structural ways that it could be addressed. This could usefully include consideration of the contracting and procurement arrangements in the region and creation of access points in the East of the region.
- **Exploring how to support and maintain a network of experienced solicitors** who are willing and able to bring judicial review proceedings on behalf of clients in the region where needed.

5.4 Referral and advice partnerships

A range of bilateral referral partnerships exist between frontline organisations and specialist providers, to help respond to immigration advice needs. This is an area that many organisations would like to develop, to make the most of limited capacity. This could include new partnerships with other charities, local authorities, or private law firms to open up access to free or low-cost advice services to specific client groups where there is common recognition of likely future need.

Examples of existing referral and advice partnerships include:

- **Partnerships between frontline organisations and specialist legal providers.** For example, in Essex, **RAMFEL** (L3) and **Red Cross** (L1) run a Lottery-funded partnership project, within which the Red Cross provides wraparound support and RAMFEL provides L2 advice work. to support migrants in regularising immigration status. In Norfolk, **GYROS** (L2) provides outreach legal advice to migrants through a partnership with **ACCESS** (L1).
- **Partnerships with private providers.** Many frontline organisations have formal or informal referral pathways / partnerships with private legal aid firms – although some of these pathways are now coming under strain given the high volume of demand for legal aid advice. Other partnership models include outreach and pro bono support from private providers e.g. **Suffolk Law Centre** used to run a L3 immigration advice clinic with pro bono assistance from a local solicitors' firm.
- **Partnerships with university law clinics** e.g. **RAMA** in Essex works with the **University of Essex Law Clinic** to provide specialist advice and casework at the RAMA drop-in. The CEO of **BRASS** in Bedfordshire also supports a refugee family reunion advice clinic at the **University of Bedfordshire**.

As capacity continues to be an issue across the region, some organisations would like to explore how to build on their existing partnerships and referral pathways. This could include:

- **New advice partnerships, both within the region and out of the region.** Organisations in the region could explore how new partnerships, including with legal

aid providers and specialist charities in other parts of the region and across the country, could open up clients' access to legal advice.

- **'Sharing' specialist advisers between similar organisations.** Organisations could explore new models for working with one another, for example 'sharing' advisers in order to help maximise capacity. This is being trialed in other regions with Justice Together Initiative support, e.g. Slough Refugee Support and Reading Refugee Support Group currently share a Level 3 solicitor who takes on complex immigration cases for both.
- **Setting up joint hubs for immigration and asylum referrals.** An alternative model for more involved partnership-working is to 'pool' immigration advice referrals at regional level between a small network of NGOs. This approach is currently being piloted by the North East Law Centre in partnership with Justice First and the North of England Refugee Service, and could be considered in parts of the East of England.

5.5 Supervision, training and peer support

Organisations across the East of England currently report severe difficulties in recruiting skilled advisers, and particularly for senior caseworker, supervisor or solicitor roles.

A number of organisations in the region hope to 'skill up' existing volunteers and staff members in order to grow their own capacity and contribute towards a bigger regional pool of local qualified advisers. However, some are finding low OISC L1 and L2 pass rates among their staff members and report the need for wider training and support.

In addition, some providers are struggling to secure formal supervision from a qualified supervisor. This is a particular challenge for organisations with very small advice teams, which are likely to need external supervision from another organisation.

Looking ahead, peer support and / or formal supervision of OISC advisers within voluntary sector across the region could usefully include:

- **Formal supervision.** Providing specialist supervision to upskill advisers from other organisations takes up significant amounts of senior adviser time from the supervising organisation, and this must be properly resourced. This could potentially be done remotely as has been delivered elsewhere in the country (e.g. in Devon). However, even remote formal supervision arrangements require significant resource if they are to be sustainable.
- **Support to advisers preparing for exams.** Some training and support can be provided by Refugee Action's FIAP project, but local peer support could also play a role in assisting.
- **Opportunities to do professional shadowing in legal settings.** Some legal organisations, in particular NCLS, already provide some informal mentoring / shadowing to community-based advisers in Bridge Plus, New Routes and Suffolk Law Centre. This has been very beneficial to those organisations, and provides a useful model for expanding good practice and legal literacy among frontline organisations.

5.6 Advocacy and influencing

The challenges faced by providers in the East of England are shared by many others working with migrants and refugees across the UK. It is likely that national policy and legislation will continue to generate ongoing difficulties for legal providers over the coming period.

As such, there will be a role for coordinated advocacy across the region, which could gather evidence about the challenges faced by frontline organisations and legal providers,

and seek to influence policy and practice where possible. This could include working with the Legal Aid Agency to try to address the challenges around legal aid provision in the region, as well as linking with national advocacy efforts to influence legal aid financing and contracting. This could relate both to the very immediate challenges around legal aid demand in the region, to assist voluntary sector organisations (including in Norfolk and Suffolk which are currently excluded from an access point) to take on a legal aid contract for immigration casework.

Advocacy work could also target the Office for Immigration Services Commissioner (OISC) to try to improve communication with providers, as well as strategic approaches to facilitate accreditation and supervision across the voluntary sector.

Providers in the region could also develop advocacy to target local, regional and national government on legislation and policy affecting the providers and clients of immigration legal advice. This could help to ensure that the experiences from across the voluntary sector in the East of England help to inform and influence the development of relevant policies – ideally in pursuit of a better resourced and more sustainable legal advice landscape for migrants and refugees.

Appendix A: Briefing paper methodology and contributors

This scoping was developed and written between October 2022 and February 2023. It draws upon a range of existing research materials, Government datasets and individual perspectives of NGOs, legal providers and local government officials in the East of England region. Warm thanks go to all who contributed to the scoping exercise via the following:

Online survey

Voluntary sector perspectives were canvassed via a short online survey launched in October 2022, which ran until January 2023. The survey was completed by 13 voluntary sector advice providers in the region: **ACCESS, British Red Cross, BRASS, Cambridge Ethnic Community Forum, GYROS, Kings Arms Project, Luton Law Centre, New Routes Integration, Noah Enterprise, Norfolk Community Law Service, Suffolk Law Centre, Suffolk Refugee Support, The Bridge Plus.**

Scoping interviews

Twenty individual scoping interviews were conducted with the following individuals in the region, between October 2022 and January 2023.

- **Inna Celinska** - ACCESS Migrant Support
- **Brian Cunningham** – Bedfordshire Refugee and Asylum Support Service (BRASS)
- **Elizabeth Morgan** – Bridges Plus
- **Ana Maldonado** – Cambridge Ethnic Community Forum
- **Kate O’Driscoll** and **Louise Gooch** – East of England Local Government Association (EELGA)
- **Irene Austin** and **Kate Scott** - Herts Welcomes Refugees
- **Phanuel Mutumburi** – Ipswich and Suffolk Council for Racial Equality (ISCRE)
- **Hannah Joy** and **Amged Mechail**, Kings Arms Project
- **Catherine Sharp** and **Nikki Daniels**, Legal Aid Agency
- **Pauline Gilson** and **Iffat Mirza**, Luton Law Centre
- **Jane Basham** and **Des McKeating** – NCLS
- **Patrick Heaton-Armstrong** – New Routes
- **Paul Prosser** – Noah Enterprise
- **Simon Shreeve** – Norfolk County Council
- **Moez Nathu** – PARCA
- **Maria Wilby** – Refugee and Migrant Action Colchester
- **Janine Thomas** – Red Cross Essex
- **Louise Lawson** – Red Cross Peterborough & Norwich
- **Sue Wardell** and **Alex Varadeu** – Suffolk Law Centre
- **Liz Wood** – Suffolk Refugee Support

Desk research

The research also drew upon the latest datasets provided by the Home Office. This data is rapidly changing and is regularly updated, and is correct as of 28 February 2023. The paper drew upon the following research:

- **No access to justice: How legal advice deserts fail refugees, migrants and our communities**, a detailed mapping of the advice landscape conducted by Dr Jo Wilding for Refugee Action (May 2022)
- **Immigration Legal Aid Need and Provision in the East of England**. By D Jo Wilding. Compiled for the East of England Strategic Migration Partnership (SMP), (August 2021)

- **Methods for Increasing the Capacity of Immigration Advice Provision**, by Ceri Hutton and Jane Harris, for Paul Hamlyn Foundation and Trust for London (2020)
- **How the remote delivery of immigration advice evolved during Covid**, by Ceri Hutton, for Paul Hamlyn Foundation (2022)
- **A Strategy for Funding Immigration Advice in London**, by London Funders, commissioned by Paul Hamlyn Foundation and Justice Together Initiative (2021)