

Justice Together Initiative Ukraine Response – The Need for Legal Advice and Advocacy

4th March 2022

This paper is a short review of the legal advice needs of Ukrainians in the current circumstances, and the Justice Together Initiative's proposed response.

1. The Justice Together Initiative

The Justice Together initiative was launched in 2020 with a decade-long vision **that people who use the UK immigration system can access justice fairly and equally, enabling them to get on with their lives.** It is a collaboration of 14 funders¹ who have pooled more than £9million of new funding for the first 3-5 years to strategically invest in legal advice, strengthen immigration sector organisations over the long term, and local and national influencing to support the lawful and fair functioning of immigration, nationality and asylum processes. It is hosted by Justice Collaborations which is an independent charity and wholly-owned subsidiary of The Legal Education Foundation. Our advisory group provides us with expert insight into the Ministry of Justice, Home Office and Local Government. We currently work with 24 grant partners (the majority of which coordinate work with partner organisations).

We are building collaborative partnerships that combine lived and learned experience, frontline evidence and influencing to work towards achieving the following outcomes:

1. A fair, timely and accessible immigration system.
2. A more sustainably resourced immigration advice and legal system.
3. A more accessible, sustainable, collaborative, and coordinated sector to strengthen and increase access to immigration advice and legal provision.

2. Legal routes and needs for Ukrainians²

There are several different legal routes that Ukrainians may try to access to reach the UK. For example:

- **Family reunion:** Family Migration visa and Ukraine Family Scheme – for family members, provides 12 months leave, right to work and access to public funds. Unclear whether family members of people with pre-settled status, relatives of work or student visa holders will be included.
- **Other visas:** Ukrainians can no longer apply for work visas in Ukraine and must apply outside of the country. For Ukrainians in the UK on work visas, the rules have been relaxed. As with family reunion, all applicants must visit a visa application centre to prove their identity before applying.
- **Claiming asylum:** People are not entitled to work and if passed in its current form the Nationality and Borders Bill will make claiming asylum increasingly difficult.
- **Humanitarian Sponsorship pathway:** such as community sponsorship, the government are yet to announce how this will work.

It is clear the current routes will change and with the Nationality and Borders Bill going through plus the post-Brexit immigration system, we will start to see these changes immediately but more in the next 6 to 12 months. People will need regulated and expert advice to understand the changing rules.

¹ AB Charitable Trust, Baring Foundation, Barrow Cadbury Trust, Comic Relief, Joseph Rowntree Charitable Trust, Great London Authority, Metropolitan Foundation, Oak Foundation, Paul Hamlyn Foundation, The Legal Education Foundation, Paul Hamlyn Foundation, Trust for London, Tudor Trust and Unbound Philanthropy.

² For an overview of the legal routes see; Gower, M., Ukraine., *UK Immigration Concessions*, (House of Commons Library), 4/3/2022, [CBP-9473.pdf \(parliament.UK\)](https://www.parliament.uk/publications/2022/04/cbp-9473)

Unofficially it has been estimated that in 2005 over 100,000 individuals who had Ukrainian citizenship or considered themselves to be Ukrainian were living in the UK. The UK Home Office has estimated that 200,000 people from Ukraine will be eligible to enter the UK³, under the schemes they are offering. It is difficult to put an exact figure on those Ukrainians in the UK who are currently undocumented. In 2021 2/3rds of those arriving on low skilled visas were Ukrainian totalling 20,000 people⁴.

3. Legal Advice and Advocacy Needs for Funding

From an initial survey of grant partners delivering immigration legal advice, it is clear that some are already under strain with the number of enquiries they are receiving from people both in Ukraine and in the UK about how they and loved ones can get safely to the UK. The predominant need is around legal advice and guidance to understand the family routes and visa options. Organisations have also identified and are working on ways in which they can influence the Government schemes as they are being set up.

It is well-documented through extensive research the challenges the immigration legal advice sector faces, in a landscape in which demand hugely outstrips capacity⁵. The additional advice enquiries in relation to Ukraine will increase the pressure on an already struggling sector. There is a responsibility for action to increase the capacity of advice services to provide this legal advice and advocacy. There are also unique opportunities to build the capacity of organisations to influence government, linking ongoing influencing work around the Nationality and Borders Bill to the emerging policy asks concerning the situation in Ukraine. There is also a role that Justice Together can play in helping to align with work that is already underway within the sector.

The initiative is seeking additional emergency funding to do the following:

- A programme of funding to build the capacity of organisations delivering immigration legal advice and representation to ensure that assistance to Ukrainian nationals is possible and builds on existing capacity.
- To look beyond the immediate need and build an infrastructure for legal advice that can be in place for the long term, with a commitment to build capacity responsibly over 1 – 3 years.
- Funding for influencing work that links immediate emergency asks with ongoing longer-term asks around improving the immigration system and access to legal advice.
- Ensure that advice and representation work is linked to local and national influencing and there are clear connections and opportunities for sharing experiences and evidence.
- Commitment to funding organisations that are led by people who have lived experience of the immigration system, and supporting organisations to become more anti-racist.
- Fund well-being support for individuals delivering frontline advice.
- Regular convening events for grantee partners through our community of impact to share learnings and for funders to understand the needs and activities and coordinate responses.
- In order to build useful additional capacity through existing grant partners and new grantee partners across the whole of the UK that have been identified through our fieldwork, we estimate an additional £2 million in total would be needed.

Please contact Hazel Williams, Head of the Justice Together Initiative at hazel.williams@justice-collaborations.org.uk if you wish to discuss further.

³ Henley, J & A, Allegretti Rajeev Syal, “Number of Ukrainians eligible to enter UK to double, say ministers”, (The Guardian), 01/03/2022.

⁴ The Migration Observatory, “Statistics-show-uks-dependence-on-ukrainian-seasonal-workers-and-more-than-100000-visas-issues-for-bno-passport-holders/”, 24/02/2022

⁵ Wilding, J. “Droughts and Deserts: A report on the Immigration Legal Aid Market” April 2019, (<https://www.jowilding.org/assets/files/Droughts%20and%20Deserts%20final%20report.pdf>) and Grant, S. “An Overview of Immigration Advice Services in England and Wales” 24/7/2020. (Paul Hamlyn Foundation (phf.org.uk))