

**“Lost time... and stolen dignity”**

**Access to quality, free legal representation**

HELEN  
BAMBER  
FOUNDATION  
*strength to fly*



  
The  
Royal  
Courts  
of  
Justice

The Helen Bamber Foundation (HBF) is a specialist clinical and human rights charity that works with survivors of trafficking, torture and other forms of extreme human cruelty. The Ambassadors for Change are a group of survivors with experience of the UK asylum system who campaign to ensure London is welcoming and fair for other people seeking safety. The Ambassadors for Change have collectively decided to focus their advocacy targets on the availability of quality, free legal advice and representation for those seeking protection in the UK. The briefing provides an overview of the difficulties that people seeking asylum and survivors of trafficking face when trying to access free, quality legal advice and representation, and shares lived experience testimonies. The final section of the document outlines recommendations from the Ambassadors that would help enable those seeking protection to access the legal support they need.

## The importance of free legal advice

For survivors of torture, trafficking and other extreme human cruelty, **legal advice and representation is vital in ensuring that they can navigate complicated immigration and asylum systems** and gather and put forward the necessary evidence to support their case, including medical evidence. The outcomes of immigration and asylum applications are often dependent on the quality and knowledge of legal representatives and services who advocate for survivors.

[‘Legal aid’](#) is a system of public funding designed to help people who cannot afford legal services with the costs of legal advice and representation. **Properly funded, early access to legal immigration and asylum advice can ensure that issues are addressed as early as possible** - sometimes without the need to access the appeals or judicial review systems. If someone has poor representation or no representation early on, issues can emerge in their case which are very hard to address later, elongating their dependency on legal aid.

**Good quality, free legal advice at an early stage not only saves money, time and valuable resources but is also much better for the health and well-being of the individual.** Where survivors have not received legal advice at the outset of their claim for asylum or trafficking and/or their cases are not front-loaded with relevant evidence (such as a medical report or country expert report) before a decision is made, these cases can end up [taking much longer](#) to conclude. [Research](#) has shown that the cost saving to the state for every 100,000 clients in receipt of free legal advice was around £908 million in 2023.

## The lack of legal aid-funded advice

Before [this year](#), there had been no real-time increase to the legal aid rates paid for *almost 20 years*, and [‘fixed fees’](#) for certain cases make it near impossible to be paid for the entirety of work required to resolve someone’s problem. The Legal Aid Agency (LAA) also places high administrative demands on legal advisors that require a huge amount of unpaid work. [This is driving lawyers to leave the profession](#), and law firms to reduce legal aid work or to shut down entirely, leaving [vast ‘legal aid deserts’](#) where no publicly-funded advice is available. As a result, there are fewer sufficiently qualified and experienced representatives able to take on complex cases.

The Legal Aid, Sentencing and Punishment of Offenders Act 2012 took whole areas of immigration advice outside the scope of legal aid provision. ‘Exceptional Case Funding’ was introduced to fill the gap for cases where it could be shown that an individual’s human rights or EU legal rights were at risk of being breached unless legal aid was granted. This has created an [unnecessary additional hurdle](#) in obtaining legal aid for ‘out of scope’ matters, placing a further administrative burden on lawyers who remain in practice.

Now [over 57% of people](#) claiming asylum or appealing an asylum refusal before the First-Tier Tribunal are unable to access a legal aid representative. [Research](#) has shown that 90% of support workers helping survivors of trafficking struggled to find legal advisors for their clients in the past year, with almost half reporting delays of six months or longer. The crisis in legal aid leaves survivors without access to lawyers equipped to work on their cases, undermining their access to justice. More legal advice can now be provided ‘remotely’ (i.e. online) but this is [not suitable for everyone](#) and not a viable solution to the severe shortage of advisors.

This problem is only growing with the backlog of people in the asylum system. In June 2025 there were over [50,000 asylum appeals](#) in the tribunal backlog, and the average time it takes for the First-tier Tribunal to decide an asylum case is [over a year](#) (54 weeks). Providers are at capacity and in some cases are unable to take on cases prepared at the initial stage to appeal stage. Many people who have the right to legal aid are being forced to go to appeal without any legal advice at all.

It is very difficult for people to find their own legal aid lawyers - many who have never had legal representation before often do not know about legal aid and/or they do not have the digital skills or ability to call and email numerous firms to lay out their case clearly and coherently. Referrals often go unanswered and those who do not have a third party, be it an NGO or support network, to help them do this will often [struggle to find a lawyer](#).

## Poor quality legal advice

Without access to legal aid lawyers, people seeking protection may resort to paying private lawyers and may get into high levels of debt. Private providers charging extortionate and exaggerated fees can drive already vulnerable people into exploitative situations.

Furthermore, they can end up paying for services which can still be sub-standard due to different regulations in the private sector. [Recent research](#) highlighted issues across the sector in relation to the [Solicitors Regulation Authority \(SRA\)](#), the standard regulating body of solicitors and law firms in England and Wales and its failures in detecting breaches and enforcement of its code of conduct. The SRA system of complaints and public facing advice has not been designed for those with English as a second language. The [Legal Ombudsman](#), the body which aims to investigate and resolve disputes between “consumers and legal service providers” has a [similarly difficult system of complaints](#) to navigate for non-native speakers or non-lawyers. Private advisors might also be regulated by the Immigration Advice Authority and [have a separate system of complaints associated with that service](#).

Legal aid-funded legal advice is subject to an additional regulatory framework (administered by the Legal Aid Agency) that ensures that the service provided is of a certain standard. However, some lawyers still provide poor quality representation, in part because the regulations of legal aid are arguably more concerned with administrative procedure than [good-quality representation](#).

The lack of choice of providers enables poorer-quality work because people have nowhere else to turn. Many people do not know how to complain or are reluctant to do so due to fear of not being able to find another lawyer. Survivors are unable to access or navigate systems of complaints without external support of charities and even where they have that support, it can be hard to work out which body actually would be most helpful and whether taking the step of complaining will meaningfully help the individual.



## My asylum experience: 10 years of silent punishment

“I did not understand the process for seeking asylum in the UK. Someone from my community took me to a hidden office in Whitechapel and charged me £1,500 just for booking a screening interview and getting an ARC card. After that, both the lawyer and the office disappeared.

Later, the same person from the community took me to a different set of solicitors in Aldgate, where they charged £500 just to open a file. In 2018, when my claim was refused, they asked for another £2,000 to handle the appeal — including barrister fees. The barrister went to court and said only two words — those two words cost me £2,000.

They submitted my documents to the court, without translation or explanation, and even included papers that damaged my case.

In total, they took nearly £3,000 from me — but what I lost was over 10 years of my life, living like a criminal without ever committing a crime.

When I later requested my file for Helen Bamber Foundation, they even charged £50. They never told me about legal aid, even though I repeatedly explained that my only income was my illegal work at the time, earning just £2 per hour.

This experience wasn't just about financial loss — it was about lost time, silence, and stolen dignity.

In 2019, my GP referred me to the Helen Bamber Foundation (HBF), who helped me secure a legal aid solicitor. However, it wasn't easy—HBF initially referred me to another solicitor who refused my case due to “no capacity.” After finally getting legal aid, it took three years to prepare my case, and I have now been waiting two more years for an outcome.

After my fresh claim was refused, I had just 14 days to find another solicitor for an appeal. My current solicitor couldn't take it due to “no capacity,” so they referred me elsewhere.

Unfortunately, the new solicitor also said “no capacity.” Eventually, HBF spoke to my current solicitor, and she made an exception to take my case.

From my experience, legal aid seems to be stuck on “no capacity.” It's extremely difficult to get because many solicitors don't want to take such cases, and even if you do get it, the process is painfully slow. If I could afford to pay, I wouldn't have had to wait five years for a decision. Most importantly, before 2019 and HBF, I had no idea what legal aid even was.”

## Recommendations

The Home Office and Ministry of Justice should:

- Bring all immigration, asylum, family reunion, citizenship and trafficking work within the scope of legal aid removing the need for lengthy ECF applications.
- Increase legal aid fees annually in line with inflation and pay solicitors and barristers for all the work they do at revised uncapped hourly rates and with fewer administrative burdens for legal aid work and no 'fixed fee' schemes.
- Improve safeguards for people who do not have lawyers by:
  - Ensuring that every person who has claimed asylum is given information about legal aid and how to find legal aid providers in their area, and that the list of legal aid lawyers provided by Migrant Help is up to date
  - Mandating that every person gets offered legal advice before their substantive asylum interview and that where an individual does not have a legal representative this should be a reason to delay their interview.
- Introduce a single and clear pathway to making complaints about an adviser, regardless of who they are regulated by. This could include, for example, a confidential hotline for misconduct. Often survivors are unclear where to begin their complaints for fear of this impacting their immigration case.
- Ensure that immigration solicitors receive trauma-informed training, particularly for survivors of trafficking, torture and other human rights abuses.

Legal sector regulators should:

- Ensure people are able to complain about poor quality solicitors and take appropriate action by:
  - Ensuring information is accessible about how to make a complaint and the complaints procedure is genuinely accessible for all those who do not have English as a first language.
  - Ensuring complaints are properly investigated, with meaningful follow-up.
- Enforce best practice in working in immigration and asylum law and set better standards for client communication and transparency, for example by:
  - Always offering proper interpreting services and document translation where needed.
  - Delivering services in a reasonable time frame with clients, and where this is not possible giving an explanation as to why this is; and
  - Providing clients with regular updates on their case.