



UNIVERSITY OF LONDON

**REFUGEE
LAW CLINIC**

ANNUAL REPORT 2021/22



Overview

Established in August 2020, the Refugee Law Clinic (RLC) is an innovative initiative that provides pro bono legal advice to refugee clients. Based at The University of London and founded to respond to areas of immediate need currently under-serviced in the legal landscape, the Clinic's main focus is advising on and preparing 'fresh claims' for asylum, providing some of the most disadvantaged London communities with access to fair and equal legal representation.

The positive impact of the RLC on the lives of our refugee clients is manifold: ensuring London-based asylum seekers are treated lawfully and fairly in line with their basic human rights, in addition to training and inspiring future advocates through the facilitation of pro bono work by legal professionals and practical experience for students from across the University's 10 member institutions.

These 140+ volunteers – many of whom come from a refugee or asylum-seeking background themselves – work on real cases of appeal-rights exhausted (A-RE) asylum seekers under the supervision of a qualified expert Supervising Lawyer. Structured as a direct legal service and regulated by the OISC to Level 3, the RLC actively engages with over 12 organisations as referral partners (including Hackney Migrant Centre, Refugee Action, Refugee Council, etc.) and to date, has assisted nine clients to attain grants of leave to remain.

Find out more at: <https://rli.sas.ac.uk/refugee-law-clinic>

Activities

Key activities and achievements to date include:

- Training 81 commercial lawyers and 110 students through a specialist training programme;
- Receiving over 90 referrals and starting legal work on over 60 cases;
- Submitting 18 'fresh claims' for vulnerable clients;
- Supporting a client to gain right of appeal to the Tribunal and another to have their claim reinstated;
- Referring clients to specialist providers where appropriate;
- Developing a specialist programme for fresh claims in the Afghan community;
- Submissions submitted to Parliament on concerns relating to the 2021 Nationality and Border Act;
- Starting to develop new training, seminars and advice materials pertinent to fresh claims.

Working with, rather than for, our refugee clients, the importance and increasing urgency of the Refugee Law Clinic's work has been recognised by multiple professional bodies, including its selection as 'Best CSR Initiative' at the 2021 People in Law Awards and being shortlisted for the LawWorks and Attorney General Student Awards 2021 in the category of 'Best New Pro Bono Activity'.

Outcomes

To date, the clinic has submitted 18 'fresh claims'. Of those, six have been granted refugee protection, three have been granted other types of leave, and one has been given a right of appeal. The remainder are still pending at this time.

The clinic has supported 160+ volunteers to gain practical experience by working directly on cases and to develop a range of transferable skills around research, interviewing and drafting. Read about the experience of one of our volunteers here: <https://blog.lawbore.net/2022/04/volunteering-at-the-uol-human-rights-refugee-clinic/>

Case Study

Kamal, an Afghani national, came to the UK in 2010 and made an application for asylum, based on the risk that the Taliban might target him because he had worked unofficially with the Mine Detection Centre in Afghanistan. However, his claim for asylum and subsequent appeal were refused.

When he approached the Refugee Law Clinic (RLC) in June 2021, Kamal was suffering from depression and anxiety – which he had been struggling with for a long time. His symptoms included sleeping problems, poor memory and a lack of concentration. As a result, he struggled with day-to-day life. Eventually he was able to register with a GP and was subsequently put on a waiting list for counselling, after medical professionals recognised that he needed Cognitive Behavioural Therapy.

The RLC successfully argued Kamal's case and legitimacy to the Home Office in September 2021 based on clear facts. As confirmed by the most recent Foreign and Commonwealth Office report, returns to Afghanistan are impossible, due to both the fact it is being controlled by the Taliban and because of the violence in Kabul - violence which affects the whole country. The United Nations High Commissioner for Refugees (UNHCR) called on all countries to suspend returns to Afghanistan in view of the civil war and humanitarian crisis. The Home Office itself also stated that a person can qualify for refugee protection if they face a real risk of persecution on account of their disability - from which a state cannot or will not provide protection. These various risks have been made worse given that the British and US Embassies in Afghanistan have closed, and all their staff have been evacuated.

The UK courts recognised that Afghanistan has a lack of institutional protection for people suffering serious mental health-related issues. Kamal's poor mental health was found to potentially make him vulnerable to stigma and discrimination in Afghanistan, where he would also have been without access to necessary medical and psychological therapies. So, after the RLC's various legal interventions, finally Kamal was formally recognised as a refugee in February 2022.

Partnerships

The Refugee Law Clinic's work is made possible by the collaboration and support of our institutional partners and additional funding through charitable trusts.

The UoL Refugee Law Clinic is an inter-collegiate project of the University of London and has committed involvement from ten of the University's Member Institutions, who each send students to volunteer in the clinic:

- Birkbeck
- City, University of London
- Goldsmiths
- Kings College London
- London Business School
- London School of Economics (LSE)
- Queen Mary, University of London
- Royal Holloway
- School of Oriental and African Studies (SOAS)
- University College London (UCL)

The project has also partnered with two commercial law firms who send volunteer lawyers to engage in the Clinic:

- Clifford Chance LLP
- Macfarlanes LLP

The clinic currently receives financial support from two charitable trusts and in the past has received support from Migration Thames Valley's Migration Foundation. We also receive support in training materials from HJT Training, and broader support from an Expert Panel, and the clinic's Governing Board.

Looking forward

The clinic is planning on expanding its work in 2022/2023 and has recently obtained funding through a charitable trust to employ a second full-time Supervising Lawyer. This will allow us to increase the capacity of the clinic, to provide more holistic guidance and support to volunteers, and to work on broader projects around the casework including advocacy and strategic litigation.

The clinic will also need to do some work around the new Nationality and Borders Act 2022, responding to the changes and additional requirements this creates for our client group.