

Asylum and Immigration

This work offers legal help to some of the most vulnerable people in our communities. People are granted asylum when they face threats to their lives and liberty that are unacceptable to a civilised society. Many have seen family members killed or imprisoned for political or religious beliefs, suffered torture, rape and other forms of persecution.

Key facts and figures

In April 2004 there were major reforms to asylum and immigration legal aid aimed at targeting expenditure on cases that satisfied the statutory means and merits criteria. These reforms, coupled with the fall in the number of people seeking asylum, resulted in a significant reduction in legal aid expenditure.

YEAR	COSTS
2003/04	£184m
2004/05	£94m
2005/06	£88m
2006/07*	£88m

**Predicted spend*

Part of the reform process included the introduction of accreditation for all those carrying out asylum and immigration legal aid. The accreditation process included an assessment of a candidate's legal knowledge and their drafting and interview skills along with an additional module for those who work in a supervisory capacity.

Another key reform was reducing the Legal Help limit for the initial application stage from £2,000 to the equivalent of 5 hours work (around £280) and £250 for disbursements. At this point solicitor firms and advice agencies have to apply to the LSC for permission to incur additional legal aid expenditure. The LSC also removed the devolved power to grant funding for appeals from most suppliers so that they now have to apply to the LSC for funding.

In April 2005 there were further legal aid reforms following the introduction of the new streamlined appeals process that included retrospective legal aid for 'onwards' appeals. For the first time this meant that solicitor firms and advice agencies were not guaranteed payment for the work that they carried out (other than professional disbursements) and could only submit a claim if they were granted a cost order by the judge. In order to be granted costs, the judge has to agree that at the time that the onward appeal was lodged the case had a 'reasonable prospect of success'.