

CHARITY NUMBER: 328729  
COMPANY NUMBER: 02513874



# ANNUAL REPORT

Trustees Report and Financial Statements  
for the year ended 31 December 2023



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ANNULAR REPORT



ASYLUM AID  
protection from  
persecution

Charity number: 328729  
Company number: 02513874

# CONTENTS

<b>REFERENCE AND ADMINISTRATIVE DETAILS</b>	<b>4</b>
<b>INTRODUCTION TO ASYLUM AID</b>	<b>5</b>
<b>A MESSAGE FROM THE CHIEF EXECUTIVE OFFICER &amp; EXECUTIVE DIRECTOR</b>	<b>6</b>
<b>STRUCTURE, GOVERNANCE AND MANAGEMENT</b>	<b>7</b>
Asylum Aid's Staff & Volunteers: A Community Effort	7
Management and Governance	7
<b>A MESSAGE FROM THE CHAIR OF TRUSTEES</b>	<b>8</b>
<b>ASYLUM AID ACTIVITIES</b>	<b>9</b>
<b>FINANCIAL REVIEW</b>	<b>24</b>
Financial Framework	24
Summary of Results	24
Designated casework in progress fund	24
Migrants' Law Project restricted fund	24
Reserves Policy	25
Risks	26
Subsequent Events and Going Concern	26
Remuneration Policy	26
Fundraising	27
Public Benefit	27
Statement of responsibilities of the Trustees	28
<b>INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF ASYLUM AID</b>	<b>29</b>

# REFERENCE AND ADMINISTRATIVE DETAILS

## TRUSTEES

Elizabeth Mottershaw – Chair  
Sir Nicolas Bratza  
Kat Lorenz  
Yehia Nasr  
Constantine Partasides  
John Scampion – Treasurer  
Ruth Tanner

## MANAGEMENT EXECUTIVES

Alison Pickup – Executive Director  
Gareth Holmes – Group Executive Director of  
Fundraising and Communications  
Anne Muthee – Group Director of Finance and  
Operations (until September 2023)  
Kerry Smith – Chief Executive Officer

**CHARITY NUMBER** 328729  
(registered in England and Wales)

**COMPANY NUMBER** 02513874  
(incorporated in the United Kingdom)

## REGISTERED OFFICE AND OPERATIONAL ADDRESS

Bruges Place  
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London  
NW1 0TF

Derry House  
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London  
NW8 8HJ

## AUDITOR

Sayer Vincent LLP  
Joanna Pittman FCA  
Chartered Accountants & Statutory Auditors  
110 Golden Lane  
London  
EC1Y 0TG

## BANKERS

Co-Operative Bank

# INTRODUCTION TO ASYLUM AID

Asylum Aid is a committed, professional and collaborative organisation dedicated to protecting people from persecution by providing legal representation and access to justice for refugees, people seeking asylum (including children, survivors of trafficking, torture, and gender-based violence, as well as stateless people). It also provides welfare advice to refugees, migrants and other members of the local community in Westminster whose first language is not English. In 2023, we were delighted to be joined by the Migrants' Law Project, a legal representation and public education project promoting the fair treatment and access to justice for migrants, refugees and asylum seekers in the UK.

**Asylum Aid's vision is that all those who come to the UK in need of protection from persecution and other forms of human cruelty obtain it, and are treated fairly and with dignity.**

We know that good quality legal representation is lifesaving for our clients, and that by working together with other charities and organisations, we can help more people. We believe everyone deserves access to protection, and we take on the complex cases that others do not. We collaborate with other organisations to change policies and practices that affect those who have suffered some of the worst forms of inhumanity. We share best practice and seek to build capacity through training, second tier support, and the publication of resources.

## OUR WORK REFLECTS OUR VALUES:

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**Pursuing Excellence:** We strive to be the best we can be in our work. We continuously learn from our clients and share it with others. Our advocacy is rooted in evidence and expertise.

**Courageous:** We advocate bravely for human rights and are not afraid to speak out against injustice. We are courageous in the advice we give, and we persevere in seeking lasting solutions, undaunted by the barriers we encounter and inspired by the bravery of our clients.

**Collaborative:** We proactively seek opportunities for partnerships, for sharing knowledge, and for joint work. We work collaboratively as a team. We listen to our clients and through our advice, we enable them to get the best outcomes.

**Acting with Integrity:** We are honest, open, respectful, and professional in all our dealings with our clients, partners, the Home Office, other government departments, courts and each other. We fight fearlessly without compromising our ethical duties. We are accountable to these values, and we bring our whole selves to our work.

**Promoting Equality:** We believe that all those seeking protection should have equitable access to a fair system and must be treated equally. We are committed to promoting equity, diversity and inclusion within our organisation and in our dealings with our clients, volunteers and partners.

# A MESSAGE FROM THE CHIEF EXECUTIVE OFFICER & EXECUTIVE DIRECTOR

As the second year of working towards our 2022-2024 strategic priorities, 2023 was an exciting year of growth for Asylum Aid. But we also faced challenges from many directions: a government hostile both to our clients and to our work; a crisis in the availability of legal aid representation for people seeking asylum, as a result of years of underfunding and the declining sector; a constant cycle of new and complex legislation that seeks to restrict the right to asylum; and a failing system of accommodation and support for those prohibited from working that leaves many in appalling living conditions and surviving on barely adequate subsistence.

Against this context, we are delighted to share this report, which showcases the real progress that Asylum Aid has made over the last year. We are now in a position to help more people get the protection they need; we have increased our partnerships with others in the sector, improving the advice that those fleeing persecution can get elsewhere; and we have demonstrated leadership and courage in taking forward legal challenges to unfair, unsafe and unworkable policies.

We are particularly proud of our new partnership with the Migrants' Law Project, which joined us in July. This has strengthened our capacity to deliver specialist representation, to enable young refugees to be reunited with families from whom they have been separated during their flight from persecution. Collaboration and engagement have been critical to our successes in a year in which we launched our pilot to build capacity across the UK to deliver specialist advice on asylum, trafficking and human rights cases through training and remote supervision, and partnered with Praxis and Refugee Action on a programme to provide remote supervision across London. We worked consistently with colleagues at the Helen Bamber Foundation to drive much-needed change in policies regarding the huge delays in asylum decision-making and the assessment of age for unaccompanied children.

One of our most notable successes was in our legal challenge to the Rwanda policy, where we were the only charity granted permission to appeal from the High Court. Our legal challenge to the fast-track process adopted by the Home Office for sending people to Rwanda resulted in significant findings by the Court of Appeal about the minimum requirements for a fair procedure, underscoring the importance of effective access to legal advice for those facing removal. Furthermore, the Upper Tribunal agreed to hear our client's case on the systemic delays behind the asylum backlog. Our team's hard work also uncovered a secret policy of denying leave to remain – and with it, stability and security – to recognise survivors of trafficking.

Underpinning this impact is the hard work of our dedicated team. The support of our partners has enabled us to create a more secure financial base for our work, and we continue to focus on professional development, wellbeing and team cohesion to foster sustainability. We are grateful for the fantastic support we have received from you all – funders, corporate partners, members of the public who donated to our Rwanda campaign and sent messages of support, as well as other NGOs and legal professionals with whom we have collaborated. But most of all, we are incredibly proud of what our small, expert and hard-working team has achieved.



**Kerry Smith**  
CEO of Asylum Aid



**Alison Pickup**  
Executive Director of Asylum Aid

# STRUCTURE, GOVERNANCE AND MANAGEMENT

## ASYLUM AID'S STAFF & VOLUNTEERS: A COMMUNITY EFFORT

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2023 was a year of growth for Asylum Aid, as part of our strategy to sustainably increase impact. We started with the full-time equivalent of 11.5 members of staff and ended the year with 20.4 (including 3.8 working as part of the Migrants' Law Project). Our welfare advice service was supported by nine volunteers, who provided interpreting and language support and gateway assessments, and supported a drop-in at our offices in Westminster and a local library. We also recruited volunteers to help with administration for the legal service, and a coordinator for our Ukraine pro bono project.

## MANAGEMENT AND GOVERNANCE

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Asylum Aid is a charity in its own right and a wholly-owned subsidiary of the Helen Bamber Foundation Group. The day-to-day management of the charity is by a Management Group made up of the Group Chief Executive, the Executive Director of Asylum Aid, the Executive Director of HBF Group Fundraising and Communications, and the Director of HBF Group Finance and Operations. The Helen Bamber Foundation Group Finance and Fundraising Committee is composed of Trustees of both Asylum Aid and the Helen Bamber Foundation and includes the Director of Asylum Aid. Management Team members of Asylum Aid and the Helen Bamber Foundation meet at least monthly to provide financial and fundraising, safeguarding and executive oversight.

Asylum Aid has seven Trustees, who meet every quarter. Three of them, including the Chair and Treasurer, also serve on the Helen Bamber Foundation Board to ensure strong governance and joint strategic alignment while ensuring independent decision-making. New Trustees are recruited externally, and their appointment is approved by Asylum Aid's Board of Trustees and the Helen Bamber Foundation Group Board. Asylum Aid Trustees also sat on the HBF Finance and Fundraising Committee and the People and Governance Committee which was created at the end of 2023.

Asylum Aid is a charitable company limited by guarantee, incorporated on 20th June 1990, and registered as a charity on 24th July 1990.

The company was established under a memorandum of association that established the objects and powers of the charitable company, and is governed under its articles of association.

All Trustees give their time voluntarily and receive no benefits from the charity. No expenses were reclaimed from the charity during the year. We are very grateful to our Trustees for their continued support of, and engagement in, Asylum Aid's work.

This report is for the twelve-month period from 1st January 2023 to 31st December 2023.

# A MESSAGE FROM THE CHAIR OF TRUSTEES

In 2023, asylum remained high on the political agenda. The government sought to push forward its Rwanda plan and introduced new, even more draconian, legislation in the Illegal Migration Act, passed by Parliament at the end of July, in pursuit of its goal to “stop the boats”.

Behind the headlines are some of the most vulnerable people who have come to the UK seeking protection, believing this to be a place where human rights are respected. They are expected to navigate a complex and constantly changing system. They experience long delays, during which nothing will seemingly happen, and then a flurry of activity when they are expected to meet short deadlines or risk having their claims treated as “withdrawn”. This is made worse by an increasing crisis in the availability of specialist immigration legal advice and representation under the legal aid system. One study estimates that more than half of people seeking asylum are now unable to find a legal aid lawyer.

In response we have successfully grown Asylum Aid’s capacity to deliver specialist legal representation. In 2023 the legal team provided legal representation to 193 people, while our welfare team helped over 800 people, the vast majority of whom are refugees or have a refugee or migrant background, to navigate the complex welfare and housing system.

We know that we can only ever meet a fraction of the need ourselves. This is why our strategy seeks to increase capacity across the UK, and to influence change in the system. As this annual report shows, in 2023 we made significant strides forward in both of these areas. We delivered our first pilot programme of intensive training and remote supervision of immigration lawyers and caseworkers, and engaged in policy work and strategic litigation across some of the most pressing issues facing our clients: the Rwanda policy, the systemic delays in the asylum system, the unfair process for assessing age, and the challenges of accessing legal advice from remote accommodation sites. Our work challenging the secret policy of denying leave to remain to recognised victims of trafficking will benefit hundreds of people.

We also know that it is only through collaboration that we can make the necessary difference. By bringing the Migrants’ Law Project into Asylum Aid we were able to increase our capacity to deliver expert representation to young refugees seeking family reunion and to undertake strategic legal work. Our partnership with Refugee and Migrant Forum of Essex and London (RAMFEL) enabled us to reach people who are sleeping rough, delivering expert advice to this hard-to-reach population.

I am very proud of all that Asylum Aid has achieved in a challenging year and know that we couldn’t have done it without our supporters, our amazing team, and the volunteers who provide much needed help. There is much more work to be done but we know that through partnerships and collaboration in delivering systemic change we will create a more humane asylum system for all.



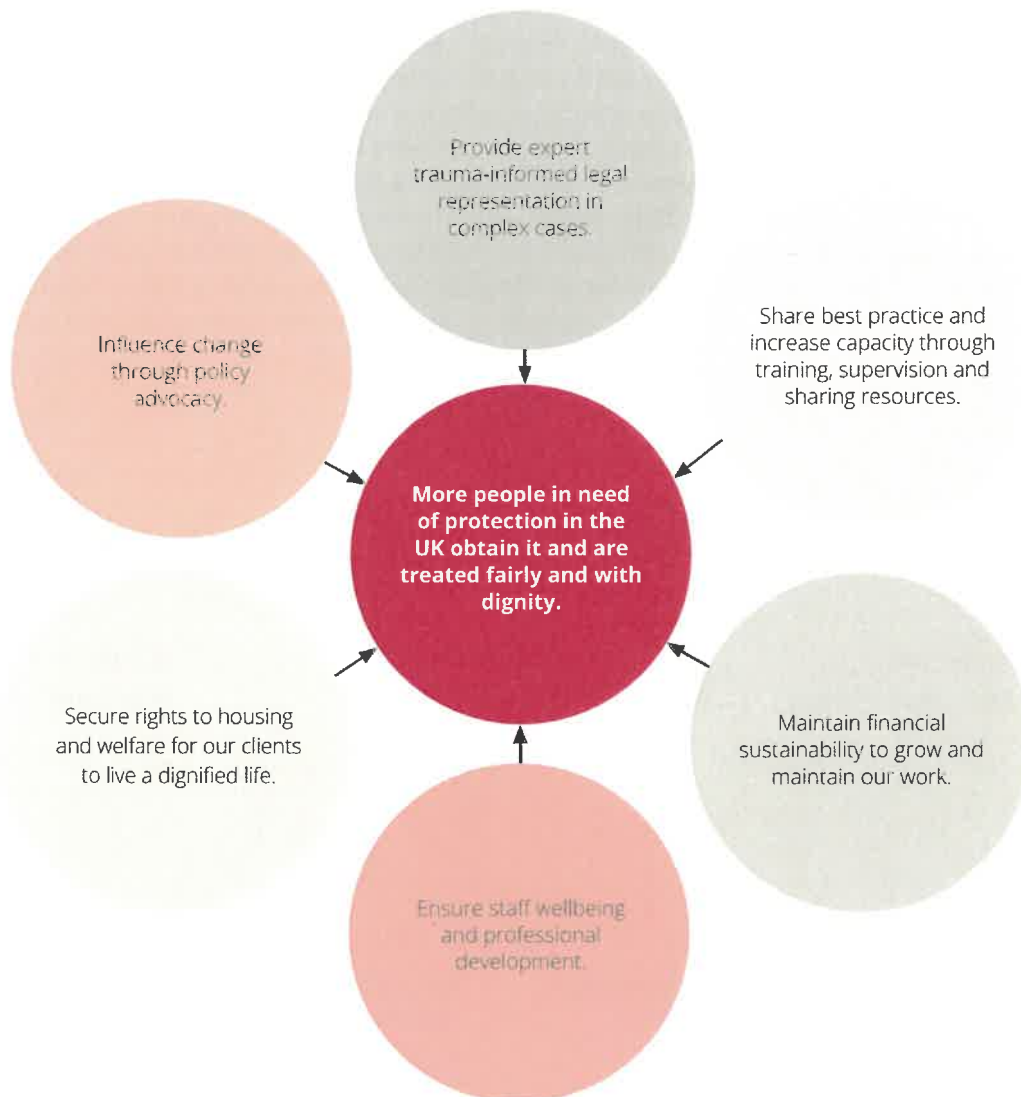
**Elizabeth Mottershaw**  
Chair of Asylum Aid



# ASYLUM AID ACTIVITIES

## OUR MISSION – WHAT WE DO:

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## OBJECTIVES FOR 2022-2024

- Consolidate and grow our capacity to deliver expert advice, direct legal representation, and casework in the most complex cases, enabling more survivors of human cruelty to secure legal status and meaningful protection.
- Working in partnership with others, build capacity across the immigration advice sector to deliver expert advice and representation in complex cases.
- Increase our capacity to engage in policy advocacy and strategic legal work to make the asylum system fair and dignified, and to improve access to effective and quality advice for those seeking protection.
- Achieve financial sustainability, with reserves of between three to six months by 2024.
- Ensure that Asylum Aid is a friendly, inclusive and supportive place to work, in which each member of the team feels valued and able to develop to their full potential.

## I. INCREASING ACCESS TO PROTECTION: OUR CASEWORK



*"Asylum Aid helped put my life together and back on track. They were very kind and proactive in solving my legal troubles, informing me of what my rights are. Now I am living like I am supposed to, in education and work as well."*

We significantly increased our capacity to provide expert advice and representation in 2023, enabling us to take on 85 new clients during the year. As a result of our hard work, 62 of our clients were granted protection during the year. Our approach to increasing our capacity has been to adopt a 'grow your own' model, training and developing new advisers within Asylum Aid. A Justice First Fellowship grant allowed us to offer a two-year training contract to an aspiring solicitor, and a grant from Westminster City Council's cost of living fund enabled the creation of two traineeships for advisers in our welfare advice team. Our former administrator and billing coordinator obtained accreditation as a senior caseworker, and we were able to create a new role for her thanks to our partnership with the Refugee and Migrant Forum of Essex and London (RAMFEL). Finally, we were delighted to welcome the Migrants' Law Project (MLP), which moved to Asylum Aid in July 2023 from their previous home at Islington Law Centre, adding three expert solicitors to our team and allowing us to further expand our capacity to provide expert legal advice and representation.

### IN 2023:



**193 clients**

were provided legal representation.



**62 clients**

were granted protection in 2023.



**85 new clients**

were taken onboard.



**41 clients**

received access to advice through our Ukraine project.



**800+ individuals**

were given advice through our Westminster Advice Services Partnership.



## CHILDREN AND YOUNG PEOPLE

During 2023, around 14% of Asylum Aid's clients were children, and a quarter were young people (aged 18-25), from nationalities such as Eritrea, Albania, Sudan and Afghanistan. 22% of our child clients and 54% of young people were also victims of trafficking. Unaccompanied minors frequently find it difficult to obtain good quality legal representation because their cases are often complex: many involve histories of trafficking or other trauma, and in all cases, they are coping with the strain of family separation. This inevitably requires extra work and time for which payment is usually only received at the closure of their case.

In partnership with Humans for Rights Network, the Helen Bamber Foundation and Garden Court Chambers, we also challenged the lawfulness of the Home Office's age screening process that children seeking asylum undergo upon arrival in the UK. The Home Office has wrongly determined many minors to be adults, placing them at significant risk and denying them their rights. After we successfully challenged these decisions, our clients were taken out of adult hotels and suitably accommodated by local authorities.



### NADIA

In her late teens, Nadia was trafficked from Albania to the UK for the purposes of sexual exploitation under the pretext of providing her employment. When she entered the UK, the Home Office apprehended her. She claimed asylum, initially as a dependent and later in her own right and was referred into the National Referral Mechanism as a potential victim of human trafficking. A children and young people's charity referred her to Asylum Aid for legal advice and representation in relation to her asylum and trafficking claims and helped her successfully apply for asylum support.

We took the time to gain her trust so that she felt comfortable disclosing the full details of what had happened to her. This enabled us to make a strong case for her asylum and trafficking claims, resulting in a positive Conclusive Grounds decision that confirmed her as a recognised victim of trafficking. She could now access wide-ranging welfare support and get discretionary leave to remain while her asylum claim was pending. However, her asylum claim was refused, initially without a right of appeal.

After we challenged that decision through a judicial review, the Home Office accepted to withdraw its decision and reconsider the client's asylum claim. This has also safeguarded the continuity of her discretionary leave to remain as a victim of trafficking while her asylum claim remains pending. Our legal action has ensured that Nadia remains safe from her traffickers and able to pursue her claim for international protection. This case is particularly notable considering the current political climate, in which the UK government has repeatedly claimed that Albania is a safe country, resulting in many Albanian nationals' asylum claims being (wrongly) certified on the basis that their claims are 'clearly unfounded', contrary to the Home Office's relevant policy on recognised female victims of trafficking from Albania.

*All names and images of clients have been changed in this report to protect their identity.*



## SURVIVORS OF TRAFFICKING AND TORTURE

During 2023, 38% of Asylum Aid's clients were survivors of trafficking and/or torture. They often find it difficult to obtain good quality and timely legal representation because of the impact of their experiences on their mental health and the complexity of their cases. We understand that the experience of torture and trafficking can impact survivors' ability to give a coherent and chronological account of their experiences. Due to our partnership with the Helen Bamber Foundation, which developed the Trauma Informed Code of Conduct, our legal team are trained to work in a trauma-informed way with survivors. We obtain medical evidence to document the torture and other abuses that our clients have experienced and support them to access therapy and other support to manage the consequences of their trauma during the asylum process.



### AHMED

As a teenager, Ahmed was abducted by an armed militia in Sudan, held captive and forced to do hard physical labour. They fed him only once a day and kept him tied up with other abducted children at night. Somehow, Ahmed managed to escape and after an extremely onerous journey across North Africa and Europe, he reached the UK and claimed asylum.

Ahmed's troubles were far from over. Upon arrival in the UK, the Home Office incorrectly assessed him to be an adult, based on his appearance. He was placed in shared adult accommodation without effective access to the appropriate healthcare, legal support, education and care that he needed as a traumatised child.

A charity found Ahmed in complete isolation and distress and referred him to Asylum Aid. We took the time and care to build a relationship of trust with him so that he felt safe disclosing his experiences, enabling us to build a strong case for his asylum, trafficking and age-dispute claims. We challenged the incorrect assessment of his age, resulting in the Home Office attributing a better-informed age to him. We secured his transfer from inappropriate Home Office adult accommodation to a safe house that meets his recovery needs as a potential victim of human trafficking. We helped him access welfare support by referring him to services offering specialised mental healthcare, and support accessing welfare benefits.

Ahmed today has refugee status, safe accommodation and a strong support system, and enjoys going to school.



## STATELESS

Stateless people are often invisible. They have no documents, no rights and no state protection, which takes a huge toll on their mental health and denies them a meaningful life. They cannot work, marry, study, open a bank account or drive. If they are given basic state support, they cannot choose where they live or even what they eat. They are especially vulnerable to trafficking and exploitation. Yet it is estimated that statelessness affects over 500,000 people in Europe and millions worldwide. We were instrumental in the development of a statelessness determination procedure in the UK that gives stateless people an opportunity to regularise their status and to ultimately gain citizenship. It was implemented in 2013 and incorporated into Appendix Statelessness on 31st January 2024.

We are one of only two organisations in the UK that specialise in this area of law and we offer free representation, as there is usually no legal aid for applications on grounds of statelessness. During 2023, we represented 26 people in the statelessness procedure. Applications are complex and generally take more than a year to prepare. More than a quarter of our cases are still outstanding more than three years after we started work on the case. Three have been waiting for five years or more. Three of our clients were granted statelessness leave, each of whom we had represented for more than three years.

Our statelessness project is possible because of our partnership with 11 corporate law firms whose lawyers provide their time free of charge. The firms that worked with us in 2023 are: Akin, Ashurst, Cooley, Dentons, Freshfields Bruckhaus Deringer, Morrison & Foerster, O'Melveny, Orrick Herrington & Sutcliffe, Reed Smith, Skadden and White & Case. To prove statelessness, a person must exhaustively try to establish their nationality or right of admission to any relevant country. This takes a lot of detailed work: the teams of lawyers provided by our partners go through huge amounts of evidence, draft letters and representations, and accompany clients to embassies. We are very grateful to them for their work and for the financial support they give to the project.



ALI

Born in Iran, Ali's Iranian mother and Afghani father could not have an official marriage as his father had entered Iran illegally. The law in Iran at the time of Ali's birth did not allow a child to be registered solely by their mother without a marriage certificate. The only identity document Ali had was a card that identified him as an Afghan national with temporary residency status in Tehran. He was expelled from university and often told to "go back to his country". But he had no other country to go back to. He could not get Afghan identity documents as his father had left the family home when he was five, and Ali did not know where he was.

As is the case with many stateless people, discriminatory nationality laws made it impossible for Ali to be accepted in his native country. Ali had no future in Iran because he was not recognised as a citizen, and in 2011 he left. He made asylum claims in the UK on the basis of this discrimination but was unsuccessful as the discrimination did not reach the level of persecution required to qualify as a refugee. His initial claim was made in 2011, prior to the establishment of a Statelessness Determination Procedure in the UK. Ali came to Asylum Aid for advice in 2020 and working with our pro bono partners at Orrick, we made further attempts with both the Iranian and Afghan embassies to establish Ali's right of admission to either country. Asylum Aid was able to instruct an expert on Iranian law and practice to confirm Ali's account. The Red Cross was also instructed to try to trace his father, but was unable to do so.

Ali's application was submitted in 2021. After we repeatedly contacted the Home Office for updates on his case, Ali was finally granted statelessness leave to remain in 2023. He had been in the UK for 12 years with no right to work or move on with his life. He is now able to do so and is currently on an Access to Higher Education course so that he can finally enter university.

Ali says: ***"I sometimes still don't believe that I finally got the status and can do all of this. 12 years of waiting for the status and not being able to do anything was such a long time that all this feels surreal now. I'm really happy that I can finally work, study, travel, and live a normal life, thanks to Asylum Aid."***

## FAMILY REUNION – THE MIGRANTS’ LAW PROJECT

The Migrants’ Law Project (MLP) joined Asylum Aid in July 2023. The MLP is a small, strategic legal project that seeks to protect and promote the rights of asylum seekers, refugees and vulnerable migrants through strategic legal work. This includes direct casework provision to develop strategic legal action, including litigation, interventions and other avenues, as well as capacity-building, including training, supporting policy advocacy and giving one-to-one advice and support to other organisations.

Since joining Asylum Aid, the MLP has continued its work on family reunion for refugees and vulnerable migrants locked out of mainstream family reunion policies. MLP’s clients have had 11 grants of family reunion, and with Safe Passage International and Islington Law Centre, we have been exploring how to use the MLP’s expertise in this area to reunite the families of people trapped in Gaza. We have provided training in partnership with Doughty Street Chambers on family reunion and continue to explore potential strategic legal work to improve process and policy in this area. We have also continued to work with Commons Legal on a project on the criminalisation of young asylum seekers, and hope to release the findings of this work in reports in 2024.



### THE HASSAN FAMILY

The Hassan family, originally from Syria, have been separated for years, torn apart by war. The father and one son live in poverty and fear of deportation in Lebanon, having fled there to avoid being forced to fight in Syria. The mother and younger children live in Syria, while their two oldest boys were sent to England, to avoid being forced conscripts. During their arduous journey to Europe, the boys were separated; both managed to reach the UK but were desperately worried about the safety of the rest of the family.

MLP took on the case to reunite the family, using its expertise in these complex cases. Family reunion cases for those who arrive as children, like the Hassan brothers, are not within the remit of mainstream family reunion rules. Instead, a complex and time-consuming application must be made ‘outside the rules’. This is further complicated by the logistics of preparing witness statements and gathering documentation from multiple countries, which becomes even more challenging when family members are living in war zones. We gathered more evidence of the need to reunite the family for the wellbeing of each member, including statements from the family, reports from psychiatrists and social workers on the impact of separation, and evidence of the risks faced by the family members in Lebanon and Syria. Our knowledge and understanding of the law also helped us to find appropriate precedents to make our case. Although the case was initially refused by the Home Office (as happens routinely in ‘outside the rules’ applications, no matter how strong the application), we appealed, and in 2023, the appeal judge at the immigration tribunal found in our favour. The family were finally reunited in February 2024.



## II. OUR PARTNERSHIPS: BUILDING CAPACITY TO PROVIDE PROTECTION IN COMPLEX CASES

### Increasing capacity through training and remote supervision

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#### JUSTICE TOGETHER INITIATIVE (JTI) PROJECT

We launched our Justice Together Initiative (JTI) Project in 2023 to further our objective of building capacity across the immigration advice sector. This was made possible by a grant from the Justice Together Initiative. As part of the project, we provided training, supervision, and shadowing opportunities to OISC level 2 advisors working at organisations in 'advice deserts' across the UK. The aim of the project is to build advisors' capacity and confidence to take on more complex asylum and human rights casework. They undergo a four-week training programme, have opportunities to shadow experienced caseworkers, and receive 12 weeks of intensive one-on-one supervision from an experienced supervisor at Asylum Aid. Recognising that building capacity is a long-term commitment, the project also creates a permanent peer support network across three cohorts of trainees and works with managers at partner organisations to support wider organisational development. Trainees also benefit from monthly group clinical supervision with a psychologist to support their wellbeing and help them to develop self-care techniques.



*"I feel that this has been a pivotal moment in my career. It's been a total game changer – it's given me confidence, it's given me a network, I feel like I'm part of something. And obviously it's been demanding but the flexibility shown and the support we've had from everybody has allowed it, and made it so worth it."*

**Trainee, 2023 cohort**

#### MIGRANT JUSTICE GREATER LONDON (MJGL) PROJECT

In October 2023, in partnership with Praxis and Refugee Action, we began delivering remote supervision to OISC advisers in London through the Migrant Justice Greater London (MJGL) project, which aims to increase the number of OISC-accredited organisations providing specialist immigration advice across the city. MJGL has connected caseworkers at POMOC, LAWRS, Release, Southwark Day Centre for Asylum Seekers and Sufra with each other through weekly clinics, group training and an in-person networking event.

Asylum Aid and Praxis provide intensive supervision through weekly feedback on file reviews and casework, and formal written feedback to trainees to support their development alongside the project learning plan. MJGL has also provided wider operational support through advice on best practice, organisational operating procedures and running an immigration advice service. Looking ahead, the project hopes to support several of its caseworkers in attaining OSIC L1/L2 accreditation as part of building capacity in the immigration advice sector.

## UKRAINE: A LIFELINE FOR PEOPLE STRANDED IN THE UK

In May 2022, in response to the mass displacement of Ukrainians following the full-scale invasion, we formed the Ukraine Collaborative Pro Bono Project (UCPBP) with commercial law firms DLA Piper, Eversheds Sutherland, Orrick, Herrington & Sutcliffe and White & Case.

Stéphane Gentili of Gentili Stark Solicitors trained, guided and supervised pro bono volunteers from these firms. The UCPBP assisted Ukrainians and their family members in the UK who were unable to return to Ukraine. Between May 2022 and November 2023, **the UCPBP provided advice in 41 cases affecting at least 90 individuals.** With Good Law Project funding an additional asylum and protection caseworker at Asylum Aid, we were also able to provide free specialist legal representation to 14 clients who wanted to pursue an international protection claim. Of the clients assisted by UCPBP and Asylum Aid:

- One Russian family was granted asylum.
- Four Ukrainian families were granted humanitarian protection.
- Another family who had previously fled to Ukraine from Afghanistan were granted indefinite leave to remain.
- Four Ukrainian families were granted leave under the Ukraine Extension Scheme.
- Four Ukrainian families were granted leave under the Ukraine Family Scheme.
- One Ukrainian client was granted in country family reunion.
- One child born in the UK was granted British citizenship and his Ukrainian family granted 30 months' leave to remain.

In November 2023 we took the difficult decision to close the UCPBP. The Home Office's approach to applications under the Ukraine Schemes had become more restrictive, and with cases becoming more complex, and legal aid potentially available, a pro bono project involving non-specialist lawyers was no longer suitable.

### VOLODYMYR

We started representing Volodymyr, his wife and three children in August 2022. They had been in the UK for some years, but their two eldest children were living with their grandmother in Ukraine at the time of the full-scale invasion. Their grandmother helped the children escape Ukraine and get to the UK, where they were reunited with their parents.

However, as the family were not eligible for protection under any of the government's Ukraine schemes, their ability to stay in the UK, safe from the war, was uncertain. We helped Volodymyr apply for humanitarian protection for his family, and then asked the Home Office to make a quick decision, given the family's clear need for protection. Unfortunately, the Home Office refused to expedite their claim, leaving the parents with no certainty about their or their children's future.

During this time, the family were living in privately-rented accommodation, but without the right to work, they could no longer afford it, and the landlord was threatening to evict them. We supported them to get suitable asylum accommodation. As the immigration rules allow some people seeking protection to work after their claim has been pending for over a year, we asked the Home Office to grant Volodymyr permission to work in construction, a job on the shortage occupation list. This was granted, enabling Volodymyr to start providing better support for his family while they waited. The family was eventually granted humanitarian protection, but the Home Office did not inform them until months later, so we sent a pre-action letter challenging the absence of a decision letter. Volodymyr and his family finally have safety and stability, and have made the UK their home.



## Increasing capacity through partnerships

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### TACKLING ROUGH SLEEPING

Since 2022, we have been working in partnership with the Refugee and Migrant Forum of Essex and London (RAMFEL) to provide immigration advice to people sleeping rough or at risk of rough sleeping. Regularising immigration status can be a route out of homelessness as it enables individuals to access accommodation, financial support and vital medical care while their applications are pending. Eventually, by securing their stay, they can access housing, benefits and the labour market.

More than half of the clients referred to us under this partnership have significant mental and/or physical health issues. They often have a history of trafficking, exploitation, abuse or criminal records (often directly or indirectly linked to their lack of an immigration status within the UK). Their cases are often particularly complex, with long histories of rejection by the immigration system, making them especially vulnerable.

Under the partnership with RAMFEL, Asylum Aid takes up to 30 referrals a year to investigate eligibility for legal aid in asylum, humanitarian protection, trafficking, statelessness, and complex human rights cases. If eligible, we provide them with advice and representation on their asylum and immigration matters. **Since the project started in October 2022, we have taken on 25 cases, with three clients securing immigration status to date following our advice.**



An elderly woman from Ghana with complex physical and mental health problems, Joy was trafficked to the UK in 2004 and was exploited in domestic servitude for several years. She has been living on the street since she escaped her traffickers, and has been relying on help from strangers and the church for her basic needs for years. She has no family in the UK and is unable to read or write.

With the help of a friend, she sought help from a law firm in 2021 to make an application to the Home Office for leave to remain in the UK. Despite informing the Home Office about her history of trafficking, her application was rejected, with no action taken to investigate Joy's human trafficking claim and no steps to support or protect her.

In September 2022, Joy claimed asylum, having learned from a stranger that this was an option open to her. Though she again told the Home Office about her experiences of exploitation and abuse in the UK, for a long time it did nothing to investigate her claim and did not, protect or support her, and Joy remained on the streets. Eventually, Joy was referred into the National Referral Mechanism for her human trafficking claim to be considered. However, despite receiving an initial positive decision, the Home Office still did not provide her with any support or accommodation and took no action to protect her, although they were aware of her history of exploitation, vulnerabilities and medical conditions.

When her temporary accommodation was about to end, RAMFEL referred Joy to Asylum Aid. We made urgent representations to the Home Office, asking for Joy to be provided with safe and suitable accommodation and appropriate support. When the Home Office still took no action to safeguard Joy, we informed them that we would make an urgent application for judicial review, challenging their failure to act. As a result, Joy was provided with a safe accommodation and necessary support from the Home Office. She was conclusively recognized as a victim of human trafficking and was granted leave to remain in the UK. With the support of our legal representation, Joy received financial compensation from the Home Office for the breach of her human rights.

## WELFARE ADVICE SERVICES PARTNERSHIP

Our welfare advice team specialises in providing advice to migrant communities in Westminster, many of whom do not have English as a first language. Our advisers and volunteers are multilingual and we work with volunteer community interpreters. In 2023, through a grant we received from the Westminster City Council's cost-of-living fund, we recruited two new trainee advisers, both of whom are local residents and speak community languages including Farsi and Arabic. They receive both theoretical and practical "on the job" training, shadowing and working alongside our expert advisers to increase our capacity to provide support to local residents in Westminster who do not have English as a first language.

### IN 2023:

- Our welfare advice team provided advice to more than 820 individuals through the Westminster Advice Services Partnership.
- More than 90% of those receiving welfare support from Asylum Aid were migrants and/or people of colour, and half had a disability or long-term ill health.
- In 65% of cases, advice was given in a community language, predominantly Arabic (40%), with significant numbers of clients speaking Farsi (14%) or Kurdish (11%).
- Asylum Aid secured more than £545,000 in additional support or reduced debts for its clients.



Sofia, 70, is originally from Latvia and has lived in the UK for nearly 20 years. She had a good life in Latvia with her husband and three children. Unfortunately, after her husband's death, she couldn't cope financially so she came to the UK as a low-skilled agricultural worker. Her son soon joined her, successfully graduated from college and found a good job in London. But her entire life was once again taken away from her when she met with an accident at work and her son was stabbed to death in London.

Completely devastated, she lived in poverty in run-down accommodation in Westminster, which consisted of a tiny room with a small bathroom, a sofa to sleep on and a microwave to cook with. She had no access to laundry, nor a sink to do the dishes. Sofia felt trapped, as the landlord told her that if she left, she would be street homeless, having broken the tenancy agreement.

Despite reaching out to the council and multiple support services, Sofia was unable to access help as she does not speak English, and due to her health issues, she gets confused easily. She was referred to us because of our expertise in working with vulnerable people with complex communication needs. We helped Sofia understand her housing rights and supported her to contact the Department of Environmental Health. A new inspection was carried out, which concluded that her flat was unfit to live in. We found that the council had effectively abandoned her homelessness case. After multiple attempts to progress this with the council, we helped Sofia make a complaint, which was upheld. The council accepted her homelessness application and agreed that there had been numerous failures in her case.

The council placed Sofia in temporary accommodation that meets her health needs while they help her find longer-term housing, and she received compensation for their failure. Today, Sofia says she has the courage to hope again, thanks to our support.

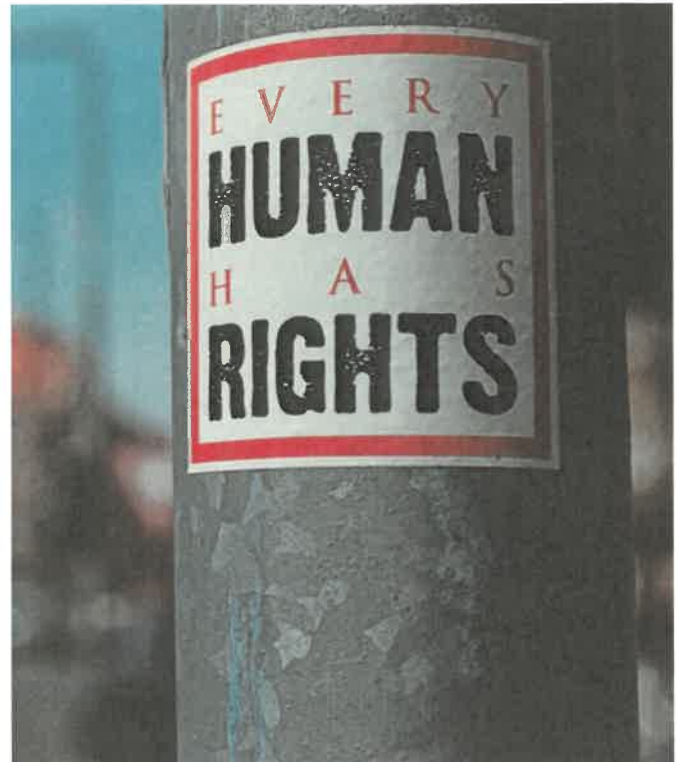
### III. ADDRESSING INJUSTICE IN THE SYSTEM: STRATEGIC LEGAL WORK AND POLICY ADVOCACY

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At Asylum Aid, we know that our work can achieve greater impact if shared beyond those whom we directly help. We have a long history of successful policy change work based on evidence and client testimonies. Our responsibility, and our mission, remains to use the expertise gained through working with clients to encourage others to take on complex cases and to deliver a humane and effective system for individuals seeking refuge and for survivors of trafficking. Our relationship with the Helen Bamber Foundation further amplifies our voice and enables us to draw on the Foundation's expertise in working with survivors of trafficking, torture and other severe human rights violations.

Throughout 2023, we continued to participate in policy influencing forums despite having no dedicated capacity within Asylum Aid for this. We contributed to the work of the Refugee and Migrant Children's Consortium, the Immigration Law Practitioners Association (we co-chair the refugee working group and are active participants in the Strategic Litigation Advisory Committee), and the European Network on Statelessness. We have attended stakeholder meetings with the Home Office on statelessness, decision-making, and children, and have contributed to Ministry of Justice consultations on changes to legal aid and to the Tribunal procedure rules. Going forward, we will develop our systems for monitoring trends in our casework so that we can identify emerging issues and provide robust evidence to support our policy influencing and campaigns.

We also know that we have a lot to share with fellow practitioners from our experience working on complex cases and with survivors. We continue to host the Refugee Legal Group, a Google group with more than 1,500 members that is a vital forum for sharing information and support on legal, policy and practical developments in the field. In 2023, in partnership with the Electronic Immigration Network (EIN) and Doughty Street Chambers, we contributed to a comprehensive update of the Best Practice Guide on Asylum and Human Rights Appeals (published at [www.ein.org.uk](http://www.ein.org.uk)). This included new chapters on remote hearings (developed following a roundtable with practitioners to discuss best practice) and costs in the First-tier Tribunal. We published a comprehensive online guide to the statelessness procedure on our website. We also delivered training to other practitioners, including on delays in the asylum system, inadmissibility procedures, the Illegal Migration Act, and family reunion.



## STRATEGIC LEGAL WORK

We know that sometimes it is necessary to bring litigation to achieve real change for our clients and we want to grow our capacity to do so in a way that makes the best use of our resources to drive system change for the benefit of all those in need of protection in the UK. We also believe in the importance of working collaboratively by sharing information and knowledge with others in the sector to ensure effective deployment of resources.

During 2023, we continued to make progress in this area:

### Rwanda and fair procedure

In December 2022, the High Court dismissed our challenge to the procedure used to decide who to send to Rwanda, as well as upholding the lawfulness of the policy of sending inadmissible asylum seekers to Rwanda under the Migration and Economic Development Partnership. In 2023, we were the only NGO to be granted permission to appeal against the High Court's judgment, arguing that the Home Office's policy was unlawful because it denied asylum seekers a fair chance to make their case against removal. In its June 2023 judgment in our case, the Court of Appeal made important findings about what is necessary for a procedure to operate fairly in the context of removals to a third country. The Court upheld our arguments: that most people need effective access to legal advice in order to make representations against removal; that they should be able to make representations on all aspects of the decision to remove (including the general safety of the destination); and that seven days will not normally be enough time for people to have a fair chance to do these things. The Court of Appeal found that the Home Office could make the procedure operate fairly by adopting and publishing a policy that recognises these minimum requirements and that makes clear that extensions should be granted whenever this is necessary to ensure fairness. We have continued to press the Home Office to adopt and publish such a policy, and to ensure that people have a fair opportunity to put their case against removal.

The Court of Appeal also upheld the case that it would not be lawful to send asylum seekers to Rwanda as, due to systemic deficiencies in the asylum system, people could be sent back from Rwanda to countries where they fear persecution. The Supreme Court upheld that judgment in December 2023 and as a result no-one has yet been sent to Rwanda. The government has now agreed a new Treaty with Rwanda and in April 2024 Parliament adopted the Safety of Rwanda Act declaring Rwanda to be safe. We have been watching the legislative process and implementation of the policy closely and stand ready to uphold the rights of asylum seekers to be treated fairly and with dignity, and to be protected from refoulement.

### Delays in the asylum system

Despite the Prime Minister's commitment to "clear" the backlog of asylum decisions by the end of 2023, delays continued to plague the asylum system. Our clients have been left facing long periods of uncertainty, unable to work, travel, be joined by their family, or get on with their lives. Although the Home Office claimed to have met its target at the end of the year, it did so by focusing resources on applications made before 28 June 2022 (so-called 'legacy' cases), thus creating a new backlog of people who have applied since that date. There are also 4,537 legacy cases, for which no decision had been taken by the end of 2023, and in a large number of cases, the Home Office treated applications as 'impliedly withdrawn', meaning there was no substantive consideration of the case nor any right of appeal. What's worse, we know from colleagues in the sector that many of these 'withdrawal' decisions were deeply unfair – for example, resulting from non-attendance at an interview when the invitation to attend had been sent to an old address.

In 2023, we secured permission from the Upper Tribunal to bring a challenge to the systemic problems underpinning these delays, on behalf of one of our clients who waited more than four years for a decision on his case. We argue that the Home Office has failed to put in place a system to allow it to comply with the requirement (in the Immigration Rules) to take a decision as soon as reasonably practicable, and to provide a (meaningful) timescale on request or if a person has been waiting more than six months for a decision. We provided evidence to the Upper Tribunal about the widespread delays faced by our clients, and the routine problem of providing timescales that are repeatedly not met and appear to have no real basis.

### Secret policy to deny leave to victims of trafficking

In a case brought on behalf of one of our clients, Amar, our public law team uncovered a secret policy under which the Home Office had denied leave to remain to recognised victims of trafficking who were waiting for a decision on their asylum claim.

A young survivor of trafficking and modern slavery from Albania, Amar was enslaved in Albania as a child by a gang who beat his mother, kidnapped him from his family home, forced him to sell drugs, and threatened to kill his family if he refused. Amar eventually managed to flee, and claimed asylum in the UK four years ago as a child.

More than two years later, Amar was recognised as a victim of human trafficking, meaning that he was eligible for discretionary leave to remain while his asylum claim was pending. However, 18 months on, he had still not been granted leave, despite us contacting the Home Office multiple times. For Amar, this was devastating. *"This delay has made me feel hopeless and powerless,"* he said. *"I am unable to move on, and am stuck in the memories of what has happened to me."*

By looking at evidence across our casework and from other practitioners, we discovered that Amar was not alone. The Home Office had denied leave to at least 1,500 survivors of trafficking and modern slavery, leaving them destitute and vulnerable to exploitation. We pursued a judicial review against the Home Office on behalf of Amar. In January 2024, the High Court ruled that the Home Office operated a secret policy to frustrate the right to leave to remain of confirmed victims of trafficking and modern slavery like Amar. It stated that this secret policy only came to light because of Asylum Aid's work in 'diligently' gathering evidence.

As a result of our legal action, Amar has finally been granted discretionary leave to remain – and more than 1,500 people like him can now access their right to safety. He has now been recognised as a refugee following his asylum appeal and can now begin his recovery from trauma.



## IV. ACHIEVING FINANCIAL SUSTAINABILITY

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We seek to maximise the income from our legal aid work while recognising that without substantial increases in the rates paid by the Legal Aid Agency, it will never be enough to meet the costs of delivering our service. With that in mind, we also worked with the fundraising team at the Helen Bamber Foundation to raise funds for our service, and recruited a dedicated Asylum Aid fundraiser, who started in January 2023.

More information about our financial position is provided in the Financial Review below.

## V. A FRIENDLY, INCLUSIVE AND SUPPORTIVE WORK CULTURE

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We know that working with some of the most vulnerable people in the UK asylum system can be extremely challenging and emotionally draining for our team. We aim to provide a friendly, inclusive and supportive environment in which each person who works at, or volunteers for, Asylum Aid can thrive. We prioritise learning and personal development opportunities for our team, aiming to support sustainable careers.

All frontline staff are provided with monthly group clinical supervision with an external psychologist, to support them in processing the difficult aspects of the work. We have regular face-to-face team meetings and one-to-one supervision sessions, as well as making use of technology to facilitate hybrid working. During 2023, we participated in team building and social events with our colleagues at the Helen Bamber Foundation, participated in the London Legal Walk in June, held an away day in July when MLP joined us, and successfully hosted our second Great Legal Quiz in December 2023 to raise money and build our community.

We have invested in developing our team, supporting our billing coordinator to qualify as a senior caseworker, and one of our solicitors to qualify as an accredited legal aid supervisor. We were able to offer our legal administrator a training contract through a Justice First Fellowship and supported two caseworkers to undertake studies for the Solicitors Qualifying Exam. All team members participated in anti-oppression training alongside HBF colleagues in summer 2023, and further training on trauma informed working was provided by the HBF.

## OUR FUTURE

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The success of the Supreme Court's judgment that sending asylum seekers to Rwanda would be unlawful looks likely to be short-lived, with the Safety of Rwanda (Asylum and Immigration) Act stating that Rwanda is in fact safe despite all evidence to the contrary. We continue to work collaboratively with others in the sector to consider what challenges should and can be made to ensure the safety of our clients. We are preparing for the implementation of the Illegal Migration Act and government plans to start removals to Rwanda. In a deliberately feverish political context in which the fate of our clients is frequent headline news, and with a general election in the summer of 2024, there is even greater uncertainty about what the future holds for the protection of refugees and others fleeing serious human rights violations in the UK. The impact upon the mental health of the people we work with cannot be overstated.

At the same time, we are facing unprecedented demand for our services as the immigration legal aid system strains under the impact of long-term underinvestment and excessive bureaucracy, making legal aid practice largely unsustainable for those who depend on legal aid income. Advice deserts are growing, and those few firms that remain are stretched to breaking point. We know that access to expert legal advice can be the key to unlocking legal protection and there is a need for creative solutions to the current crisis.

Our clients are left living in extreme uncertainty about their future, in very poor accommodation and with barely enough money to meet their essential needs. We are seeing increasing numbers held in completely unsuitable large-scale accommodation sites, such as Wethersfield in Essex, as well as the effects of the 'maximisation' policy requiring room sharing with strangers in overcrowded hotels.

Against this extremely challenging policy context, we must maintain a clear-eyed focus on our vision: that those in need of protection from persecution and other serious human cruelty in the UK can obtain it, and be treated fairly and with dignity.

### THEREFORE IN 2024, ASYLUM AID WILL:

- Increase the number of people we help directly, especially survivors of trafficking and torture, children, and stateless people, so that we reach 100 new clients.
- Ensure that good quality legal advice is provided to those in need of protection, including by building partnerships, delivering remote supervision and sharing best practice.
- Develop partnerships to ensure that children and survivors of trafficking and torture who are seeking asylum across the UK, including those held in accommodation centres and detention, have access to high-quality legal representation, both remotely and face-to-face.
- Leverage our evidence and experience to challenge regressive policies that seek to undermine human rights and access to justice, particularly those that aim to deny or delay access to protection for those who seek it here, and to improve the asylum system and national referral mechanism alongside the Helen Bamber Foundation.

# FINANCIAL REVIEW

## FINANCIAL FRAMEWORK

Policies relating to reserves and the need to generate an annual operating surplus together provide a financial framework within which the Helen Bamber Foundation Group, including Asylum Aid, seeks to function.

## SUMMARY OF RESULTS

Asylum Aid has had another successful year in 2023, which ended in a surplus. This is as a result of our fundraising activities as well as increasing income from the Legal Aid Agency for work undertaken, and our ability to respond to urgent situations and take forward new projects and collaborations, including bringing the Migrants' Law Project into Asylum Aid. As we go forward, we need to grow and diversify the income generated for Asylum Aid in order to increase financial stability and maintain our reserves as well as to support the ambitious strategy to increase the impact of Asylum Aid and the Helen Bamber Foundation Group as a whole.

## DESIGNATED CASEWORK IN PROGRESS FUND

Our casework work in progress (WIP) designated fund (£483,240) reflects income recognised in our accounts, but which is an illiquid asset that cannot be relied upon as part of our reserves policy. This has increased by £247,699 during 2023, in part due to the arrival of the Migrants' Law Project (see below) who also hold WIP. We have also increased our Judicial Review work in our Public Law team and had some significant successes leading to inter partes costs orders in our favour, which has led to an increase in our WIP, although the realisation of this income often takes longer. Critically, our ability to realise our legal aid income for advisory and Tribunal work has not been aided by the fact that in the majority of cases, we cannot bill for legal aid work until the case is completed (and even where stage billing is possible, we can only recover fixed fees). This means that delays in Home Office decision-making and in hearing appeals, which have increased during and after the pandemic, have a direct impact on our ability to convert our WIP into cash. As casework is a source of unrestricted income, we show our WIP as a designated fund in order to ensure transparency for our funders that these funds are not a liquid asset that is available to invest in our charitable activities, but rather a helpful indicator of future legal aid income, as well as an indicator that the organisation remains a going concern. For instance, in 2024, we are currently budgeting to bring in £200,000 cash from Legal Aid work, which represents 41% of our total WIP. With a focus on realising income from our casework and no further planned growth to the casework team, we do not currently anticipate the level of WIP to increase substantially during the course of 2024, apart from the work of MLP.

## MIGRANTS' LAW PROJECT RESTRICTED FUND

The Migrants' Law Project (MLP) is a legal representation and public education project promoting the fair treatment and access to justice for migrants, refugees, and asylum seekers in the UK. The MLP was hosted by Islington Law Centre (ILC) until July 2023, at which point it moved to Asylum Aid. MLP is hosted as a separate project within Asylum Aid. Its work is currently focused on supporting young refugees to reunite with their family members.



When Asylum Aid assumed responsibility for the MLP, the ILC made a restricted grant to Asylum Aid, from funds which had been previously donated to MLP while it was at ILC. This grant will help support the running costs of MLP during the first two years after its transfer to Asylum Aid. The ILC also agreed to the transfer of a number of restricted grants, and to pay by way of a restricted grant additional sums equivalent to legal aid and inter partes income received by ILC for work done by the MLP solicitors prior to the transfer of MLP to Asylum Aid. In 2023 the total amount received by way of restricted grant from ILC was £368,462 and Asylum Aid received £30,000 in other grants restricted to MLP after its transfer to Asylum Aid.

MLP has joined Asylum Aid for a trial period of three years. During the trial period Asylum Aid's Trustees have agreed that in addition to the restricted funds mentioned above, 80% of any legal aid income and inter partes costs received by Asylum Aid in respect of work done by the MLP lawyers will be put into a designated fund to be used towards meeting the MLP's running costs and will not be available to Asylum Aid. None of the legal aid cash income received in 2023 falls to be designated in this way, but £44,823 of the increase in the Designated Casework in Progress fund relates to work done by MLP solicitors, 80% of which will be designated to MLP when realised.

Asylum Aid's budgeting assumption is that the funds allocated to MLP will gradually be spent by the project over the next two or three years thus reducing the amounts in the restricted fund.

## RESERVES POLICY

Forming part of our reserves, the unrestricted general fund is the working fund of the charity. Unlike the other funds, it is not restricted or designated for a defined purpose. The unrestricted general fund provides for activities not funded by earned income or restricted funding and for the general administration of the charity. It also provides working capital for operations and helps to provide resources to ensure that the charity is able to continue with its obligations.

Currently our group policy is to maintain an unrestricted general fund of between three and six months of gross expenditure for the next financial year. Asylum Aid joined the Helen Bamber Foundation Group in August 2020 with no reserves or assets. Given the importance of being confident that Asylum Aid can maintain its support to our very vulnerable clients, the Trustees aim to increase the sum in the unrestricted general fund in order to ensure that the minimum level of reserves is met throughout the year by 2024. We are currently on track to achieve this, and in December 2023, Asylum Aid ended the year with an increased reserve level at £257,103 (2022: £229,940).

With the organisational growth taken place during 2023, and planned increases for 2024, the gross expenditure for 2024 is expected to increase by approximately 20%. However, a significant (23%) portion of this relates to the full costs of the MLP, which as detailed above, is fully funded for the next year. When taking into account the restricted funding already secured, the level of unrestricted free reserves continues to represent three months of expenditure cover.

## RISKS

The major risks to which Asylum Aid is exposed, as identified by the Trustees, have been reviewed and systems have been established to mitigate these risks. Among the risks identified, the most significant are considered to be:

- The challenge of ensuring that funds are raised to fill the gap left by the delays in receipt of Legal Aid funding, primarily due to delays in closure of cases, and that activities are planned in order to meet budget requirements.
- The operational strain that can arise from the significant level of demand for the services of the organisation, while at the same time as cases are not being closed, and there is little capacity for new clients.
- Lack of appropriate space for staff to work and meet clients in our current offices impacts upon service delivery and impedes recruitment /growth of the organisation to meet clear needs, as well as the time and resources needed to move into more suitable offices impacting on capacity within the organisation and potentially impacting on reserves.
- The impact of the hostile and external environment including the Illegal Migration Act 2023 and Rwanda plan, together with the ongoing effects of the Nationality and Borders Act 2022 and Home Office accommodation policy, which are causing real anxiety and harm to our clients while also complicating the provision of advice
- The challenging economic context and cost of living crisis mean that even if a change in government following the general election leads to a change in political direction, there is unlikely to be any extra central Government funding for legal advice or to invest in the wider asylum system. These economic impacts will make an already hostile influencing environment more challenging for our clients and therefore for our work more generally.

These risks are mitigated in part through close operational monitoring as well as application of the reserves policy.

## SUBSEQUENT EVENTS AND GOING CONCERN

Although the Home Office sought to clear the existing backlog of asylum cases by the end of 2023, this commitment only related to claims made before June 2022. Home Office policy and delays in the implementation of the Nationality and Borders Act and Illegal Migration Act have led to the creation of new backlogs, while a large number of decisions taken in the latter part of 2023 has overwhelmed the Tribunal system. The Trustees have put in place measures to mitigate the risks to Asylum Aid from the ongoing delays in the closure of cases resulting in delayed receipt of payment from the Legal Aid Agency for work done, by focusing on fundraised income. We have also invested in capacity to ensure prompt and timely billing where possible and with the increase in Judicial Review work undertaken by our Public Law team, we have reviewed our systems to support better realisation of income from the Judicial Review Work In Progress designated fund. Having regard to these steps and the reserves held at the year-end both by Asylum Aid and the Helen Bamber Foundation, the Trustees consider it reasonable to expect that Asylum Aid has adequate resources to continue in operational existence for the foreseeable future. Accordingly, the Trustees continue to adopt the 'going concern' basis in preparing the accounts.

## REMUNERATION POLICY

The objectives of HBF Group's remuneration policy are to:

- Reward staff appropriately and enable the recruitment and retention of high-calibre personnel.
- Ensure the proper use of the charity's resources in accordance with its aims and within affordable limits, based on the financial circumstances of the charity.
- Be non-discriminatory, just and equitable in the evaluation of jobs and their remuneration by providing a stable framework for the remuneration of the team.
- Pay at a competitive level taking account of external market rates - the aim being to set pay around the median level for comparable posts in the voluntary sector, subject to the charity's financial position.
- Operate within the law.

Remuneration is reviewed on an annual basis and agreed by the Board of Trustees. When setting pay levels, the charity gives consideration to external benchmark comparators, changes in the national average earnings index, affordability and other internal and external pressures including recruitment and retention. The policy applies to all staff, including the charity's management team.

## FUNDRAISING

Asylum Aid is supported by the same fundraising team as the Helen Bamber Foundation as part of the group structure. Since January 2023 Asylum Aid has had its own dedicated fundraiser who sits within the Helen Bamber Foundation Group fundraising team. An annual income generation strategy is produced, against which performance is regularly monitored by the senior management and trustees. In 2023, Asylum Aid secured fundraised income of £708,774, part of which was due to the synergy between Asylum Aid and the Helen Bamber Foundation as a group. Asylum Aid's/Helen Bamber Foundation's fundraising approach reflects the principles published on the HBF's website [www.helenbamber.org](http://www.helenbamber.org). The charity's fundraising programme is delivered using internal resources and in 2023 did not involve external professional fundraisers or commercial participators.

Asylum Aid and the Helen Bamber Foundation are registered with the Fundraising Regulator. Registration represents a commitment to the highest standards of practice and ensures that all fundraising activity is open, legal and fair. As a registered participant, Asylum Aid commits to the Regulator's Codes of Fundraising Practice, which is the standard set for fundraisers in the UK. Registered participants also commit to abide by its Fundraising Promise. The Fundraising Promise is based on six key pledges that reflect the core values of respect, honesty, accountability and transparency. HBF Group's strong commitment to recognise sector standards means that the charity is actively working to protect vulnerable people and other members of the public from behaviour which:

- is an unreasonable intrusion on a person's privacy;
- is unreasonably persistent;
- places undue pressure on a person to give money or other property.

Neither Asylum Aid nor the Helen Bamber Foundation have received any complaints with regard to its fundraising activities in 2023.

## PUBLIC BENEFIT

In setting Asylum Aid's objectives and planning its activities, the Board of Trustees has given careful consideration to the Charity Commission's general guidance on public benefit. In particular, the Board of Trustees considers how planned activities will contribute to its stated aims and objectives. The benefits that Asylum Aid brings to those seeking asylum and those already granted refugee status and their dependents are:

- the relief of their conditions of need, hardship or distress (including providing them with legal advice and representation);
- the preservation and protection of their physical and mental health;
- the advancement of their education and training so as to further their rehabilitation and integration within a new community;
- the advancement of public knowledge on the situation of asylum seekers and refugees and on the conditions that give rise to refugee movements, as well as on all issues concerning gross violation of human rights, torture and atrocities and the impact on people who experience such suffering.
- assisting them in other such exclusively charitable ways as the Charity determines from time to time

## STATEMENT OF RESPONSIBILITIES OF THE TRUSTEES

The Trustees (who are also directors of Asylum Aid for the purposes of company law) are responsible for preparing the Trustees' annual report and the financial statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

Company law requires the Trustees to prepare financial statements for each financial year that give a true and fair view of the state of affairs of the charitable company and of the incoming resources and application of resources, including the income and expenditure, of the charitable company for that period. In preparing these financial statements, the Trustees are required to:

- Select suitable accounting policies and then apply them consistently;
- Observe the methods and principles in the Charities SORP;
- Make judgements and estimates that are reasonable and prudent;
- State whether applicable UK Accounting Standards and statements of recommended practice have been followed subject to any material departures disclosed and explained in the finance statements;
- Prepare the finance statements on the going concern basis unless it is inappropriate to presume that the charity will continue in operation.

The Trustees are responsible for keeping adequate accounting records that disclose with reasonable accuracy at any time the financial position of the charitable company and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the charitable company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The Trustees are responsible for the maintenance and integrity of the corporate and financial information included on the charitable company's website. Legislation in the United Kingdom governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

Members of the charity guarantee to contribute an amount not exceeding £1 to the assets of the charity in the event of winding up. The total number of such guarantees at 31 December 2023 was seven. The Trustees are members of the charity, entitling them to voting rights, but they have no beneficial interest in the charity.

These accounts have been prepared in accordance with the provisions applicable to companies subject to the small companies' regime.

The Trustees' annual report has been approved by the Trustees on 11 July 2024 and signed on their behalf by Elizabeth Mottershaw Chair of the Board of Trustees.



# INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF ASYLUM AID

## OPINION

We have audited the financial statements of Asylum Aid (the 'charitable company') for the year ended 31 December 2023 which comprise the statement of financial activities, balance sheet, statement of cash flows and notes to the financial statements, including significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards, including FRS 102 The Financial Reporting Standard applicable in the UK and Republic of Ireland (United Kingdom Generally Accepted Accounting Practice).

In our opinion, the financial statements:

- Give a true and fair view of the state of the charitable company's affairs as at 31 December 2023 and of its incoming resources and application of resources, including its income and expenditure for the year then ended
- Have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice
- Have been prepared in accordance with the requirements of the Companies Act 2006

## BASIS FOR OPINION

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law. Our responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of our report. We are independent of the charitable company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC's Ethical Standard and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

## CONCLUSIONS RELATING TO GOING CONCERN

In auditing the financial statements, we have concluded that the trustees' use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work we have performed, we have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on Asylum Aid's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

Our responsibilities and the responsibilities of the trustees with respect to going concern are described in the relevant sections of this report.

## OTHER INFORMATION

The other information comprises the information included in the trustees' annual report other than the financial statements and our auditor's report thereon. The trustees are responsible for the other information contained within the annual report. Our opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in our report, we do not express any form of assurance conclusion thereon. Our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the course of the audit, or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact.

We have nothing to report in this regard.

## PRIOR YEAR UNAUDITED

The financial statements of Asylum Aid for the year ended 31 December 2022 were unaudited. An independent examination was performed which expressed an unmodified opinion on those statements

## OPINIONS ON OTHER MATTERS PRESCRIBED BY THE COMPANIES ACT 2006

In our opinion, based on the work undertaken in the course of the audit:

- The information given in the trustees' annual report for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- The trustees' annual report has been prepared in accordance with applicable legal requirements.

## MATTERS ON WHICH WE ARE REQUIRED TO REPORT BY EXCEPTION

In the light of the knowledge and understanding of the charitable company and its environment obtained in the course of the audit, we have not identified material misstatements in the trustees' annual report. We have nothing to report in respect of the following matters in relation to which the Companies Act 2006 requires us to report to you if, in our opinion:

- Adequate accounting records have not been kept, or returns adequate for our audit have not been received from branches not visited by us; or
- The financial statements are not in agreement with the accounting records and returns; or
- Certain disclosures of trustees' remuneration specified by law are not made; or
- We have not received all the information and explanations we require for our audit; or
- The directors were not entitled to prepare the financial statements in accordance with the small companies regime and take advantage of the small companies' exemptions in preparing the trustees' annual report and from the requirement to prepare a strategic report.

## RESPONSIBILITIES OF TRUSTEES

As explained more fully in the statement of trustees' responsibilities set out in the trustees' annual report, the trustees (who are also the directors of the charitable company for the purposes of company law) are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the trustees determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the trustees are responsible for assessing the charitable company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the trustees either intend to liquidate the charitable company or to cease operations, or have no realistic alternative but to do so.

## AUDITOR'S RESPONSIBILITIES FOR THE AUDIT OF THE FINANCIAL STATEMENTS

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

Irregularities, including fraud, are instances of non-compliance with laws and regulations. We design procedures in line with our responsibilities, outlined above, to detect material misstatements in respect of irregularities, including fraud. The extent to which our procedures are capable of detecting irregularities, including fraud are set out below.

## CAPABILITY OF THE AUDIT IN DETECTING IRREGULARITIES

In identifying and assessing risks of material misstatement in respect of irregularities, including fraud and non-compliance with laws and regulations, our procedures included the following:

- We enquired of management, and the audit and risk committee, which included obtaining and reviewing supporting documentation, concerning the charity's policies and procedures relating to:
- Identifying, evaluating, and complying with laws and regulations and whether they were aware of any instances of non-compliance;
- Detecting and responding to the risks of fraud and whether they have knowledge of any actual, suspected, or alleged fraud;
- The internal controls established to mitigate risks related to fraud or non-compliance with laws and regulations.
- We inspected the minutes of meetings of those charged with governance.
- We obtained an understanding of the legal and regulatory framework that the charity operates in, focusing on those laws and regulations that had a material effect on the financial statements or that had a fundamental effect on the operations of the charity from our professional and sector experience.
- We communicated applicable laws and regulations throughout the audit team and remained alert to any indications of non-compliance throughout the audit.
- We reviewed any reports made to regulators.
- We reviewed the financial statement disclosures and tested these to supporting documentation to assess compliance with applicable laws and regulations.
- We performed analytical procedures to identify any unusual or unexpected relationships that may indicate risks of material misstatement due to fraud.

- In addressing the risk of fraud through management override of controls, we tested the appropriateness of journal entries and other adjustments, assessed whether the judgements made in making accounting estimates are indicative of a potential bias and tested significant transactions that are unusual or those outside the normal course of business.

Because of the inherent limitations of an audit, there is a risk that we will not detect all irregularities, including those leading to a material misstatement in the financial statements or non-compliance with regulation. This risk increases the more that compliance with a law or regulation is removed from the events and transactions reflected in the financial statements, as we will be less likely to become aware of instances of non-compliance. The risk is also greater regarding irregularities occurring due to fraud rather than error, as fraud involves intentional concealment, forgery, collusion, omission or misrepresentation.

A further description of our responsibilities is available on the Financial Reporting Council's website at: [www.frc.org.uk/auditorsresponsibilities](http://www.frc.org.uk/auditorsresponsibilities). This description forms part of our auditor's report.

## USE OF OUR REPORT

This report is made solely to the charitable company's members as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the charitable company's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the charitable company and the charitable company's members as a body, for our audit work, for this report, or for the opinions we have formed.



Joanna Pittman (Senior statutory auditor)

11 September 2024

for and on behalf of Sayer Vincent LLP, Statutory Auditor  
110 Golden Lane, LONDON, EC1Y 0TG



# Statement of financial activities (incorporating an income and expenditure account)

Company no. 02513874

For the year ended 31 December 2023

	Note	Unrestricted £	Restricted £	2023 Total £	Unrestricted £	Restricted £	2022 Total £
<b>Income from:</b>							
Donations and legacies	2	305,301	403,473	<b>708,774</b>	363,247	277,343	640,590
Charitable activities							
Legal Aid Services	3	155,115	-	<b>155,115</b>	129,157	-	129,157
Other Legal Aid Services (Work in progress)	3	247,699	-	<b>247,699</b>	25,692	-	25,692
Ramfel	3	57,318	-	<b>57,318</b>	26,627	-	26,627
Westminster CAB	3	117,191	-	<b>117,191</b>	61,306	-	61,306
MLP Income	3	-	398,461	<b>398,461</b>	-	-	-
Other income		38,937	-	<b>38,937</b>	-	-	-
<b>Total income</b>		<b>921,561</b>	<b>801,934</b>	<b>1,723,495</b>	<b>606,029</b>	<b>277,343</b>	<b>883,372</b>
<b>Expenditure on:</b>							
Raising funds	4a	46,545	-	<b>46,545</b>	25,856	-	25,856
Charitable activities							
Legal Aid Services/ Westminster CAB		600,154	556,662	<b>1,156,816</b>	366,633	248,010	614,643
<b>Total expenditure</b>		<b>646,699</b>	<b>556,662</b>	<b>1,203,361</b>	<b>392,489</b>	<b>248,010</b>	<b>640,499</b>
<b>Net income for the year and net movement in funds</b>	5	<b>274,862</b>	<b>245,272</b>	<b>520,134</b>	<b>213,540</b>	<b>29,333</b>	<b>242,873</b>
<b>Reconciliation of funds:</b>							
Total funds brought forward		490,481	47,474	<b>537,955</b>	276,941	18,141	295,082
<b>Total funds carried forward</b>		<b>765,343</b>	<b>292,746</b>	<b>1,058,089</b>	<b>490,481</b>	<b>47,474</b>	<b>537,955</b>

All of the above results are derived from continuing activities. There were no other recognised gains or losses other than those stated above. Movements in funds are disclosed in Note 12a to the financial statements.

## Balance sheet

As at 31 December 2023

	Note	£	2023 £	£	2022 £
<b>Fixed assets:</b>					
Tangible assets	8		<u>13,184</u>		<u>2,616</u>
			<b>13,184</b>		<b>2,616</b>
<b>Current assets:</b>					
Work in progress		<b>483,240</b>		235,541	
Debtors	9	<b>76,843</b>		39,829	
Cash at bank and in hand		<u><b>966,018</b></u>		<u>567,084</u>	
		<b>1,526,101</b>		<b>842,454</b>	
<b>Liabilities:</b>					
Creditors: amounts falling due within one year	10	<b>(481,196)</b>		(307,115)	
			<u><b>1,044,905</b></u>		<u>535,339</u>
<b>Net current assets</b>			<b>1,044,905</b>		<b>535,339</b>
<b>Net Assets</b>			<u><b>1,058,089</b></u>		<u><b>537,955</b></u>
<b>The funds of the charity:</b>					
Restricted income funds	11a	<b>292,746</b>	<b>292,746</b>	47,474	47,474
Unrestricted income funds:					
Designated funds (Work in Progress)		<b>483,240</b>		235,541	
Designated- New Premise Fund		<b>25,000</b>		25,000	
General funds		<u><b>257,103</b></u>		<u>229,940</u>	
Total unrestricted funds			<u><b>765,343</b></u>		<u>490,481</u>
<b>Total charity funds</b>			<u><b>1,058,089</b></u>		<u><b>537,955</b></u>

Approved by the trustees on 11 July 2024 and signed on their behalf by



**John Scampion**  
Treasurer

## Statement of cash flows

For the year ended 31 December 2023

	2023	2022
£	£	£
<b>Cash flows from operating activities</b>		
Net income for the year and net movement in funds (as per the statement of financial activities)	520,134	242,873
Depreciation charges	2,554	628
(Increase) / decrease in debtors	(284,713)	(37,710)
(Decrease) / increase in creditors	174,081	107,107
<b>Net cash provided by operating activities</b>	<b>412,056</b>	312,898
<b>Cash flows from investing activities:</b>		
Purchase of fixed assets	(13,122)	(2,312)
<b>Net cash provided by / (used in) investing activities</b>	<b>(13,122)</b>	(2,312)
<b>Change in cash and cash equivalents in the year</b>	<b>398,934</b>	310,587
Cash and cash equivalents at the beginning of the year	567,084	256,497
<b>Cash and cash equivalents at the end of the year</b>	<b>966,018</b>	567,084

### Analysis of cash and cash equivalents and of net debt

	At 1 January 2023	Cash flows	Other non-cash changes	At 31 December 2023
	£	£	£	£
Cash at bank and in hand	567,084	398,934	-	966,018
<b>Total cash and cash equivalents</b>	567,084	398,934	-	966,018

# Notes to the financial statements

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For the year ended 31 December 2023

## 1 Accounting policies

### a) Statutory information

Asylum Aid is a charitable company limited by guarantee and is incorporated in the United Kingdom.

The registered office address and principal place of business is Bruges Place, 15-20 Baynes Street, London, NW1 0TF.

### b) Basis of preparation

The financial statements of the charitable company have been prepared in accordance with the Charities SORP (FRS102) "Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) (effective 1 January 2019)", Financial Reporting Standard 102 "The Financial Reporting Standard applicable in the UK and Republic of Ireland" and the Companies Act 2006.

Key judgements that the charitable company has made which have a significant effect on the accounts include the estimation of the value of the work in progress.

The Trustees do not consider that there are any sources of estimation uncertainty at the reporting date that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next reporting period.

The charitable company meets the definition of a public benefit entity under FRS 102. Assets and liabilities are initially recognised at historical cost or transaction value unless otherwise stated in the relevant accounting policy or note.

As of July 2023, the activities of the Migrant Law Project (MLP) were transferred to Asylum Aid from Islington Law Centre. The transfer included staff working on the project, £200,000 in unrestricted funds to fund the next two years of the project, unspent restricted project funding allocated to the project, and work in progress on project files totalling approximately a further £200,000.

### c) Going concern

The trustees consider that there are no material uncertainties about the charitable company's ability to continue as a going concern due to the ongoing support of the parent company.

### d) Income

Income is recognised when:

- 1) The charity has entitlement to the funds
- 2) Any performance conditions attached to the income have been met
- 3) It is probable that the income will be received
- 4) The amount can be measured reliably.

## **1 Accounting policies (continued)**

Income from government and other grants, whether 'capital' grants or 'revenue' grants, is recognised when the charity has entitlement to the funds, any performance conditions attached to the grants have been met, it is probable that the income will be received and the amount can be measured reliably and is not deferred. Income received in advance for the provision of specified service is deferred until the criteria for income recognition are met.

We recognise work done under the legal aid contract where the criteria for entitlement to payment under the legal aid regulations are met.

### **e) Donations of gifts, services and facilities**

Donated professional services and donated facilities are recognised as income when the charity has control over the item or received the service, any conditions associated with the donation have been met, the receipt of economic benefit from the use by the charity of the item is probable and that economic benefit can be measured reliably. In accordance with the Charities SORP (FRS 102), volunteer time is not recognised so refer to the trustees' annual report for more information about their contribution.

### **f) Interest receivable**

Interest on funds held on deposit is included when receivable and the amount can be measured reliably by the charity; this is normally upon notification of the interest paid or payable by the bank.

### **g) Fund accounting**

Unrestricted funds are available to spend on activities that further any of the purposes of charity. Restricted funds are donations which the donor has specified are to be solely used for particular areas of the charity's work or for specific projects being undertaken by the charity. Designated funds are unrestricted funds earmarked by the trustees for particular purposes.

### **h) Expenditure and irrecoverable VAT**

Expenditure is recognised once there is a legal or constructive obligation to make a payment to a third party, it is probable that settlement will be required and the amount of the obligation can be measured reliably. Expenditure is classified under the following activity headings:

- Costs of raising funds comprise of costs incurred by the charitable company in inducing third parties to make voluntary contributions to it, as well as the cost of any activities with a fundraising purpose.
- Expenditure on charitable activities includes the costs of delivering services and activities undertaken to further the purposes of the charity and their associated support costs.
- Other expenditure represents those items not falling into any other heading.

Irrecoverable VAT is charged as a cost against the activity for which the expenditure was incurred.

## **1 Accounting policies (continued)**

### **i) Allocation of support costs**

Support costs are those functions that assist the work of the charity but do not directly undertake charitable activities. Support costs include office costs, finance, personnel, payroll and governance costs which support the charity's programmes and activities. These costs have been allocated between cost of raising funds and expenditure on charitable activities. The bases on which support costs have been allocated are set out in note 4.

### **j) Tangible fixed assets**

Items of equipment are capitalised where the purchase price exceeds £250. Depreciation is provided at rates calculated to write down the cost of each asset to its estimated residual value over its expected useful life. The depreciation rates in use are as follows:

- Office equipment      25% straight line basis

### **k) Work in progress**

Work in progress is valued at the average hourly rate paid by the Legal Aid Agency less any necessary provisions.

### **l) Debtors**

Trade and other debtors are recognised at the settlement amount due after any trade discount offered. Prepayments are valued at the amount prepaid net of any trade discounts due.

### **m) Cash at bank and in hand**

Cash at bank and cash in hand includes cash and short term highly liquid investments with a short maturity of three months or less from the date of acquisition or opening of the deposit or similar account.

### **n) Creditors and provisions**

Creditors and provisions are recognised where the charity has a present obligation resulting from a past event that will probably result in the transfer of funds to a third party and the amount due to settle the obligation can be measured or estimated reliably. Creditors and provisions are normally recognised at their settlement amount after allowing for any trade discounts due.

### **o) Pensions**

Employees of the charity are entitled to join the Pensions Trust Pension Scheme which is funded by contributions from employees and the charity as employer. The pension charge recorded in these accounts is the amount of contributions payable in the accounting year.

## 2 Income from donations and grants

	Unrestricted £	Restricted £	2023 Total £	2022 Total £
<b>Donations</b>				
Individual donations	100,547	-	<b>100,547</b>	54,804
Corporate donations	52,150	107,000	<b>159,150</b>	99,000
Helen Bamber Foundation	-	-	-	75,786
Legacies	-	-	-	47,266
<b>Grants</b>				
Access to Justice Foundation Funder Plus Scheme	-	-	-	12,196
iLPA	-	30,000	<b>30,000</b>	19,005
The Legal Education Foundation	-	46,000	<b>46,000</b>	-
Joseph Rowntree Foundation	-	10,000	<b>10,000</b>	-
London Legal Support Trust	-	-	-	11,228
Trust for London (Statelessness)	-	17,920	<b>17,920</b>	22,730
National Lottery Community Fund	-	9,653	<b>9,653</b>	-
BNP Paribas	-	-	-	20,000
Disrupt Foundation	50,000	-	<b>50,000</b>	50,000
Unbound Philanthropy	25,000	-	<b>25,000</b>	30,000
Open Society Foundation	40,000	40,000	<b>80,000</b>	36,154
Good Law Ltd	-	29,040	<b>29,040</b>	17,649
Samworth Foundation	-	-	-	65,000
Choose Love	-	-	-	8,000
Justice Platform	-	88,860	<b>88,860</b>	20,454
Anonymous	36,500	25,000	<b>61,500</b>	35,000
Other	1,104	-	<b>1,104</b>	16,317
	<b>305,301</b>	<b>403,473</b>	<b>708,774</b>	<b>640,590</b>

2022 Unrestricted £363,247. Restricted £277,343)

### 3 Income from charitable activities

	Unrestricted £	Restricted £	2023 Total £	2022 Total £
Legal Aid Claims	155,115	-	155,115	129,157
	155,115	-	155,115	129,157
Other Legal Aid Claims Work in Progress	247,699	-	247,699	25,692
	<b>247,699</b>	-	<b>247,699</b>	<b>25,692</b>
Ramfel	57,318	-	57,318	26,627
	57,318	-	57,318	26,627
Westminster CAB Project	117,191	-	117,191	61,306
	117,191	-	117,191	61,306
MLP Income	-	398,461	398,461	-
	-	398,461	398,461	-
<b>Total income from charitable activities</b>	<b>577,323</b>	<b>398,461</b>	<b>975,784</b>	<b>242,782</b>

(2022 Unrestricted £242,782)



#### 4a Analysis of expenditure (current year)

	Basis of allocation	Charitable activities				2023 Total £	2022 Total £
		Raising funds £	Legal Aid Services £	Governance costs £	Support costs £		
Staff costs (Note 6)	Staff time	34,984	693,005	19,250	31,212	<b>778,451</b>	465,276
Direct costs	Direct	2,354	288,877	-	-	<b>291,231</b>	101,352
Premises costs	Staff time	-	-	-	39,325	<b>39,325</b>	18,227
Staff recruitment/ training	Staff time	-	-	-	15,414	<b>15,414</b>	10,752
Office costs/comms	Staff time	-	-	808	64,778	<b>65,586</b>	40,663
Depreciation	Staff time	-	-	-	2,554	<b>2,554</b>	628
Audit & Accountancy fees	Staff time	-	-	10,800	-	<b>10,800</b>	3,600
		<b>37,338</b>	<b>981,882</b>	<b>30,858</b>	<b>153,283</b>	<b>1,203,361</b>	640,499
		-	-	-	-	-	-
Support costs		7,664	145,619	-	(153,283)	-	-
		-	-	-	-	-	-
Governance costs		1,543	29,315	(30,858)	-	-	-
		-	-	-	-	-	-
<b>Total expenditure 2023</b>		<b>46,545</b>	<b>1,156,816</b>	<b>-</b>	<b>-</b>	<b>1,203,361</b>	
Total expenditure 2022		<b>25,768</b>	<b>614,731</b>	<b>-</b>	<b>-</b>		640,499

#### 4b Analysis of expenditure (prior year)

	Basis of allocation	Charitable activities				2022 Total £
		Raising funds £	Legal Aid Services £	Governance costs £	Support costs £	
Staff costs (Note 6)	Staff time	19,542	395,086	17,865	32,783	<b>465,276</b>
Direct costs	Direct	-	101,352	-	-	<b>101,352</b>
Premises costs	Staff time	-	-	-	18,227	<b>18,227</b>
Staff recruitment/ training	Staff time	-	-	-	10,752	<b>10,752</b>
Office costs/comms	Staff time	-	-	-	40,663.03	<b>40,663</b>
Depreciation	Staff time	-	-	-	628	<b>628</b>
Audit & Accountancy fees	Staff time	-	-	3,600	-	<b>3,600</b>
		<b>19,542</b>	<b>496,439</b>	<b>21,465</b>	<b>103,053</b>	<b>640,499</b>
Support costs		5,153	97,901	-	(103,053)	-
Governance costs		1,073	20,391	(21,465)	-	-
<b>Total expenditure 2022</b>		<b>25,768</b>	<b>614,731</b>	<b>-</b>	<b>-</b>	<b>640,499</b>

## 5 Net income for the year

This is stated after charging:

	2023	2022
	£	£
Depreciation	2,554	628
Auditor's remuneration:		
Audit fees	9,000	-
Independent examination	-	3,600

## 6 Analysis of staff costs, trustee remuneration and expenses, and the cost of key management personnel

Staff costs were as follows:

	2023	2022
	£	£
Salaries and wages	686,357	408,389
Social security costs	64,707	40,260
Employer's contribution to defined contribution pension schemes	27,387	16,626
	<b>778,451</b>	<b>465,276</b>

One employee received employee benefits (excluding employer pension and employer's national insurance (of between £60,000 and £70,000). (2022: one)

The total employee benefits including pension contributions of the key management personnel were £111,961 (2022: £113,179).

The charity trustees were not paid or received any benefits from employment with the Trust in the period (2022: £nil) neither were they reimbursed expenses during the period (2022: £nil). No charity trustee received payment for professional or other services supplied to the charity (2022: £nil).

### Staff numbers

The average number of employees (head count based on number of staff employed) during the period was as follows:

	2023	2022
	No.	No.
Raising funds	2	4
Charitable activity	20	20
Governance	2	4
	<b>24</b>	<b>28</b>

## 7 Taxation

The charitable company is exempt from corporation tax as all its income is charitable and is applied for charitable purposes.

## 8 Tangible fixed assets

<b>Cost</b>	Office equipment £	<b>Total £</b>
At the start of the year	3,669	<b>3,669</b>
Additions in year	13,122	<b>13,122</b>
At the end of the year	16,791	<b>16,791</b>
<b>Depreciation</b>		
At the start of the year	1,052	<b>1,052</b>
Charge for the year	2,554	<b>2,554</b>
At the end of the year	3,606	<b>3,606</b>
<b>Net book value</b>		
<b>At the end of the year</b>	13,184	<b>13,184</b>
At the start of the year	2,616	<b>2,616</b>

All of the above assets are used for charitable purposes.

## 9 Debtors

	2023 £	2022 £
Trade debtors	56,795	30,653
Other debtors	385	3,995
Prepayments	9,663	5,180
Accrued income	10,000	-
	<b>76,843</b>	<b>39,829</b>

## 10 Creditors: amounts falling due within one year

	2023 £	2022 £
Trade creditors	12,034	22,906
Taxation and social security	19,289	10,290
Other creditors	25,948	67,364
Amounts owed to Helen Bamber Foundation	65,095	72,416
Accruals	40,219	65,078
Deferred income	318,611	69,061
	<b>481,196</b>	<b>307,115</b>

### Deferred income

	2023 £	2022 £
Balance at the beginning of the year	69,061	-
Amount released to income in the year	(69,061)	-
Amount deferred in the year	318,611	69,061
Balance at the end of the year	<b>318,611</b>	<b>69,061</b>

Deferred income comprises grants received from Corporates and Trusts and foundations in the current year which relate to a future period. It also contains the Migrant Law Project grant which will fund that project until July 2025.

## 11a Analysis of group net assets between funds (current year)

	General unrestricted £	Designated £	Restricted funds £	Total funds £
Tangible fixed assets	13,184	-	-	13,184
Net current assets	243,919	508,240	292,746	1,044,905
<b>Net assets at 31 December 2023</b>	<b>257,103</b>	<b>508,240</b>	<b>292,746</b>	<b>1,058,089</b>

## 11b Analysis of group net assets between funds (prior year)

	General unrestricted £	Designated £	Restricted funds £	Total funds £
Tangible fixed assets	2,616	-	-	2,616
Net current assets	227,324	260,541	47,474	535,339
<b>Net assets at 31 December 2022</b>	<b>229,940</b>	<b>260,541</b>	<b>47,474</b>	<b>537,955</b>

## 12a Movements in funds (current year)

	At 1 January 2023 £	Income & gains £	Expenditure & losses £	Transfers £	Total funds £
<b>Restricted funds:</b>					
Legal Aid Services	47,474	404,134	372,320	-	79,288
Migrants' Law Project	-	397,800	184,342	-	213,458
<b>Total restricted funds</b>	<b>47,474</b>	<b>801,934</b>	<b>556,662</b>	<b>-</b>	<b>292,746</b>
<b>Unrestricted funds:</b>					
General funds	229,940	673,862	646,699	-	257,103
Designated -work-in-progress	235,541	247,699	-	-	483,240
Designated- New Premise Fund	25,000	-	-	-	25,000
<b>Total unrestricted funds</b>	<b>490,481</b>	<b>921,561</b>	<b>646,699</b>	<b>-</b>	<b>765,343</b>
<b>Total funds</b>	<b>537,955</b>	<b>1,723,495</b>	<b>1,203,361</b>	<b>-</b>	<b>1,058,089</b>

## 12b Movements in group (prior year)

	At 1 January 2022 £	Income & gains £	Expenditure & losses £	Transfers £	Total funds £
<b>Restricted funds:</b>					
Legal Aid Services	18,141	277,343	248,010	-	<b>47,474</b>
<b>Total restricted funds</b>	<b>18,141</b>	<b>277,343</b>	<b>248,010</b>	<b>-</b>	<b>47,474</b>
<b>Unrestricted funds:</b>					
General funds	67,092	580,337	392,489	(25,000)	<b>229,940</b>
Designated -work-in-progress	209,849	25,692	-	-	<b>235,541</b>
Designated - New Premise Fund	-	-	-	25,000	<b>25,000</b>
<b>Total unrestricted funds</b>	<b>276,941</b>	<b>606,029</b>	<b>392,489</b>	<b>-</b>	<b>490,481</b>
<b>Total funds</b>	<b>295,082</b>	<b>883,372</b>	<b>640,499</b>	<b>-</b>	<b>537,955</b>

## Legal Aid Services

The income of the charity includes grants received for specific restricted projects, including the Migrant Law Project. The restricted funds have enabled the charity to continue in its campaign of providing legal representation and access to justice and specifically have allowed the charity to protect vulnerable needy people against the backdrop of an ever more challenging external environment.

## 13 Legal status of the charity

The charity is a company limited by guarantee incorporated in England and has no share capital. Each member is liable to contribute a sum not exceeding £1 in the event of the charity being wound up.

## 14 Related party transactions

The total amount of donations received in 2023 from Trustees or parties related to them was £5,000 from one trustee (2022 £nil from none).

There are no donations from related parties which are outside the normal course of business and no restricted donations from related parties.

## 15 Ultimate Controlling Party

The company's ultimate parent undertaking and controlling party is Helen Bamber Foundation, a registered charity (charity number 1149652) and company limited by guarantee (company number 08186281). Copies of the financial statements are available from Companies House and the Charity Commission.



Charity number: 328729  
Company number: 02513874

