ABSTRACT

Scholarly literature on legal practitioners’ crucial role in access to protection of forced migrants in the host country abounds. However, their other pivotal role, namely being key sites of information provision to refugees and asylum seekers, is rarely considered. As information enables access to protection, its possession becomes of utmost importance, especially at the time of large-scale migratory movements towards and within Europe. Drawing on findings from a recent qualitative research on legal and procedural information provision to asylum seekers in the UK, it is argued that the legal practitioners’ widely recognised decisive, protection-mediating position in the asylum process needs to be complemented with another, similarly significant and consequential role, i.e. being major locales of procedural and legal information provision to refugees and asylum seekers. When representing their clients in the asylum process, legal practitioners informally and selectively educate asylum seekers about their material and procedural rights and obligations. Since official, up-to-date and comprehensive legal and procedural information on the asylum process in the UK is mainly available online, in written form, and in English, personal and oral information provision sessions through consultations with legal practitioners emerge as highly important platforms for conveying, acquiring and understanding information on asylum. This is in particular the case for those with limited English knowledge, who are IT-illiterate, or otherwise find the asylum framework challenging to navigate. Yet, certain factors such as the severe cut in legal aid, or the practice of dispersing asylum seekers to various parts of the UK, restrict access to legal representation, thus eroding the capacity of legal representatives to act as information provision points.

REFERENCES


ARGUMENT

• Legal practitioners’ pivotal formal role of enhancing legal protection of forced migrants is widely acknowledged (cf. Anderson and Conlon 2014).
• However, not enough attention is paid to informal/semi-formal role as information provision agents in legal/procedural matters of asylum (Solicitors Regulation Authority 2016).
• Essential to recognise lawyers’ semi-formal/informal role as information provision points to AS regarding legal and procedural information of asylum, besides their main, formal role of legal protection.
• Yet, such role is compromised chiefly by dispersal of AS in different parts of the UK, where they have limited access to legal representation (cf. Smart 2008).
• Also, severe cut in legal aid does not act as an incentive for lawyers to undertake asylum causes (Solicitors Regulation Authority 2016).
• The above main factors can significantly reduce the likelihood to gain and understand legal and procedural information related to the asylum process, with ultimate impact on the outcomes of the asylum process.

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