

**UNDER STRICT EMBARGO UNTIL
00.01 WEDNESDAY, 2 JUNE**

Amnesty, Liberty and Barnardo's join human rights and faith leaders in fight to save Refugee and Migrant Justice

Leaders of charities including Amnesty International, Liberty, and Barnardo's have joined faith leaders and senior legal and human rights experts in an appeal to save Refugee and Migrant Justice (RMJ) from closure.

In an open letter to the Justice and Home Secretaries, they have warned that thousands of vulnerable people will be left without legal help unless RMJ is paid promptly for the legal work it has done.

The open letter states:

Dear Justice and Home Secretaries,

Over many years, Refugee and Migrant Justice (RMJ) has provided essential legal advice and representation to 110,000 asylum seekers and victims of trafficking, including many children. Many of the charity's clients have been deprived of their freedom in this country through detention or wrongful imprisonment, and without RMJ's help they would have faced torture or death if forced to go home.

Sadly, we have become aware that this pioneering charity is at risk of closure simply because of delays in legal aid payments for work already done. It would be a tragedy if RMJ were allowed to go under because of bureaucratic rules. No charity can be expected to wait six months or more for the money it is owed, and no private sector organisation will be able to replace RMJ's longstanding commitment to those with the greatest needs.

If RMJ has to close, 10,000 individuals will immediately be left without a lawyer. The Government has said it wants to speed up asylum decisions, but closing RMJ would be a huge backward step. Many asylum seekers will be unable to access good quality legal support, or any support at all. Lives will be put at risk and there are likely to be many more miscarriages of justice - which are already common in our asylum system. This would also add to the UK Border Agency's enormous backlog, as the cases of existing clients would have to be suspended while new lawyers are found.

RMJ is not asking for more money, just what it is owed. The Government's decision to review legal aid is the perfect opportunity to cut out inefficiency so that good quality providers like RMJ can be saved.

Yours sincerely,

Lord Avebury, House of Lords
Keith Best, Director of Medical Foundation
Sir Geoffrey Bindman, civil rights lawyer
Julie Bishop, Chief Executive of the Law Centres Federation
Donna Covey, Chief Executive of Refugee Council
Shami Chakrabarti, Director of Liberty
Paul Farmer, Chief Executive of Mind
Guy Goodwin-Gill, Fellow All Souls, Oxford
David Harker, Chief Executive of Citizens Advice Bureaux
Baroness Howe, House of Lords
Professor Francesca Klug, London School of Economics
Martin Narey, Chief Executive of Barnardo's
Professor Sir Nigel Rodley
Jan Shaw, Amnesty International UK Refugee Programme Director
The Earl of Sandwich, House of Lords
Roger Smith, Director of Justice
Dr Rowan Williams, Archbishop of Canterbury
Maurice Wren, Director, Asylum Aid

In a separate statement, Roland Schilling, the UK representative of the United Nations High Commission for Refugees (UNHCR), said:

"The UN Refugee Agency has raised its deep concern to the Government if legal aid to the persons in need of protection is not anymore provided by specialised and highly professional organisations like RMJ.

"A discontinuation of these services would severely damage the effectiveness and fairness of the asylum system in the country."

Shami Chakrabarti, Director of Liberty, said:

"RMJ does an invaluable job in helping those who come to our country in search of succour. In the UK, asylum seekers can be indefinitely detained with limited access to legal advice and support. As some of the most vulnerable members of our society, justice can often be hard to find - the loss of this vital organisation can only make things worse. "

Donna Covey, Chief Executive of the Refugee Council said:

"It is already very hard for asylum seekers to find a good legal representative because of poor legal aid funding. We are terrified about what will happen if RMJ is

forced to close. We fear that RMJ's former clients may fall prey to poor quality legal representatives or be left without representation at all."

RMJ's cash crisis has been caused by the fact that a growing proportion of its legal aid work is now only paid upon completion – leaving it with a lack of funds. The problem has not been caused by spending cuts, but changes made to legal aid payments by the previous Government. Under these changes, payment for most legal work is being made once decisions are made on legal cases by the Home Office or Tribunals, resulting in a delay of up to two years before costs are reimbursed. The crisis comes as the new coalition government has committed to speeding up the asylum system and reviewing the legal aid system.

Caroline Slocock, Chief Executive of RMJ said:

"RMJ is not asking for new money, simply prompt payment of legal aid by the Legal Services Commission, or failing that, interest free loans by the Government to cover the gap. We know times are hard but it doesn't make sense to drive charities out of business.

"Money could be found through the Government's promised review of legal aid which could reduce waste – for example, paying the same fee for a piece of short advice that does not resolve the case as for the intensive – and expensive - work needed to finish the job. That would free up resources to pay good quality providers like RMJ fairly and promptly."

Farid, an Iraqi doctor who fled Iraq after serious death threats, said:

"I was treated like a criminal when I arrived in Britain, was put in Chelmsford prison and was without hope. It was RMJ that found me, got me out of prison and made a successful case to grant me asylum. I can't believe that they may no longer be there to help others like me."

Former RMJ clients have expressed extreme concern about the situation.

John 'Bosco' Nyombi, a Ugandan, was illegally removed by the Home Office to his home country where his life was at risk because of his sexuality. As a result of RMJ interventions he was returned to the UK by court order and then granted asylum. He said:

"Without the help of RMJ I would not be here today. I was in so much danger in Uganda and it is only because of RMJ that I was able to move back here. I am very happy living in the UK where I now work as a carer, but if it were not for RMJ's legal skills and dedication, I would have fallen victim to some terrible mistakes made by the Home Office and the courts. I really do not want the charity to have to close - there are so many people just like me who need its help."

Background information on legal aid payments

The Government recently told RMJ that it has to stick to the current legal aid payment system because it underpins a procurement exercise started but not completed by the previous Government. This exercise would lock in the current payment system, including delayed payments, for a further three years and ring fence them from the new Government review.

Under the existing legal aid system, a single fee per case can be paid to all asylum and immigration providers irrespective of time spent or quality. This means short legal advice work, which cannot resolve the case, is given the same payment as the more time-consuming work which is needed in order to prepare essential evidence which enables a sound decision to be taken.

A Legal Services Commission response to a Freedom of Information Request shows that 29% of asylum and 32% of immigration cases at the initial decision making stage were closed after relatively little work. These cases are bringing in over twice the income that was payable under the previous payment rates. Yet quality work is comparatively under-funded.

By simply getting cases right first time and paying properly for one thorough, quality piece of work, the Government could save millions of pounds each year. It could also afford to pay providers promptly for work, rather than leaving them out of pocket.

Ends

Notes to editors

About RMJ

Refugee and Migrant Justice is the largest specialist national provider of legal representation to asylum seekers and other vulnerable migrants. RMJ was awarded the Liberty/Justice Human Rights Award in 2005, in particular for its litigation work with Zimbabwean asylum seekers.

Since opening as the Refugee Legal Centre in 1992, RMJ has helped 110,000 vulnerable people seeking asylum or human rights protection. Before that, RMJ was part of the UK Immigration Advisory Service and was set up by the Government in 1992 as a charity to help asylum seekers and migrants.

RMJ employs 336 staff in 13 locations across England. It also runs outreach clinics in 10 detention centres and in other locations across England and Wales. It is the sole or main provider in some locations.

RMJ needs to be paid £1.8m over six months to keep operating, yet the cost of closure to the taxpayer would be in excess of £2m.

RMJ is extremely cost efficient. Over the last two years, the income received per client has dropped by 46% costs per client have fallen by 41%. The hourly rate for this specialist legal work is around £50 and has not been uprated for inflation since 2001.

Read about some of RMJ's high profile cases here:

<http://www.independent.co.uk/news/uk/home-news/return-gay-man-to-uk-smith-ordered-1626489.html>

<http://www.guardian.co.uk/uk/2010/feb/19/kurd-asylum-seeker-repatriation-iraq>

<http://www.guardian.co.uk/world/2005/oct/14/immigration.immigrationandpublicservices>

RMJ's groundbreaking reports have challenged government policy and raised public awareness of serious human rights issues including transportation of migrant children in caged vans, and the traumatic 'illegal entrant interviews' for children.

Download our groundbreaking reports *Does Every Child Matter?* and *Safe at Last?* here:

http://refugee-migrant-justice.org.uk/?page_id=10

Visit our website: <http://www.rmj.org.uk/>

Interview opportunities

To speak to Caroline Slocock, chief executive of Refugee and Migrant Justice, one of our clients, please contact Alex Valk, media and communications officer, at avalk@rmj.org.uk or call 0207 780 3214 or 07989 569988.