

<b>Committee</b>	<b>Date</b>
Bridge House Estates Board	15 September 2021
<b>Subject:</b> Grant to Justice Collaborations. Grant Reference 18814.	<b>Public</b>
<b>Which outcomes in the <i>BHE Bridging London 2020 – 2045 Strategy</i> does this proposal aim to support?</b>	1,2,3
<b>Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact (<i>insofar as they are considered to be in the best interest of BHE to support</i>)?</b>	N/A
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>No - approved funding held within designated fund noted below</b>
<b>If so, how much?</b>	<b>N/A</b>
<b>What is the source of Funding?</b>	<b>BHE Unrestricted Income Funds – designated fund for grant-making</b>
<b>Has this Funding Source been agreed with the Chamberlain’s Department?</b>	<b>Yes</b>
<b>Report of: Managing Director, BHE</b>	<b>For decision</b>
<b>Report Author: Sandra Jones</b>	

## Summary

This report requests a 1-year contribution of £500,000 to support a number of 3-year grants for specialist immigration advice services in the capital, matching funding from other funders such as Trust for London, The Legal Education Foundation and GLA.

## Recommendation

Members are asked to:

**Agree a grant of £500,000 over three years (£200,000; £150,000; £150,000) to The Legal Education Foundation – Justice Collaborations (TLEF) to contribute to the second round of grants for specialist immigration advice services in London.**

## Main Report

1. Members will be aware of The Legal Education Foundation (TLEF), an endowed grant-making charitable trust whose purpose is “to promote the advancement of legal education and the study of the law in all its branches.” The endowment (valued at c.£200m) creates income which is used to make grants to a wide

variety of, mostly, charitable organisations working in different social, professional and academic settings and by commissioning research. A stated objective is to increase public understanding of the law and the capability to use it. TLEF funds and supports organisations such as law centres and advice centres across the UK. In London it has also developed strong and supportive links with the London Legal Support Trust, whom you are funding currently to help local advice centres to become Centres of Excellence.

2. CBT and TLEF have worked in partnership over many years in order to reach greater impact in the advice sector. One such joint initiative is the Justice First Fellowship Programme, now in its seventh year, which through co-funding (with TLEF) provides 6 Fellowships each to be based in London social welfare advice agencies, specifically those which have gained the Centre of Excellence accreditation.
3. In 2019 Justice Collaborations (JC) was set up as a subsidiary of TLEF as a result of discussions between TLEF and a number of independent funders (including CBT) in the UK. The initial work of JC is the Justice Together (JT) initiative which aims to ensure that people who use the UK immigration system can access justice and thrive. The initiative responds to the challenges faced by the legal advice sector and evidence that people in communities around the UK are struggling to access justice. The trustees recognise that this initiative cannot fill the gap left by the removal of public funding, however trusts and foundations provide vital independent resource for legal advice and representation in immigration, nationality and asylum law. CBT is represented on the London Advisory Group which has input and veto on any London grant recommendations which go to the grants committee for final endorsement/decisions. The grants committee comprises three JC trustees and three external advisors with experience of the immigration sector.
4. JC has undertaken an initial round of funding and by the end of June 2020 grant awards of over £6 million had been committed to the initiative through pooled funding, with the GLA committed through aligned funding. Contributing funders to the round included Paul Hamlyn Foundation, AB Charitable Trust, Baring Foundation, Unbound Philanthropy, Tudor Trust and Trust for London.
5. JC commissioned research about the “Demand and Supply for Immigration Legal Advice in London”<sup>1</sup> which was published in June 2021. Subsequently London Funders were commissioned by Paul Hamlyn Foundation, on behalf of the JT initiative, via a grant from the GLA to produce “A Strategy for Funding Immigration Advice in London”<sup>2</sup>. These two reports fed into the development of JT’s Round 2 funding.
6. Summarising the conclusions of “Demand and Supply for Immigration Legal Advice in London”:
  - a. That there is a recruitment crisis in the immigration advice sector which is the single biggest obstacle to increasing capacity in London and therefore

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<sup>1</sup> <https://justice-together.org.uk/wp-content/uploads/2021/06/A-Huge-Gulf-FINAL-report.pdf>

<sup>2</sup> [https://londonfunders.org.uk/sites/default/files/images/29.6.2021\\_LF%20IA%20Funding%20Strategy%20Report%20v2\\_1.pdf](https://londonfunders.org.uk/sites/default/files/images/29.6.2021_LF%20IA%20Funding%20Strategy%20Report%20v2_1.pdf)

action needs to be taken both through the structuring of grants to organisations and a wider infrastructural focus on training and supervision; this needs to replace the loss of major provider organisations which used to train larger numbers of caseworkers, and to remove the cost of training from individual organisations.

- b. There is a large gap between the need and capacity in London despite the capital having the largest number of legal aid and OISC providers (Office of the Immigration Services Commissioner which regulates immigration advisers; ensuring they are fit, competent and act in their clients' best interests). This leaves people unable to access support with applications.
  - c. There need to be effective approaches to outreach and partnerships between community and specialist organisations and referral networks.
  - d. Community legal education has an important role in ensuring that people know when, where and how to access advice, and to protect them from exploitative or poor-quality advice.
  - e. Funding needs to be sustainable as short-term funding awards create difficulties with offering sustainable employment. Immigration casework tends to be long term and rarely accommodated within a framework of months – this results in a tendency for agencies to focus on one-off advice rather than casework.
  - f. Structural change is needed both around the immigration system and legal aid.
7. The autumn 2021 grants round (Round 2) is now open for advice and representation applications and has three streams; two influencing streams (local influencing and national influencing) as well as advice and representation. The criteria for this are at Appendix 1.
8. If you agree a grant £500,000 as recommended this will be for London only, and will join two other London specific funders; Trust for London (committed £1.5million over three years) and the GLA (amount to be confirmed, likely to be in the region of £300,000).

## **Financial information**

9. As an endowed grant-maker the financial review of The Legal Education Foundation, as the grant holder and including the consolidated results of both the Foundation and subsidiary JC, considers their broader ability to meet their grant-making aims. Audited accounts for the year ended 30<sup>th</sup> June 2020 show a strong balance sheet for the Foundation with total group funds of £245,678,000 after excluding restricted funds. The general funds, after deducting the pensions liability, are the free reserves of the Foundation. The balance on restricted funds on 30 June 2020 was £6.2million which include all funds of the JC, totalling £6.1 million.

Year end as at 30 June	2020	2021	2022
	Audited Accounts	Budget	Forecast
	£	£	£
Income	10,298,000	8,662,000	9,080,000
Expenditure	(7,503,000)	(8,681,000)	(9,080,000)
Net surplus/(deficit)	<b>2,795,000</b>	<b>(19,000)</b>	<b>0</b>
Net surplus(losses)on investments	(7,190,000)	not given	not forecast
Acturial movement on pension scheme	(229,000)	not given	not forecast
Total surplus/(deficit)	<b>(4,624,000)</b>	<b>(19,000)</b>	<b>0</b>
<b>Total Free reserves</b>	<b>245,761,000</b>	<b>245,742,000</b>	<b>245,742,000</b>

## Conclusion

10. Funding partnerships such as those between CBT and TLEF regularly achieve more than the sum of their parts as, amongst other things, they provide opportunities for greater expertise to be harnessed; for learning to be shared; and for the sector to see funders support their work and raise their issues through unity of voice. Funding in a strategic way towards Immigration advice will go some way towards addressing the issues identified in the two reports around immigration advice in London.

### Justice Together – 2nd round criteria

#### General criteria

We particularly welcome applications that demonstrate some of the following:

- Work that is led by and/or informed by people with lived experience of the immigration system, which is properly resourced, equitable and inclusive. We encourage funding applications from migrant-led organisations.
- Recruitment processes that encourage candidates with lived experience to apply to posts funded by the initiative.
- Anti-racism embedded in the organisation and the work. As anti-racism is very important to Justice Together, the Grants Committee will review organisations' approach to anti-racism in terms of their external work and internal structures and processes.

We define anti-racism as:

- "an active and conscious effort to work against multidimensional aspects of racism." -*Robert J. Patterson, Professor of African American Studies at Georgetown University.*

- Partnership applications.
- Plans for sharing knowledge, learning and evidence to support and inform the wider immigration sector.
- Links between frontline advice and influencing work (locally or nationally).
- The skills and knowledge to undertake the proposed work including expertise by experience.

#### Advice and Representation grants

We want to work with advice partners in every part of the UK to strengthen local capacity and co-ordination in delivering specialist immigration advice, as well to draw on case data to support regional and national influencing work.

We are interested in a wide range of approaches by different types of organisations towards achieving these change goals:

3. A more accessible, sustainable, collaborative, and coordinated sector to strengthen and increase access to immigration advice and legal provision.

Please see the [Advice and Representation grants](#) page on our website for details of where in the UK grants are available and our [grants timetable](#) for the next application deadlines.

We expect to fund 2-3 grant partners per area for an initial 3-year grant period with additional grants in London. We anticipate making grants in the range of £90,000 - £300,000 for individual applications and £90,000 - £600,000 for multiple organisation partnerships/collaborations.

Please see the [Grant Partners](#) page on our website for descriptions of grants awarded in previous rounds.

See this map of [English regions](#) to understand the region boundaries we refer to on our open regions/countries.

## What we will fund

1. Free or low-cost immigration legal advice and representation at OISC level 2 or above.
  - We expect to fund mainly in areas of law that are out of scope of Legal Aid.
  - We want to fund advice across different areas of immigration law.
  - Where possible, we would like to increase or strengthen capacity.
2. Coordination between advice providers including referral pathways within a geographical area or issue.
  - We would like to support new structures as well as strengthening existing co-ordination.
  - We would like to support collaborations and partnerships that improve and streamline a person's journey through the immigration system.
3. Where activities meet the [Justice Together goals](#), flexible core-type funding will be considered.

**We particularly welcome applications from organisations that are led and/or informed by people with lived and learned experience of the UK immigration system.**

We are interested in seeing applications that include both specialist advice and local influencing. We believe they go hand in hand. We recognise that not all applications will look the same: some will be exclusively specialist advice focused, some will include advice and local influencing, and some just local influencing. We want to hear from all the different ways this work comes together. With regard to choosing an application to submit: where the work proposed leans more towards advice, please fill out the advice application but include in your answers the activities you will be doing with regard to influencing, and vice versa. Read more about this in our [FAQs](#).

As part of advice applications, we would welcome:

- Partnership work including developing and testing new or existing co-ordination structures between community organisations, legal advice providers and other stakeholders in a geographical area.
- Alongside an application that increases specialist advice provision or referral pathways, we would welcome activities that improve organisational and individual understanding of racism and implementing structures to tackle systemic racism.
- Expansion to cover new and emerging populations in need, as well as geographic desert and drought areas.
- Developing and improving triage and referral systems within and between organisations.
- Promoting management capacity to build organisational resilience.

- Training and supervision for staff and/or organisations to become registered at OISC level 2 or 3.
- Promoting collective care strategies for front line workers.
- Developing organisational data recording and case management systems.

We welcome applications from any organisation that can offer immigration advice at OISC Level 2 or above. We can only fund work that is charitable, but applicants do **not** need to be registered charities. For private law firms, we will need confirmation that a grant does not contribute to profit.

In prioritising applications, we will consider the balance across different areas of immigration law, beneficiary groups and geographical locations.

### **Influencing grants general guidance**

We want to work with influencing partners in every part of the UK to develop a shared strategy for transforming access to justice in the immigration system. 'Access to justice' means people's ability to secure their immigration rights and move forward with their lives. This encompasses dismantling systemic barriers and simplifying laws as well as provision of timely, high quality, affordable legal advice.

We are interested in a wide range of approaches by different types of organisations towards achieving these change goals:

1. A fair, timely and accessible immigration system.
2. A more sustainably resourced immigration advice and legal system.

Please see the [Local Influencing grants](#) page on our website for details of where in the local influencing grants are available and our [grants timetable](#) for the next application deadlines.

We anticipate making grants in the range of £90,000 – £300,000 for individual applications and £90,000 – £400,000 for multiple organisation partnerships/collaborations, for an initial 3-year grant period.

Please see the [Grant Partners](#) page on our website for descriptions of grants awarded in previous rounds.

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### **What do we mean by influencing?**

By 'influencing' we mean work that is focused on changing systems or structures. The target may be local or national government, statutory agencies, legal services and/or the public. It may be focused on changing draft legislation, regulations or guidance, government practice, public opinion and/or to improve the quality of advice and representation.

We recognise there are many different ways to change the world. We want to fund a range of approaches to transforming the immigration system, but with an emphasis on people with lived experience leading the change.

Some examples of what we might fund include:

- Community lawyering, which builds power and develops leadership of those with lived experience of the immigration system and where priority and direction for legal work are set by people with lived experience rather than directed by lawyers or policy professionals removed from the direct experience.
- Community organising that is led, developed and delivered by people with lived and learned experience of the immigration system and/or which coordinate with movement lawyering strategies.
- Strategic legal action including pre litigation research, interventions and implementation of wins in the courts.
- Strategic communications that build public support to ensure a fair and lawful functioning of the immigration system.
- Policy and public affairs work including with parliaments and assemblies, the Home Office, Ministry of Justice, Department of Justice, Office of the Immigration Services Commissioner, the Legal Aid Agency, Scottish Legal Aid Board and the Legal Services Agency Northern Ireland.
- Development and embedding of anti-racism within organisations and influencing strategies.
- Analysis and research to increase knowledge and understanding of barriers to justice in the immigration system and to identify solutions.
- Alliance building between national organisations, advice providers and grassroots groups including to track emerging patterns, identify areas for system change and use evidence from legal casework to develop influencing work.
- Influencing work that targets local council, local MPs, metro mayors, regional bodies and legal services, including to increase local funding for immigration legal advice.

We are also open to new tools – please [contact us](#) with your ideas.

**We particularly welcome applications from organisations that are led and/or informed by people with lived and learned experience of the UK immigration system.**

Please also see our [general criteria](#) above.

### Local influencing grants

We welcome applications from organisations who plan to undertake local influencing work for local, regional or national change. In the local influencing strand, we will fund activities that seek to influence local authorities, metro mayors or regional bodies on issues of migration and funding, as well as activities that include local community organising and campaigning, e.g. work with the local authority to secure commitment to long-term funding of immigration

advice; influencing a Mayor to embed immigration advice within strategies to reduce homelessness and poverty; building local solidarity and power of people with lived experience to feed into wider movements for national change.

### What we will fund:

- Increased influencing capacity including through staffing costs, consultancy, volunteer expenses and direct costs.
- Proposals from organisations led and/or informed by people with lived experience of the immigration system.
- Approaches that build solidarity, work together to understand systemic issues and coming come together to raise the voices of those with lived experience.
- Development and testing of new approaches to influencing with particular focus on community and movement lawyering models that build power and develop leadership of those with lived experience of the immigration system.
- Local co-ordination across different approaches to influence and/or with advice providers. We would like to support new structures as well as strengthening existing co-ordination.
- Training or skill development in campaigning, policy influencing, research or other relevant areas that connects grassroots organisations, individuals and organising with the Justice Together change goals.
- Where activities meet the [Justice Together change goals](#), flexible core-type funding will be considered.
- We can only fund work that is charitable, but applicants do not need to be registered charities.

We are interested in seeing applications that include both specialist advice and local influencing. We believe they go hand in hand. We recognise that not all applications will look the same: some will be exclusively specialist advice focused, some will include advice and local influencing, and some just local influencing. We want to hear from all the different ways this work comes together. With regard to choosing an online application to submit: where the work proposed leans more towards advice, please fill out the advice application but include in your answers the activities you will be doing with regard to influencing, and vice versa. Read more about this in our [FAQs](#).

### National influencing grants

We welcome applications for national influencing partners who focus on change across the UK and/or in the devolved nations. We would like these partners to work alongside advice partners in the initiative to draw on their case data to spot trends and respond to threats and opportunities.

## What we will fund:

- Increased influencing capacity including through staffing costs, consultancy, volunteer expenses and direct costs.
- Proposals from organisations led and/or informed by people with lived experience of the immigration system.
- Approaches that build solidarity, work together to understand systemic issues and coming come together to raise the voices of those with lived experience.
- Development and testing of new approaches to influencing with particular focus on community and movement lawyering models that build power and develop leadership of those with lived experience of the immigration system.
- Co-ordination across different approaches to influence and/or with advice providers. We would like to support new structures as well as strengthening existing co-ordination.
- Training or skill development in campaigning, policy influencing, research or other relevant areas that connects grassroots organisations, individuals and organising with the Justice Together change goals.
- Where activities meet the [Justice Together change goals](#), flexible core-type funding will be considered.
- We can only fund work that is charitable, but applicants do not need to be registered charities.

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