

# A STRATEGY FOR FUNDING IMMIGRATION ADVICE IN LONDON

# Thank you

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**This strategy is a collaborative effort, drawing on London Funders' members and networks, on the knowledge of numerous funders across the independent, public and corporate sectors, and on the expertise of organisations working in the immigration advice sector to support Londoners.**

#### **PURPOSE OF THE STRATEGY**

Our shared vision is a robust and sustainable immigration advice sector that meets the needs of Londoners who do not have the rights and entitlements afforded to British citizens, and contributes its experience and expertise to policy-making to build a fairer and more effective immigration system for all. This sector supports Londoners to navigate the immigration system and receive the advice they need so that they and their families are able to flourish and to contribute to the city they have made their home. This sector is supported by long-term, strategic and intelligent funding, which takes account of the whole system of frontline provision, effective infrastructure, and advocacy for fairer policy-making.

#### **WHY: THE CASE FOR INVESTING IN IMMIGRATION ADVICE**

London's diversity is one of its greatest strengths and a reason why so many of us choose to live here. Not all Londoners have the rights and entitlement afforded to British Citizens. Over one third (37%) of Londoners were born outside of the UK<sup>1</sup>, and over half (54%) of Londoners born abroad don't hold a British passport<sup>2</sup>, including many European Union citizens who, pre-Brexit, were exercising rights to free movement and did not need to apply for one. Many people who are making

London their home now need good quality immigration advice to obtain a more secure status, to enable them to access work and housing, to vote, to participate fully in society and to move forward in their lives with confidence.

Accurate, timely advice and legal support is a prerequisite to being able to navigate an immigration system that is complex, expensive, and intentionally hostile. Londoners with insecure status may find themselves with no recourse to public funds (the welfare safety nets that we all rely on), and are increasingly pushed towards extreme poverty and destitution. Limited access to good immigration advice will increase demand and exacerbate hardship in connected sectors that funders actively support such as children and young people, families, poverty, employment, education, domestic abuse, health, homelessness, criminal justice and strong communities.





- If you fund **work to tackle poverty**, migrant Londoners will be at the sharp end of many of the deprivation statistics;
- If you fund **employment initiatives**, people's right to work will increasingly be an issue for your grantees;
- If you fund **community health projects**, your grantees are likely to be supporting some people who are unable to access healthcare;
- If you fund **homelessness organisations**, over 50% of London's rough sleepers are non-UK nationals;
- If you fund **work with children**, local authorities are currently caring for 1,740 unaccompanied migrant children and are supporting over 3,000 children in families with no recourse to public funds. In some inner London primary schools, 10% of pupils are from families with no recourse to public funds;
- If you fund **race equality**, people of colour are disproportionately represented in groups requiring immigration advice; and immigration and racial justice are inextricably intertwined;
- If you are interested in **funding covid recovery work**, the pandemic has disproportionately impacted migrant communities. Not only do migrants fulfil many key roles that disproportionately exposes them to the risk of infection<sup>3</sup> but the hostile environment also limits many migrants' access to essential support.

Immigration advice is often seen, by funders from all sectors, as separate from all of these other issues because it's also seen as too complex and regulated, and, by some, as too political. But all of these issues are interconnected.

**Access to good immigration advice needs to be embedded into all of our regional and local strategies – on poverty, on decent employment, on supporting children to grow up healthy and confident. All of these intersect with and depend on an effective and sustainable immigration advice sector.**

### THE CHALLENGES FOR IMMIGRATION ADVICE

The immigration system is purposefully designed to be hostile, complex and expensive. The 'hostile environment for migrants' (Immigration Act 2014) limits access to work, housing, health care, and bank accounts for those without status. Staggering increases in fees for citizenship applications are charged by the Home Office, including among the highest children's citizenship fees globally. In 2018, the Windrush scandal erupted into public consciousness where British citizens from the Caribbean who had arrived in the UK before 1973 and made their home here were wrongly denied their right to work or rent, detained and deported, as were their children and grandchildren. With Brexit and the end of the UK's free movement agreement with the EU, Europeans living in London have had to apply for Settled Status. If they fail to do so by the deadline in summer 2021, they face being subject to the hostile environment and not be able to access housing, employment, health and other services. The Home Secretary's New Plan for Immigration, whilst being more liberal for high skilled workers, looks set to make the UK an even more hostile place for people seeking sanctuary.

The demand for immigration advice has increased as a result of the changes in the law and policy, at the same time as most immigration cases were removed from the scope of legal aid. The most recent estimate of demand in London, also published in June 2021 in 'A Huge Gulf: Demand for and Supply of



*Immigration Legal Advice in London*<sup>4</sup>, is in the hundreds of thousands. However, the total supply of immigration advice case work has **reduced to an estimated 4,000-4,500 per year** due to the cuts in access to legal aid and broader impacts of austerity on the sector. There now aren't enough trained immigration advisors to fill vacancies, so simply putting more funds into frontline advice doesn't work unless it is combined with investment into the pipeline of skilled and qualified people into the sector.

### WHAT: THE OPPORTUNITIES FOR FUNDERS TO MAKE A DIFFERENCE

Systemic investment is needed to build a sustainable infrastructure for the sector as well as funding additional frontline advice work, at the same time as influencing the context in which the sector works to reduce future demand and improve decision making. This investment needs to come from a diverse funder base, bringing in funders from all sectors - public, corporate and independent - who are active in the interconnected sectors identified in the 'Why?' section, but who may not have previously funded immigration

advice, to work alongside experienced funders in this field, aligning their efforts, and acting collaboratively where that is most effective.

### Increase access to frontline immigration advice and casework

- Recommendation A: Support grassroots and frontline advice organisations, ensuring the people they support understand how to access their rights and providing crisis support to those who are destitute as a result of their status.
- Recommendation B: Early action – embed immigration advice into community settings and others service such as employment, benefits, housing and health.

### Build strong sector infrastructure and networks

- Recommendation C: Strengthen the pipeline, recruitment and retention of immigration advisors in the sector, taking the cost of workforce development for the sector out of individual organisations.





- Recommendation D: Invest in sector infrastructure to co-ordinate partnerships and networks, ensuring there are no wrong doors, and there is always a pathway to help at the level at which it is needed, and no organisation is a dead end.

#### **HOW: GOOD FUNDER PRACTICE FOR SUPPORTING A RESILIENT AND SUSTAINABLE SECTOR**

Core funding, flexible funding, long term funding, that is applied intelligently drawing on data about demand and supply, and where funders align their efforts and work collaboratively where possible.

#### **OUR NEXT STEPS**

There is the potential to transform the capacity of a skilled, committed and creative sector at a time when many more Londoners will come into contact with the hostile environment. This strategy builds on the expertise and experience of funders who are active in this field and seeks to influence funders who may be new to this field. This is a key moment for all of us to engage, align and collaborate.

#### **Strengthen policy influencing and campaigning**

- Recommendation E: Connect the frontline experience to policy and advocacy through the Justice Together Initiative
- Recommendation F: Build advocates for access to justice by investing in the leadership of people with both lived and technical experience.

# INTRODUCTION

**London Funders is the network for funders and investors in London's civil society.**

**This strategy is a collaborative effort in itself, drawing on London Funders' members and networks, on the expertise of the Greater London Authority, Paul Hamlyn Foundation and numerous other funders, on the vision of Justice Together, and on the practical experience from infrastructure organisations working in the immigration advice sector.**

**The recommendations won't just be taken forward by one of these partners, but by all of us.**

We are the only place that brings together public, private and independent funders to discuss and act on issues facing our city. We're here to enable funders from all sectors to be effective. We're focused on collaboration – convening funders to connect, contribute and cooperate together, to help people across London's communities to live better lives.

This strategy was commissioned by Paul Hamlyn Foundation, on behalf of the Justice Together Initiative (JTI), a long term funder collaboration focused on immigration advice with a mission to build a community of people and organisations with diverse backgrounds, strengths, and experience to transform access to justice in the UK immigration system. The strategy was funded via a grant aligned to JTI by the Greater

London Authority. Note that whilst this strategy has been written for London, many of the recommendations will be relevant for other parts of the UK as well.

This strategy is written for funders who may not already be experts on immigration, asylum and nationality advice and casework (from here on, we'll refer to this spectrum of services simply as 'immigration advice'), but who understand there is a case for engaging with it or are seeking to extend their impact. The strategy points to other publications and resources that contain detailed information for funders interested to know more, in particular, to Jo Wilding, Maureen Mguni and Travis van Isacker's research, 'A Huge Gulf: Demand for and Supply of Immigration Legal Advice in London', also published in June 2021 – this strategy quotes from and builds directly on that detailed mapping and understanding of London's challenges and opportunities

## Our shared vision is a robust and sustainable immigration advice sector that meets the needs of Londoners who do not have the rights and entitlements afforded to British citizens.

This sector is supported by long-term, strategic and intelligent funding, which takes account of the whole system of frontline provision, effective infrastructure, and advocacy for fairer policy-making.

This sector will be able to:

- ensure that high-quality and effective advice, casework and legal support is accessible to Londoners who need to secure their status and move forward in their lives, able to contribute all their talents, ideas and energy to this great city;
- recruit and retain skilled staff in the sector, by managing a pipeline of training and skills;
- partner with grassroots organisations and statutory services, reaching those who need advice urgently and ensuring there is no 'wrong door' or 'dead end'; and
- contribute its experience and expertise to policy-making to build a fairer and more effective immigration system for all.

This strategy sets out:

- **WHY:** makes the case for investing in immigration advice;
- **WHAT:** highlights practical and collaborative opportunities for funding immigration advice; and
- **HOW:** proposes best practice for funders investing in immigration advice.

The responses to the first survey showed that the majority of respondents (52%) had moved to partner with others, with 25% having paused the programmes they had running before Covid-19. Responses to the second survey show that the majority of respondents anticipate having to continue to pivot their strategies or to partner more with others, or that they are planning to persist with the strategy they had before the crisis. A minority expect to continue pausing their strategies.

Whilst this strategy does aim to increase the resources available to the immigration advice sector, we do not assume that funds will move into immigration advice at the expense of investments in other areas to which funders are committed. Rather, this strategy sets out how collective investments over inter-connected areas that impact the lives of Londoners can be used more effectively and efficiently.

The strategy is framed through the following lenses:

- access to justice: this is about people being able to realise rights to which they are legally entitled;
- equity: in the same way that we recognise that each person will require different resources and opportunities to reach an equal outcome, we recognise the diversity of the immigration advice sector and the different resources and opportunities organisations will need, from Black, Asian and Minority Ethnic (BAME<sup>5</sup>) led, grassroots organisations serving very specific populations, to the specialist legal expertise organisations through which individuals can access the full support of the law; and
- anti-racism: immigration advice and racial justice are linked, and we highlight here the connection for funders in their efforts to address both.

We hope that this strategy will enable funders to:

- understand why immigration advice is not a system that sits alone, but is interconnected with all of the issues that they care about and focus on;
- identify a variety of options for how they might engage in this field, in ways that fit their own particular interests and methods of funding;
- coordinate their activity in this field, increasing the effectiveness of the pot of funding available for immigration advice; and
- grow their impact in this field.
- We hope that this strategy contributes to a collaborative, long-term approach to funding immigration advice in London and to reducing the demand for advice

by reforming the system within which it operates, leading to a more sustainable, connected and resilient sector, better equipped to respond to the needs of the Londoners it serves and to improve the environment it works in.

London Funders would add that London is also blessed with a group of committed immigration advice funders who are exceptionally collaborative. The opportunities for funders to make a difference in this field do not need to be identified, they are already there and waiting for you. We hope this strategy makes them both clear and inviting.

This strategy links to:

- The [Justice Together Initiative](#) who will draw on this strategy to develop their work in London;
- The [London Funders Advice Network](#) which brings together social welfare advice funders in London – through which recommendations made here can be embedded; and
- The [Robust Safety Net mission](#) – one of the missions of the London Recovery Board, bringing partners together across sectors to look at advice needs as a whole.

**"London is blessed with brilliant immigration advice organisations, committed people and creative ideas of how to meet the needs. This strategy is an opportunity to support them in doing that."**

Dr Jo Wilding



# CONTEXT: THE CHALLENGES FOR IMMIGRATION ADVICE



**We know that immigration advice can look alarming to funders who are not expert in the field as it is highly regulated. Don't be alarmed!**

**This section gives a summary of the key things you need to know, although we recognise that it has smoothed over much of the complexity. There are plenty of friendly and collaborative funders active in this field who know more of the detail and are happy to guide those who know less.**

We begin with very brief highlights of the policy context in which the sector is working, the estimates of demand for immigration advice, the actual supply of advice and the challenges for the sector.

**The immigration system is purposefully designed to be hostile, complex and expensive.**

In 2012, Theresa May, then Home Secretary, declared plans to make the UK a 'hostile environment for irregular migrants' and introduced measures to limit access to work, housing, health care, and bank accounts for those without status. This new environment included a system of citizen-on-citizen immigration checks (e.g. landlords, employers and health staff being required to see proof of status), in effect, making us all part of the UK's Border Force. The proposals became law via the Immigration Act 2014, and were tightened or expanded under the Immigration Act 2016.

During the last decade, we have also seen:

- The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO), which removed most immigration cases from the scope of legal aid. The number of new cases opened (“matter starts”) fell by over 50% from 2011–12 to 2018–19. The fall has been more dramatic in non-asylum immigration cases (because asylum has remained in scope) – the government’s own analysis compared data in 2012–13 and 2017–18 and found an 85% reduction<sup>6,7</sup>. This resulted in the closure of many specialist services – the number of legal firms taking on immigration cases halved, and significant numbers of civil society organisations closed.
- Staggering increases in fees for citizenship applications charged by the Home Office, including among the highest children’s citizenship fees globally<sup>8</sup>. The Home Office says that the immigration system should be funded by those who benefit from it, despite the fees costing many times more than the cost of processing the application. Migrants are also required to pay the Immigration Health Surcharge, and employers of migrants to pay the

Immigration Skills Charge. In 2012, the government also introduced the 10-year route to settlement, which requires people to pay these high fees every 2.5 years to update their status. This disadvantages people that the Home Office recognises have a long-term right to live in the UK, is a huge challenge for families and a driver of destitution.

- The Windrush scandal, where British citizens from the Caribbean who had arrived in the UK before 1973 and made their home here were wrongly denied their right to work or rent, detained and deported, as were their children and grandchildren. The March 2020 independent *Windrush Lessons Learned Review*<sup>9</sup> concluded that immigration regulations were tightened “with complete disregard for the Windrush generation” and that officials had made “irrational” demands for multiple documents to establish residency rights.
- Brexit, with the end of the UK’s free movement agreement with the EU, Europeans living in London have had to apply for settled, or pre-settled status through the EU Settlement Scheme, without which, like other migrants without status, they will not be able to access housing, employment, health and other services. Not surprisingly, the people least likely to have successfully registered before the June 2021 deadline will be older people (many of whom will have lived here for decades without needing to register), young people in care, disabled people, people with mental health issues, and those who are excluded by digital access or language.
- The Government’s ‘New Plan for Immigration’, announced by the current Home Secretary, Priti Patel, will introduce a regime that is more liberal for highly skilled workers, and for some groups such as Hong Kong residents with overseas UK citizenship but far harsher for



Box one

Immigration	Protection	Nationality
Can include...		
<ul style="list-style-type: none"><li>• Visas</li><li>• Leave to Remain</li><li>• EU Settled Status</li></ul>	<ul style="list-style-type: none"><li>• Asylum</li><li>• Resettlement</li><li>• Trafficking</li><li>• Domestic Abuse</li></ul>	<ul style="list-style-type: none"><li>• British Citizenship</li><li>• Citizenship of a child</li></ul>
Who might need this route?		
<ul style="list-style-type: none"><li>• Students</li><li>• People with an employment offer</li><li>• People applying for a visa as a spouse, partner, or parent</li><li>• People who arrived with a visa and overstayed</li><li>• People from EU countries needing ‘Settled Status’</li><li>• People from Hong Kong seeking a British National (Overseas) visa</li><li>• People who have succeeded in regularising their status, who will be given 30 months’ leave to remain, on a ten-year route to settlement.</li><li>• People who have been given asylum (refugee status) and five year leave to remain</li><li>• Long residence - a child resident for seven years, adult LAWFULLY resident for ten years continuously or 20 years without continuous lawful residence.</li></ul>	<ul style="list-style-type: none"><li>• People who have reached the UK and are applying for asylum</li><li>• People on a ‘family settlement’ route or refugee family reunion programme.</li><li>• People who have been trafficked to the UK</li><li>• People who have leave to remain as a spouse but who leave the relationship as a result of domestic violence</li><li>• People who have been refused leave to remain but not removed – this includes refused asylum seekers who may be destitute</li></ul>	<ul style="list-style-type: none"><li>• Children who were born in the UK to parents without citizenship (who often don’t realise they do not have a right to citizenship until they turn 18).</li><li>• People who are completing the ten-year route to citizenship or indefinite leave to remain– note that they will need to apply every 30 months for ten years.</li></ul>

those deemed ‘low skilled’, for families, and for people seeking asylum. Under the proposed new rules, people arriving in the UK without documents will be removed from the UK, tearing up refugee law in place since the UK signed the UN Refugee Convention in 1951. Together With Refugees<sup>10</sup> estimates that two in every three women and children that the UK would accept as refugees now, would be turned away in future. This is because people who arrive in the UK through unofficial routes, such as in the back of a lorry, with false papers or in a boat, would be considered ‘inadmissible’, because of how they got here, at the same

time as legal routes to asylum are restricted. The UK will have the most hostile environment for people seeking sanctuary in 70 years.

**There is a large gulf between the demand for and the supply of immigration advice and casework in London, despite being the city with by far the largest immigration advice sector in the UK.**

There are many reasons why Londoners might need to seek immigration advice, and many different routes to the solutions they need. Box one above attempts a simple overview of a complex system.



Box two

People on certain eligible visas may also need immigration advice and casework to remove the no recourse to public funds (NRPF) condition attached to their leave to remain in the UK, which excludes people from accessing most welfare benefits and can push people into poverty and destitution. As of 2017, NRPF was applied to 92%<sup>11</sup> of grants of limited leave to remain and was re-applied at each successive renewal of leave.

The demand has increased due to changes in the law and policy.

Dr Jo Wilding's report estimates that the demand for immigration advice is now in the hundreds of thousands, see Box two:

ESTIMATED DEMAND FOR IMMIGRATION ADVICE AND CASEWORK<sup>12</sup> IN LONDON

An unknown number of EU nationals who will not have applied to the EU Settlement Scheme in advance of the 30 June 2021 deadline, and a proportion of the **774,000 people** in London who have been given pre-settled status and need support to upgrade to settled status in due course. At least 282 looked after children and care leavers in the London boroughs have been identified as eligible to apply to the scheme but are yet to apply.

**Hundreds of people** eligible to apply for refugee family reunion per year;

**2276 victims** of trafficking in need of some immigration advice or casework per year;

**397,000 people** are undocumented, of whom at least 238,000 are likely to be eligible to make an application to regularise their status; **more than half of undocumented young people were born in the UK**<sup>13</sup>;

**23,000 individuals** in around **18,500 households** needing to extend their leave in the year from 1 July 2021;

**600 people per year** needing to apply under the domestic violence provisions in the immigration system, plus an unknown number of people who should benefit from these provisions but never access advice and casework;

**Hundreds or thousands** of people at any given time in immigration detention in the detention centres in and around London;

**1,777** non-UK nationals in prison in London, as at December 2020, and an unknown number of people who are neither in prison nor detention but continue to face deportation proceedings.

Box three

OISC Level 1	OISC Level 2	OISC Level 3
What can be offered		
Advice on simple cases, for example advising on leave to enter, leave to remain, nationality and citizenship. For example, getting a visa extension when you have all necessary documents.	Casework on more complex cases, including claims for asylum, getting a visa application decision reviewed and for people being removed or deported.	Advocacy and representation, and all casework up to Tribunal appeals. Some of this work will be covered by Legal Aid. Solicitors & barristers can operate at Level 3.
Non fee-charging capacity in London (from the OISC register)		
61 organisations. Of these, 23 are Citizens Advice offices (all CAB advisers are exempted at Level 1, but are not routinely trained to give immigration advice so, although they are legally permitted to do so, in practice this is likely to be limited). A further 11 are limited to giving advice on the EUSS only.	20 organisations, one of which also does legal aid work. This is just under 30% of the national total.	49 organisations, 17 of whom also do legal aid work. This is over half of the total registered for the whole of the UK. However, not all of these routinely offer Level 3 advice, and a number of these are very small with limited capacity.

WHO CAN GIVE IMMIGRATION ADVICE?

It is a criminal offence to offer immigration legal advice unless either accredited with the Office of the Immigration Services Commissioner (OISC) or exempt by virtue of a professional legal qualification, i.e. solicitors, barristers and chartered legal executives. Both the advisor and the organisation must be accredited.

Box three shows the different levels that OISC registered advisors can operate at, and the numbers of organisations in London qualified at this level.

Non-fee charging provision is not evenly spread across London boroughs, with Havering, Kingston, Richmond and Sutton having no free advice above Level 1.

Note that there are also for-profit, fee-charging organisations. The OISC register at May 2020 included around 260 accredited at Level 1, 56 accredited at Level 2, and 186 accredited at Level 3 in London. Many people who have migrated to the UK are in lower paid and precarious work and are less able to fund their own private advice, so rely on free or low-cost services. We note that it is this group of people that have also been disproportionately impacted by Covid.

However, the total supply of immigration advice case work has reduced to an estimated 4,000-4,500 per year due to the cuts in access to legal aid and broader impacts of austerity on the sector.

**The immigration advice sector in London is highly skilled and committed, but fragile, surviving on limited funding secured via legal aid for asylum and judicial review cases, a handful of foundations, and some sympathetic local authorities.**

Community based, grass roots, non-advice organisations have an important role to play, providing a first point of contact, often trusted, with specific communities. During the covid pandemic, the London Community Response Survey of civil society organisations, carried out by the GLA, identified that, one year after the first lockdown, 39% of community organisations reported an increase in demand from their beneficiaries on immigration issues<sup>14</sup>.

Some of these community organisations may have a Level 1 accreditation, but even without it, they can act as a first point in the journey if they understand that they need to refer on to appropriate legal advice services, and where and how they can do that. These organisations, many of whom will be supported by non-advice funders, are perhaps more part of the immigration advice journey than they realise but their impact is limited by the inability to refer on.

**The biggest gap in the supply is at OISC Level 2 and 3.**

The requirements increase significantly for each OISC level in terms of costs and staff days not just in terms of the training required but also on-going supervision to maintain the accreditation. This means that some organisations may choose not to progress from Level 1. It also takes time to train someone to OISC Level 2 and 3 so organisations need to know they can hold onto the post for more than two years – often a challenge when posts rely on a patchwork of short-term project funding.

**Supply has reduced due to austerity and cuts in Legal Aid**

Before the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO), advice providers were able to offer immigration advice at Level 2 and 3 using Legal Aid. The more straightforward cases helped to fund more complex cases. LASPO removed most immigration cases from the scope of Legal Aid, which is now only available for the most complex immigration cases (immigration bail, domestic violence, trafficking and judicial review) and these cases often require an application for

'Exceptional Case Funding' which legal providers often do not have time to complete. Moreover, the funding often does not cover the amount of work required, and many organisations have withdrawn from offering the service at all. The 'complex cases' are often a result of 'failure demand', i.e. bad practice or poor decisions by the Home Office or poor advice by for-profit immigration solicitors or untrained advisors.

**There aren't enough trained immigration advisors to fill vacancies.**

Jo Wilding's research finds that there is a recruitment crisis in the immigration advice sector. When organisations employ an immigration advisor, they are often creating a gap elsewhere, meaning that funding results in capacity shuffling around rather than increasing.

**The impact of Covid has been far worse on communities which are marginalised, in poor and overcrowded accommodation, in insecure work, and in poor health – many of whom are migrants.**

London's 'Everyone In' provisions for homeless people during the first lockdown not only demonstrated that no issue is insolvable with enough political will, but also has meant that many more Londoners with insecure immigration status have come into contact with service providers and been able to access support. At the same time, more local authorities have funded immigration advice, mostly targeted towards migrant rough sleepers with the support of MHCLG's Rough Sleeping Initiative. In addition, people who would have been moved out of asylum accommodation after receiving their Home Office decision were allowed to stay put during lockdown.



However, we've also seen advice organisations and Law Centres struggle to meet the rising demand, and the court system for immigration tribunal and asylum appeal cases is currently backed up with unheard cases.

**All of this points to a 'tsunami' of demand in the coming year and beyond. But why should funders worry about this? Isn't the challenge too overwhelming? Couldn't we look away and carry on with our own programmes and focuses?**

**"The drop in the supply isn't because advisors chose to leave the sector, it's because organisations could no longer make the service stack up, and this capacity will take time to rebuild."**

Nimrod Ben Cnaan, Law Centres Network



# THE CASE FOR INVESTING IN IMMIGRATION ADVICE



**London's diversity is one of its greatest strengths and a reason why so many of us choose to live here.**

**Just over one third of the UK's migrants live in London<sup>15</sup>, which includes migrants who have lived here for many years and their children who may be born here. Over one third (37%) of Londoners were born outside of the UK<sup>16</sup>, and over half (54%) of Londoners born abroad don't hold a British passport<sup>17</sup>, including many EU citizens who had not, pre-Brexit, felt the need to apply for one.**

The diversity and rapid turnover of London's population presents both opportunities and challenges for funders in terms of understanding and responding to the needs of communities in a way that ensures their funding has real impact.

Not all Londoners have the rights and entitlement afforded to British Citizens. Many people who are making London their home, who were previously free to settle here or were exercising rights to free movement that no longer exist, now need good quality immigration advice to obtain a more secure status to enable them to access work and housing, to vote, to participate fully in society and to move forward in their lives with confidence.

Accurate, timely advice and legal support is a prerequisite to being able to navigate an immigration system that is complex, expensive, and intentionally hostile. Each of the routes set out in Box 1 will require repeated and expensive interactions with the Home Office, especially for those who are on the ten-year route to settlement. A mistake at any point in the process can result in the status being removed. However, accessing good quality immigration advice and legal support in London can be a significant challenge as the supply does not meet the demand.

Londoners who are unable to access the advice that enables them to navigate the immigration system and secure their status are removed from the safety nets that the rest of us hope will catch us when we are in need and will see the impact on their health, their families and their ability to support themselves and live independent lives. Impacts can include increased risk of family breakdown, poor health, poverty, homelessness and destitution. Impacts are harsher on BAME Londoners who will face additional inequalities and structural barriers. There is also a pronounced impact on particular groups with protected characteristics within the Equality Act 2010 including mothers, pregnant women and disabled people.

These are all things that a wide range of funders care about and have a mission to address. The overlap between immigration advice and other areas of social welfare is strong.



But limited access to good immigration advice will increase demand or exacerbate hardship in connected sectors that funders actively support such as children and young people, families, poverty, employment, education, domestic abuse, health, homelessness, criminal justice, strong communities.

In effect, if you are a funder in London, poor access to immigration advice is likely to be impacting on your area of interest, and you can't afford to ignore it. Talk to the organisations you currently fund and ask how many of their beneficiaries have insecure immigration status.

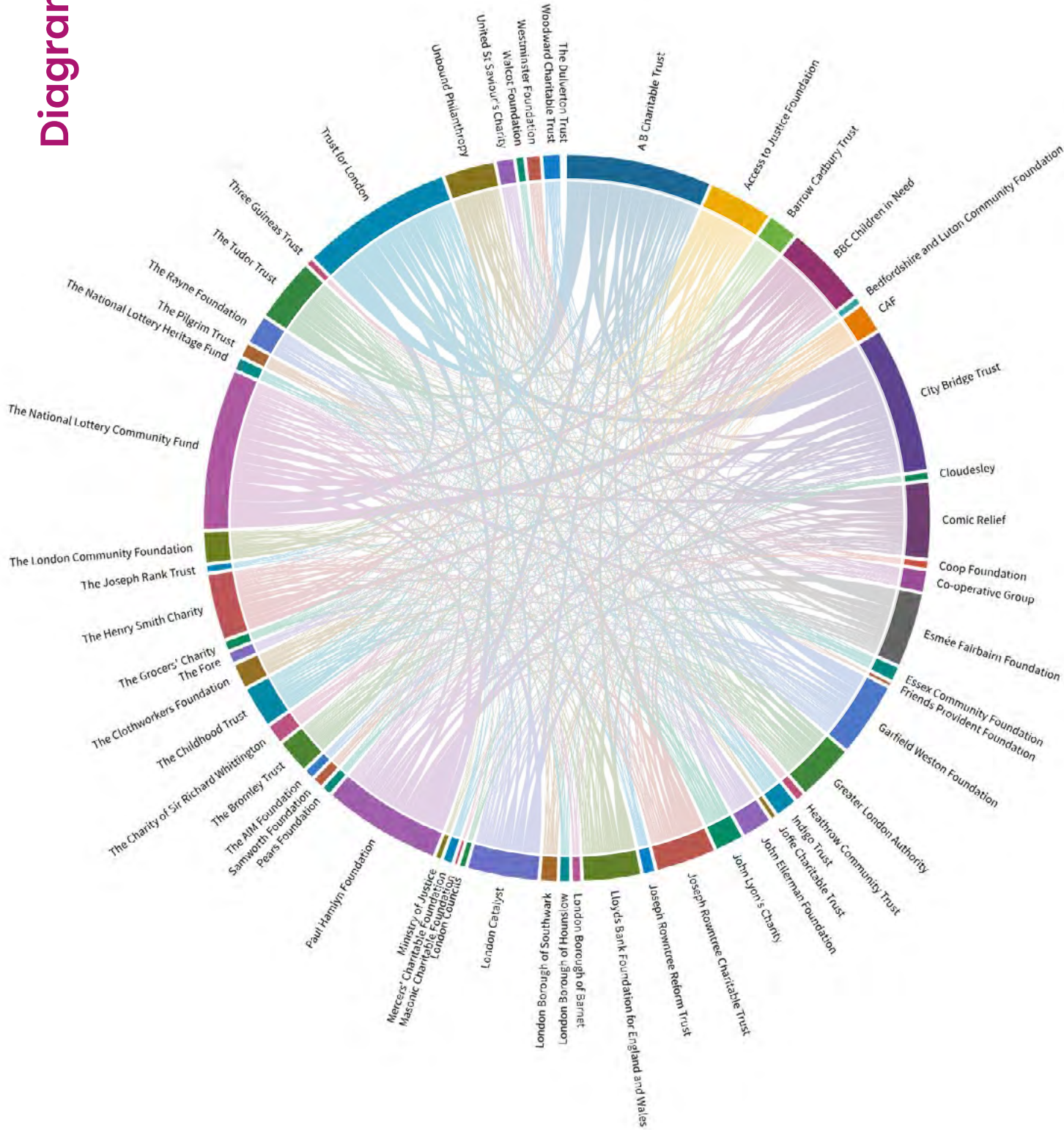
- If you fund **work to tackle poverty**, migrant Londoners will be at the sharp end of many of the deprivation statistics<sup>18</sup>. For example, around 10,000 Londoners resident in the London Borough of Newham, one of London's poorest boroughs, are denied access to the welfare safety net, under the 'no recourse to public funds' policy. This has an associated impact on public services – Newham schools will be unable to claim up to £4.5m of pupil premium as a result<sup>19</sup>.
- If you fund **employment initiatives**, people's right to work will increasingly be an issue for your grantees – the Resolution Foundation notes that migrant workers have played an important role in the UK employment story over the past two decades, accounting for 60% of employment growth. Many (especially from the EU) will have come to London to work - however, despite being more educated than their British peers, they disproportionately fill lower paid and more insecure jobs<sup>20</sup>.

- If you fund **community health projects**, your grantees are likely be supporting some people who are unable to access healthcare. Migrants experience higher prevalence of certain conditions and worse health outcomes than the general population. It is hard to quantify how many people are not eligible for free treatment because the rules are so complex, but over half of the beneficiaries of Doctors of the World's Hospital Access project<sup>21</sup> experienced a delay of over six months in accessing healthcare.
- If you fund **homelessness organisations**, the Combined Homelessness and Information Network quarterly audit of rough sleepers identifies that around 50% of London's rough sleepers are non-UK nationals, and this proportion is increasing year on year.<sup>22</sup>
- If you fund **work with children**, some will also have an immigration status issue. London Councils estimates<sup>23</sup> that local authorities are supporting over 3,000 children in families with no recourse to public funds. Some primary schools in inner London report that up to 10% of their children have NRP status. For children in care, it will be the responsibility of the local authority to resolve this. Some of these will have arrived as unaccompanied migrants – London boroughs look after, at any given time, around 33-43% of the unaccompanied children seeking asylum in the UK, with the highest numbers in Croydon and Hillingdon. The GLA estimates there are currently 1740 unaccompanied children in the care of London boroughs<sup>24</sup>.

- If you fund **race equality**, people of colour are disproportionately represented in groups requiring immigration advice; and immigration and racial justice are inextricably intertwined. Black, Asian and Minority Ethnic Londoners who may have lived here for generations may also feel the effects of the hostile environment as they are more likely to be asked to prove they have the right to access services as a result of racial profiling.
- If you are interested in funding **covid recovery work**, the pandemic has disproportionately impacted migrant communities. Not only do migrants fulfil many key roles that disproportionately exposes them to the risk of infection<sup>25</sup> but the hostile environment also limits many migrants' access to essential support.

Immigration advice is often seen, by funders from all sectors, as separate from all of these other issues because it's also seen as too complex and regulated. But all of these issues are interconnected. Diagram 1 is a data visualisation by 360Giving that shows funders making grants to organisations that have received at least one grant for advice to immigrants in London, even if they were not funding the advice work itself or have not included these terms in the grant descriptions. (You can explore this diagram online which will allow you to zoom in to see more detail and interact to see the individual relationships at <https://public.flourish.studio/visualisation/4911966/>)

Diagram one





Access to good immigration advice needs to be embedded into all of our pan-London and local strategies – on poverty, on decent employment, on supporting children to grow up healthy and confident. All of these intersect with an effective and sustainable immigration advice sector.

**There are things that funders can do now that will make a difference.**

For independent and corporate funders, investing in immigration advice is a great way of using your funds because helping someone to secure their status then unlocks so many other opportunities and a social safety net for them – access to employment, to financial independence, to healthcare, to a stable family life. Local authorities should fund immigration advice, not just because it will save them money in the longer term, but because it has a transformational impact on residents' lives, enabling individuals, families and children to engage in all aspects of life - economic, social and democratic - and to contribute to our boroughs and city.

Does this feel too political for some funders? There are many reasons why people move to the UK, including joining family, taking up work opportunities, or escaping poverty, war and famine, and a poorly administered immigration system has meant that many have fallen foul of the system, becoming unintentionally 'without status'. Windrush illustrated what can happen to a group of people who have lived here for decades, and who were, to all intents and purposes, British citizens, until suddenly they were not. Europeans who have moved to London since the UK joined the EU in the 1970s under free movement rules will find

themselves, from midnight on 30th June 2021, subject to immigration controls – many are still to register. There is often a conception that migrants are people who are newly arriving to the UK, but many of the people we talk about as 'migrants' have lived here for many years (including children who are born here) and they are already embedded within communities.

Immigration issues can be seen by some as politically contested or divisive. However, there are basic principles of access to justice at stake that are cornerstones of British justice and a fair system. The Home Office is always represented in immigration cases - equality of arms and the chance to have a fair hearing are basic principles of an effective and fair system. The state has retreated from its responsibility to provide access to justice, and charitable organisations have stepped in. This has also happened in welfare and family law – immigration is part of a network of areas in which people have been excluded from securing their rights and representing themselves fairly against the state.

Social justice is a space in which funders can and should feel comfortable. Funders can also take comfort in the knowledge that this work is 'charitable' not political, because most providers of free immigration advice are registered charities.



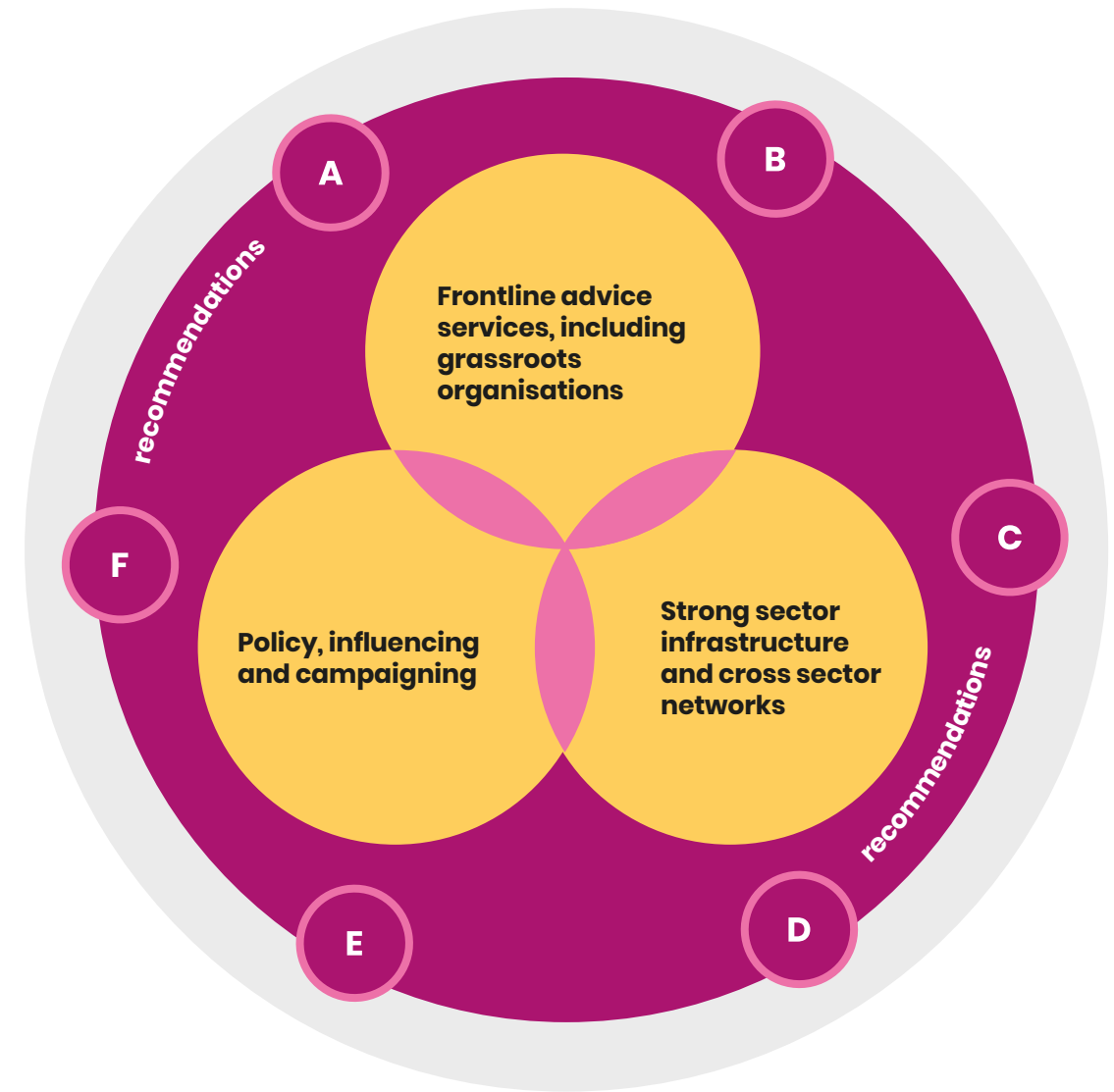
# WHAT: THE OPPORTUNITIES AND PRIORITIES FOR FUNDERS

**The key issue facing the immigration advice sector in London is that there is not enough supply to meet demand, and demand is about to rise significantly as a result of policy changes including Brexit and future Home Office policies.**

**But it's not as simple as just putting more funds into the system. The fact that immigration advice is tightly regulated and the requirement for immigration advisors to be both trained and supervised, means that scaling up to meet demand will take time.**

So what can we do? The good thing is, we also know a lot about what can be done and how, working together, the limited resource available can have more impact. And it can be done in many ways, at many levels, so there is something to fit with a range of approaches to funding.

Diagram two



Systemic investment is needed to build a sustainable infrastructure for the sector as well as funding additional frontline advice work, at the same time as influencing the context in which the sector works to reduce future demand and improve decision making (don't forget, if immigration advice was still in scope of Legal Aid we would be in a much better situation). This investment needs to come from a diverse funder base, bringing in funders from all sectors who are active in the interconnected sectors that we identified in the previous section, but who haven't previously funded immigration advice, to work alongside experienced funders in this field, aligning their efforts, and acting collaboratively where that is most effective.

Using the framework set out above, London Funders held a series of three roundtables with members from across sectors to explore the opportunities in London and to examine priorities for action. On the following pages we set out the those identified as being the most urgent and impactful in the London context.

Note that this section draws on [research](#) by Ceri Hutton and Jane Harris<sup>26</sup> for Paul Hamlyn Foundation and Trust for London which sets out methods of increasing the capacity in the immigration advice sector. We recommend visiting their report for detailed case studies of what works.



RECOMMENDATION A

Support grassroots and frontline advice

Dr. Jo Wilding's report highlights the gulf between demand and supply in London, and it is clear that increasing access to frontline immigration advice is key.

London is lucky to still have organisations who would be able to, with investment, provide crisis support for Londoners in need as a result of their status, help people to understand their rights and build up their capacity to provide high quality advice to ensure they are able to access their rights.

Funders need to think about three levels:

- funding community and grassroots organisations (in the refugee and migrant field but also across a wide range of other fields) to begin their 'access to justice' journey, building up the legal literacy of their workforce to understand when and
- what advice their beneficiaries might need, and establish better local referral pathways. These grassroots organisations can also play a part in ongoing analysis of the immigration advice needs of their communities in order to help plan for future advice needs;
- as highlighted in the earlier section, every London borough currently has some free-to-access OISC Level 1 advice – this basic provision needs to be protected, and organisations supported to develop their capabilities further;
- the key gap is the lack of capacity to deliver casework (at OISC Level 2 and above). Existing provision is precious but precarious and needs to be carefully sustained through longer term funding. This also needs to be considered

Small grants programmes for frontline groups

The GLA has run three rounds of small grants for grassroots organisations in contact with European Londoners, enabling them to outreach to their members, encourage them to apply for settled status, give some basic advice and connect them to more support if needed. These organisations know their communities well (including speaking their language) and were able to reach European Londoners who were facing difficulties. The structure and size of grassroots organisations also means that the GLA developed a close working relationship with the people carrying out the work. This contributed to a two-way exchange where they could report issues and concerns amongst their beneficiaries throughout the lifetime of the grant which the GLA was then able to include in their policy-making and advocacy work.

— Funded by the GLA's Social Integration Team

Metropolitan Migration Foundation

Established with a small endowment from the merger of Refugee Housing with Metropolitan Thames Valley Housing Association, this is the only fund focussed on migrant destitution in the UK. The Foundation provides core funding to provide core funding to charities and law clinics working to provide frontline access to justice for people at risk of destitution, homelessness, exploitation and unlimited immigration detention. The Foundation also influences the wider work of the Housing Association and contributes to promoting positive communications about migration.

— Funded by Metropolitan Thames Valley Housing Association

alongside Recommendation 3, on developing the pipeline of skilled and OISC registered advisors.

Alongside investing in expanding the capacity of frontline organisations to signpost to or to provide immigration advice, the efficiency and accessibility of these services can be increased by:

- funding support teams within advice organisations who can do the administration and billing that frees up the time of the OISC accredited advisor/s;
- ramping up pro bono, enabling commercial lawyers to give immigration advice – there are good partnerships between law firms and advice agencies, but the capacity to scale these is limited by the fact that OISC accredited supervision is required. This links to Recommendation C about the pipeline of skills into the sector;
- considering the role of digital and online information (rather than advice) which helps to increase legal literacy and awareness.

Many local Law Centres produce resources with guidance on people's rights and the steps they need to take to safeguard them – however, these resources require an ongoing commitment because advice goes out of date quickly. The [GLA's migrant hub webpages](#) are a comprehensive resource for people with insecure status and include resources translated into numerous languages;

- building on the innovations developed during the pandemic to deliver advice and casework digitally – it's important that face to face advice is available for the most vulnerable, but there has been an unprecedented shift to digital during the last 15 months which should underpin future practice.

RECOMMENDATION B

Early action – embed immigration advice into community settings and others service such as employment, benefits, housing and health.

Currently, people come into contact with immigration advice when they are at crisis point because early advice has not survived years of austerity, despite the fact that continuing to invest in early action would have prevented some of the demand we are now seeing. Where are people at the start of their journey? What other support are they seeking before they look for immigration advice? What are the other places or services where we might expect to find a high proportion of people with an immigration status issues? Let's get the advice to them there to maximise efficiency and reduce the costs of unpicking poor advice later on

The boxes on this page set out some excellent examples of this kind of joined up thinking.

“People value being listened to early on in their journey, feeling trusted, and trusting the organisation that is supporting them”

Dal Warburton, Advice UK

Funders should also consider:

- building on the shift in funder practice over the last year to prioritise applications from grassroots organisations led by and for the people they support, and considering how to fund emerging, user led and unconstituted groups if we genuinely want to reach people who are undocumented. Funding these organisations requires a level of trust from funders, and is sometimes easier to do in a collaboration where risk is shared. Many of the organisations that support refugees and migrants (although not necessarily providing immigration advice) are run by volunteers with lived experience themselves – they are an essential piece of the jigsaw in services, but need capacity to be able to engage in the networks that we set out in Recommendation D.
- getting advice out to where people are, rather than expecting them to come into specialist organisations – the old ‘advice bus’ model from the 70s was used successfully by the GLA during the campaign for European Londoners to register for settled status, with a #London is Open Bus offering outreach advice with pro bono legal advisors visited community centres and shopping centres around London, and again during the Euro 2021 football tournament when free legal advice was made available at the Football Village outdoor sites during key games between European teams.

Working in A&E to resolve immigration issues

Guy's and St Thomas' Hospitals receive a significant number of homeless patients because of their locations in central London. Alongside complex medical needs, homeless patients often have immigration issues that significantly impact their physical and psychological health. Outreach legal advice from Southwark Law Centre is key to ensuring these patients have support available to them when leaving a hospital to reduce the likelihood of them needing to return.

— *Funded by Guys and St Thomas' Trust Foundation*

Piloting immigration advice in primary schools

Citizens UK and Coram Children's Legal Centre are working together in primary schools to test how a model of parent organising can help families with children with insecure status to understand their rights and how to access help. The parent groups then go on to campaign in their local areas on the issues that matter most to them.

— *Funded by the Citizenship and Integration Initiative (Trust for London)*

Working in hotels during the pandemic to address immigration issues

Hammersmith & Fulham Law Centre delivered a pilot project to maximise access to immigration advice and casework under Legal Aid (including exceptional case funding) for non-UK nationals with immigration needs in GLA hotels during the ‘Everybody In’ period. The pilot focused on providing in depth immigration assessments and applying for Legal Aid for eligible clients. The funding also covered tasks that would not have been funded under Legal Aid, such as time spent on the initial assessments, and filling in applications. It also included regular liaison with the relevant homelessness caseworkers. It ensured that those eligible for Legal Aid could get advice and representation immediately so that they could move-on from the hotels appropriately.

— *Funded by the GLA*

BUILD STRONG SECTOR  
INFRASTRUCTURE AND NETWORKS



**RECOMMENDATION C**  
Strengthen the pipeline, recruitment and retention of immigration advisors in the sector, taking the cost of workforce development for the sector out of individual organisations.

Some infrastructure is already there to do this so there is an opportunity for high return on investment. One key example is The Frontline Immigration Advice Project (see box), which offers a strategic opportunity for doing this, scaling up an approach that has already been successfully piloted.

Funders should also consider:

- covering the costs of chargeable courses for accreditation for organisations they fund through a programme such as FIAP
- funding organisations where advisors aren't yet qualified but the first months of the grant will enable them to trained and

develop advisors and get the right supervision and organisational support in place (rather than expecting the capacity to be there from day one);

- increasing the value of any grant to an advice giving organisations by 10% which can then be invested into training and supervision contracts;
- increasing the length of grants to ensure organisations can make a confident investment in skilling up their staff;
- Law firms who are working on immigration issues, prop bono or otherwise, could also offer OISC 2 supervision to their grantees and other partners.





Salaries and retention also require funder attention – organisations squeeze the hours to pay a higher salary so there are a lot of part-timers in the immigration advice sector. It's a tough job that requires high levels of skill and expertise, dealing with people making life changing decisions, in a deliberately hostile system - what resources the motivation and resilience of an immigration advisor? Grants needs to be large enough to employ advisers with competitive salaries, and consideration needs to be given to career pathways, and opportunities in advice careers such as influencing policy and systems.

### Refugee Action's Frontline Immigration Advice Project

Since 2016, Refugee Action's Frontline Immigration Advice Project (FIAP) has been training and supporting organisations to provide advice to vulnerable migrants.

FIAP trains advisers up to Level 2, helps organisations get OISC registered, and supports the organisational development that will enable good quality advice work. FIAP provides ongoing practice support and an online peer community.

FIAP has supported over 200 organisations across the UK, of whom 40% are in London. It has trained over 1300 students with a 70% pass rate being obtained in OISC assessments. 52 organisations have been supported or gone up in their OISC registration level (22 of those achieving Level 2 or more).

The model is easily scalable with additional investment.

— *Funded by the Paul Hamlyn Foundation, Unbound Philanthropy and AB Charitable Trust*

### RECOMMENDATION D

**Invest in sector infrastructure to co-ordinate partnerships and networks, ensuring there are no wrong doors, and there is always a pathway to help at the level at which it is needed**

If we are to respond to current (and future) levels of unmet demand, we need to connect up resources more effectively, and there needs to be capacity in the system and in organisations to do this. In London there are some networks of lawyers or case workers that are already overstretched but there is no specialist immigration advice infrastructure.

The sector needs time and capacity to develop networks, build partnerships and referral pathways – this isn't a luxury but a necessity. Two key organisations who previously fulfilled this role closed: the Refugee Legal Centre and the BME Advice Network – these are not 'nice to have' but essential for a healthy sector.

It's also important to have infrastructure that works across sectors. If we want to take a systemic approach to change, how can funders best use their connections to bring other parts of the system into the conversation? The GLA has been active in bringing people together to develop shared approaches and practices. London Councils brings together local authorities, who are “providing a hidden welfare state and are not currently funded for this growing pressure, which is only likely to increase”<sup>27</sup>.

We need to network immigration advisors with non-specialist organisations including grassroots community groups, other social

welfare advice agencies and statutory partners (including midwives, health visitors, schools) to improve immigration outcomes. Non-specialist staff and volunteers need to be trained to better signpost, triage and support clients.

The current patchwork of short term funding makes it even more essential that groups of providers are well networked together in order that they can provide a pathway between them – a huge challenge when organisations are operating at the margins of what is possible with the resources available to them.

Make sure every organisation is linked into a network so that no organisation is a dead end for the person seeking advice and legal support with an immigration issue, but that there is always a pathway to help at the level at which it is needed. This should include pulling the expertise to where the trust is rather than sending the person on.

### Praxis and Coram Children's Legal Centre: building networks and referral routes

Praxis is drawing on its expertise of working with non-immigration accredited and grassroots organisations to build their knowledge and capacity to better identify people with immigration issues, and improve their ability to make better referrals to appropriate immigration providers by developing infrastructure that supports collaboration.

The Refugee and Migrant Children's Consortium, a coalition of 50+ organisations working together and hosted by Coram Children's Legal Centre, is testing a range of interventions to improve joined up working, including information-sharing platforms, referral pathway improvements, securing buy-in from firms to take on hard-to-place cases, and pooling referrals from RMCC members together so legal providers receive fewer different communications.

— *Both pilot projects are funded by Paul Hamlyn Foundation with a grant from the Greater London Authority.*



#### Funders should also consider:

- how to use the limited available capacity in the most efficient ways, by developing strategies across organisations which could include referral systems between organisations and peer networks to share skills and expertise.
- investing in building and maintaining systemic networks – grants or contracts need to support organisations at both ends of the system (not just the lead in a consortium) if we genuinely want organisations to develop strong relationships. This can be expensive for funders, which is why collaborative long term action is ideal.
- the opportunity in London generated by Dr Jo Wilding's contemporaneous mapping of demand and supply in the sector means that the current pathways between organisations are clear – how is this intelligence maintained?
- what's the post-covid digital opportunity? There are ideas such as a 'booking system' for immigration advice across organisations. There are tech solutions in other social welfare advice sectors, for example, the partners in [Debt Free London](#) all use the same CMS system so are able to track beneficiary engagement across different providers, and developed in response to covid a new 'FLEX' system enabling people to connect remotely to trained advisors. A tech solution aimed at GP practices enables the patient to book a video appointment which is recorded, and connected to the notes made by the GP enabling the patient to rewatch it back and revisit the notes should they need to – an ideal solution for where the advice-seeker is under stress and the solution may be complex.

#### Council of Sanctuary

In May 2021, Lewisham was recognised as the first 'Council of Sanctuary' in the UK. This builds on collaborative approaches developed by the the Lewisham Migration Forum, (established by the Lewisham Refugee and Migrant Network). The Forum is a space for individuals, communities, businesses, charities, universities, the Council, health providers, and more, to get together and discuss issues, share resources and collaborate on campaigns and initiatives and to make the migrant and refugee sector in the borough stronger and more effective.

— *A Borough of Sanctuary*

#### Supporting local authorities to resolve the immigration issues of children in their care

The GLA has developed a programme of funded activities to develop a resilient and transferrable model for local authority children's services teams to work with children's immigration experts to identify and resolve the immigration and citizenship needs of children and young people in local authority care. The GLA's children in care programme enables local authorities to resolve immigration needs at a time when the deadline for the EU Settlement Scheme is looming and there is scant data available on the numbers of children in care with citizenship and immigration needs. Through partnership working and successful learning from the outcomes of the funded activities, this programme will develop models of practice that can be taken on by local authorities across London and beyond.

— *Funded by the GLA*





**RECOMMENDATION E****Connect the frontline experience to policy and advocacy**

Linking front line delivery to advocacy is essential because systemic issues are often identified and data collected through casework, but it is a challenge when demand is high and organisations are under pressure. The Justice Together Initiative (see text box) funds both frontline, specialist immigration advice and work that influences the immigration system in order to have impact at scale and reduce overall demand for advice. Could funders seek to influence not just the Home Office but also the Office of the Immigration Commissioner, the Legal Aid agency?

Strategic litigation is another option - a key win was the five-year legal challenge and campaign, led by The Children's Society, with Islington Law Centre, Brick Court Chambers and Doughty Street Chambers, that resulted in legal aid being reinstated for separated migrant children. **Funders should consider joining the Justice Together collaboration, in order to make a bigger, more systemic impact.**

**RECOMMENDATION F****Build advocates for access to justice by investing in the leadership of people with both lived and technical experience**

We also have to ensure that immigration advice organisations are able to call on and work with people with the skills and values to engage with communities, develop responsive services and support and influence systems and structures.

We must support people with lived experience of the immigration system to participate or lead in campaigning for a fairer system for all. Organisations such as We Belong, a network of young migrants who campaign for their rights and develop and train new leaders, are able to create a strong counter-narrative to the UK's hostile environment that others can not.

We must also invest in those with the technical legal skills to be great lawyers who can place themselves and the law at the service of the most vulnerable Londoners. This is the aim of the Justice First Fellowship, to ensure that talented lawyers with a deep commitment to social justice are attracted to the profession and supported to complete their training, develop wider skills and networks, and be well placed to forge long and sustainable careers in this area of law.

**Justice Together Initiative**

Justice Together Initiative was launched in 2020 with a decade-long vision, founded by eleven independent funders and informed by two years of research, development and field consultation. Justice Together is funding immigration legal advice; and works to strengthen immigration sector organisations that influence wider change to support the lawful and fair functioning of immigration, nationality and asylum processes.

A priority is to develop stronger connections, partnerships and trust between influencing organisations, lawyers, advice organisations, and grassroots and holistic organisations, and that people with lived experience of the immigration system take a lead in influencing and setting the direction for social change.

— <https://justice-together.org.uk>

**The Justice First Fellowship**

The Justice First Fellowship was established by The Legal Education Foundation in 2014 to support the next generation of specialist social justice lawyers.

The Fellowship is a route to a career using law as a tool for social justice. Fellows undertake a two year fully-funded training contract in a selected specialist social welfare law agency; develop their own project aimed at increasing access to justice and get access to a wider movement of lawyers committed to access to justice.

Funders can partner with TLEF on a cohort of Fellows. A group of funders in London could establish a cohort focused on immigration advice in the capital, providing much needed capacity in the sector whilst also enabling new leaders in the field who will be important advocates for access to justice and the rule of law.

— <https://jff.thelegaleducationfoundation.org/about/about-the-fellowship/>



**This section sets out how funders can engage in immigration advice in a way that enables limited resources to go further and work better, and support resilience and sustainability, based on evidence from the sector and funders about what works, and what organisations need.**

Build your grantees and their networks

For funders not already funding immigration advice	For funders already funding immigration advice
<ul style="list-style-type: none"><li>• Talk to the organisations that you already fund about the intersection of their beneficiaries with immigration issues, and about how they respond to this.</li><li>• Ask organisations if they need to get accredited to provide immigration advice in order to better meet the needs of their beneficiaries</li><li>• Invest in organisation's capacity to network and to partner.</li></ul>	<ul style="list-style-type: none"><li>• Talk to the organisations you already fund about an additional grant for the development of their skills and capacity;</li><li>• Invest in organisations' capacity to network and to partner;</li><li>• Think about the power that you have to bring together and build networks of frontline and specialist organisations;</li><li>• Understand the role that you can play in policy influencing and systemic change.</li></ul>



ACT COLLABORATIVELY

The immigration advice field is rich in collaborative approaches. Why collaborate? Because it reduces the pressure on the sector and it generates learning that can be widely shared. Funders should consider pooling or aligning funds with one of the existing collaborations:

- Investing in the pipeline – e.g. invest in scaling up FIAP
- Investing in long term specialist skills - Justice First Fellowships
- Get involved in Justice Together – to fund both the delivery of frontline advice and its connection to policy, influencing and systemic change.

WHAT FUNDERS ALREADY COLLABORATING CAN DO MORE OF

- Provide data and intelligence in accessible chunks for funders (and Trustees of funders) who are less expert in this field.

- Support new funders by sharing your due diligence and knowledge about organisations in the field.
- Offer to buddy a funder moving into this field for the first time!

CHANGING PRACTICE IN FUNDING

We recognise that this is not a stable sector, and many organisations are stretched to capacity on unstable income streams, just keeping their heads above water.

It's important that any new investment into immigration advice is done in a way that benefits the sector and isn't problematic. We understand that, for example, a funder currently funding homelessness projects may want to restrict any investment in immigration advice only to people that are currently homeless. But asking organisations to report on lots of separate, short term, restricted projects is in effect, compounding the problem. By changing our behaviour



we can work in partnership to develop the security and resilience of the people in the sector, rather than putting them at risk of redundancy every time project funding ends.

- Think about how you commission: recognise the tension between wanting high numbers of outcomes or fewer, better quality numbers delivered in a way that supports the resilience of the people delivering the work you are funding, and the empowerment and confidence of the Londoners for whose benefit you are funding.
- Don't ask for organisations to make up new and innovative projects. Just fund what works.
- Provide core, flexible funding.
- Provide access to organisational development support (via funder plus and other routes) and peer networks.
- Offer longer terms grants – or commitments to long term funding with three-yearly reviews.
- Know what other funding is available, and plan your programmes so that there aren't gaps between different funders' offers.

Allowing key organisations to collapse leads to a loss of trust in funders, and more often than not, requires that organisation are re-invented. So think about sustainability, rather than asking organisations to set out how they will be sustainable when your grant ends.

Stay informed

- Join the Migration Exchange funder network
- Join the London Funders Advice Network

NEXT STEPS

**This strategy has set out how funders can increase the impact of their funding and make a greater difference to the lives of Londoners by investing in immigration advice to prevent demand continuing to grow across a range of other funding areas, and by ensuring the immigration advice sector has the pipeline of skilled employees it requires, is joined up and supported by effective infrastructure, and is able to contribute its expertise to better policy making for a fairer immigration system.**

London Funders will promote this strategy through our regular events and through our [networks](#). Alongside a dedicated Advice Network, which is attended by all of the expert funders and will be a good place for funders who want to connect with peers already active in this field, we will also take this strategy to our Housing and Homelessness Network, our Health Network and our Children and Young Peoples Network.

The London Funders Advice Network has also established a Task and Finish group looking at the pipeline issues for the wider social welfare sector, and is commissioning further research into supporting routes into training, supervision and retention. This group will report in Autumn 2021.

The Justice Together Initiative will launch its London programme in summer 2021, and will be open to new funders pooling or aligning throughout the programme.

The Robust Safety Net Mission runs to 2025 and will continue to work throughout the recovery period.

We want to build relationships across funding sectors, between independent, public and corporate funders, and with the immigration advice sector itself, in the context of a shared vision and shared understanding of the demand and supply in London and how the gulf between them can be strategically addressed. We can see the potential for transformation at a time when many more Londoners will come into contact with the hostile environment and are keen to build on the growing interest of funders to work collaboratively in this area.

Endnotes

1 <https://commonslibrary.parliament.uk/research-briefings/sn06077/>

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3 <https://migrationobservatory.ox.ac.uk/resources/reports/migrants-labour-market-profile-and-the-health-and-economic-impacts-of-the-covid-19-pandemic>

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5 In this strategy, we have used the abbreviation BAME. We recognise the diversity of individual identities and lived experiences, and understand that BAME is an imperfect term that does not fully capture the racial, cultural and ethnic identities of people that experience structural and systematic inequality. London Funders will work with partners from across London's diverse communities to find better language for future publications.

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