

REGISTERED COMPANY NUMBER: 05447875 (England and Wales)
REGISTERED CHARITY NUMBER: 1112026

**Report of the Trustees and
Unaudited Financial Statements for the Year Ended 31st January 2021**

for

Asylum Justice

**BPU Limited
Chartered Accountants
Radnor House
Greenwood Close
Cardiff Gate Business Park
Cardiff
CF23 8AA**

Radnor House
Greenwood Close
Cardiff Gate Business Park
Cardiff CF23 8AA

Registered to carry out audit work
in the UK and regulated for a range
of investment business activities by
the Institute of Chartered Accountants
in England and Wales.

bpu Chartered Accountants is
a trading name of BPU Ltd
Company Number 3723948
Registered in Wales

A list of directors is available from the
registered office above.

Asylum Justice

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Asylum Justice

Trustees Report

For the Year Ended 31st January 2021

Charity Number 1112026

Company registration number 05447875

Trustees Report

Covering the period 1st February 2020 – 31st January 2021

The trustees, who are also directors for the purpose of company law, present their annual report and accounts for the year ending 31st January 2021 and confirm that they comply with the charity's Memorandum and Articles of Association, the Companies Act 2006, the Charities Act 2011 and Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) incorporating section 1a for smaller entities.

Asylum Justice has continued to operate during the whole of the COVID-19 pandemic period and has increased its income by 66% compared to the previous reporting period. The charity remains a going concern. The reasons are set out in the report below.

Objectives and Activities

Asylum Justice is the only charitable organisation in Wales – considered as a legal aid desert with an ever-shrinking immigration sector – which offers free, specialist (OISC Level 3) immigration advice and representation to asylum seekers, recognised refugees, and vulnerable migrants up to and including court level. In broad terms we work with those who have made a request for protection in the UK which may be considered under the UN Refugee Convention 1951 or under the European Convention on Human Rights 1950.

We provide legal advice and representation when someone cannot access legal aid because it has been withdrawn or their immigration matter is 'out of scope' of legal aid. No other organisation provides this service in Wales and consequently Asylum Justice is the last place that people can turn to for help in

their asylum or immigration case. Where we succeed in securing status or reuniting a family, it is a vital step in ensuring meaningful socio-economic inclusion for some of the most vulnerable individuals in Wales. Wider outcomes include reducing pressure on statutory and third sector agencies, particularly when destitute individuals gain access to social and legal protections. The value of our unique service cannot be stressed enough.

Our specific casework objectives can be broadly summarised as:

1. To assist asylum seekers and other vulnerable migrants in securing and maintaining legal recognition, thereby alleviating destitution and exclusion amongst this client group
2. To keep families living in the UK together through making initial and further leave applications
3. To reunite refugee families in Wales by representing them in family reunion applications

Since 2013, we have primarily focused our limited resources on delivering high-quality legal advice and representation services. Our wider charity objectives expanded slightly this year to include taking steps to participate further in Welsh and UK-wide advocacy trying to address the systemic problems in the asylum and immigration systems which give rise to the need for the services which Asylum Justice provides.

Asylum Justice Memorandum and Articles of Association – Objectives (extract)

"The relief of poverty, in particular but not exclusively, for persons including but not limited to asylum seekers and refugees who have at any stage raised arguments under the 1951 UN Convention relating to the Status of Refugees or the European Convention of Human Rights or The Human Rights Act 1998 to the Secretary of State for the Home Department or the First-Tier and Upper Tribunal of the Immigration and Asylum Chamber or in any other legal proceedings; and

To provide legal advice, assistance and representation in relation to persons including but not limited to asylum seekers who by reason of their inadequate means are unable to obtain such advice and representation from their own resources and who, in particular but not exclusively, have at any stage raised arguments under the 1951 United Nations Refugee Convention or the European Convention of Human Rights or The Human Rights Act 1998 to the Secretary of State for the Home Department or the First-Tier and Upper Tribunal of the Immigration and Asylum Chamber or any other legal proceedings."

Public Benefit

The Trustees have paid due regard to Charity Commission guidance in planning and managing the activities and work of the organisation for public benefit.

Achievements and performance

Please note statistics for 2020 cover the reporting period (1st February 2020 – 31st January 2021) for this annual report.

1. Appeals

70% success rate (2014 – 2020) for appeals

The stringent 'merits' tests imposed by the Legal Aid Agency have seen growing numbers of asylum seekers refused legal aid to appeal a refusal of asylum. We take on the appeals of asylum seekers denied legal aid on the grounds that solicitors considered their case too 'weak' to win on appeal. As such, we act in cases deemed complex and with an unlikely prospect of success, yet currently win 70% of them. Our annual success has been consistently above national averages e.g., this year we won

64% of asylum appeals, while on a national level 44% of asylum appeals were won (Refugee Council, 2020). Few claimants will succeed unrepresented in the UK's complex and bureaucratic asylum system.

This area of work usually requires very quick action. This is because clients who have had legal representation withdrawn by their previous legal aid solicitor will have a very short timescale in which to lodge an appeal and, once the appeal is lodged, an initial court hearing can be listed for less than a month later. Clients at this stage of the asylum process are also on the verge of becoming destitute, as Home Office support and accommodation are withdrawn if no appeal is lodged or, indeed, if an appeal is dismissed after a hearing in which the client was unrepresented.

It should be noted that this year we took on a concentration of cases with a lower prospect of success than normal. The pandemic changed quite significantly the landscape of asylum casework, with some areas of Home Office casework effectively suspended. Most notable was the processing of initial asylum claims, which virtually ground to a halt early on during the pandemic. Less asylum decisions inevitably means less appeals and, where appeals did arise, they were generally those which were hardest of all to win. The likely explanation for this was that local legal aid firms were applying the merits criteria less stringently than would normally be the case, due to their having greater capacity than usual. In normal times, local legal aid firms rely heavily on pre-decision work, but this decreased dramatically during the pandemic, causing them to maintain representation in appeal cases where they would previously have been likely to refuse or withdraw legal aid.

For Asylum Justice, this has left us with the most challenging claims of all, with legal aid providers more willing to maintain representation in cases that would normally have formed a significant part of our caseload.

"From the moment our lawyer first spoke with us about our case – showing such care, professionalism, and patience – we felt like we had finally found someone who was going to be able to really help us.

Someone with a caring spirit, with the expertise which we desperately needed."

Carlos & Magdalena*

Two clients successful at a First-tier Tribunal appeal

**Please note we have not used the clients' real names.*

First-tier Tribunal Appeals

We submitted 10 applications for Permission to Appeal to the First-tier Tribunal and have represented 21 applicants at First-tier Tribunal Appeals. One appeal was withdrawn and leave granted before Asylum Justice represented the client in court, due to additional evidence which our adviser gathered and submitted in advance of the hearing.

This year, due to the pandemic and exceptional measures, we have had fewer clients approach us for assistance at the appeal stage. There have also been delays, due to the pandemic, in holding court hearings and subsequent decision-making processes.

Upper Tribunal Appeals

Having made 'permission to appeal' applications to the First-tier Tribunal, Asylum Justice made 20 'permission to appeal' applications to the Upper Tribunal during this reporting period. Due to the pandemic, the decision response on permissions to appeal has often been delayed. In this reporting period, we represented 2 clients at Upper Tribunal appeal hearings.

2. Fresh Claims

75% success rate (2020) for fresh claims submitted

In 2020, we submitted fresh claims for 13 refused asylum seekers who had exhausted all appeal rights. Asylum seekers who have exhausted all appeal rights sometimes have fresh grounds or compelling new evidence with which they can make further submissions to the Home Office in support of their

previous asylum claim. Some simply never had their claim fully considered the first time around due to poor quality legal representation or an appeal not being lodged in time.

Many of these clients will be completely destitute, having spent years in enforced poverty and homelessness in the UK due to their lack of legal status. For most, returning home is not an option due to continued fears for their safety. When a fresh claim is successful, it transforms a client's situation immediately, by granting them legal status and associated rights such as the opportunity to work and/or claim benefits. It will also create the right to apply for refugee family reunion, thereby allowing them to recover from recent traumatic experiences and fully integrate into Welsh society.

"The dedication and work ethic my lawyer demonstrated while helping me with my case was truly astonishing. She communicated clearly, kindly, and gently at all times which both reassured me and made me feel comfortable. Even though I did not know her, she transmitted a great sense of protection to me during our phone calls, something very meaningful for anyone but especially for an asylum seeker. Her service has been outstanding."

Mirela*

Granted leave following a Fresh Claim

**Please note we have not used the clients' real names.*

3. Family Reunion

69% successful Family Reunion applications (2020) to reunite refugees with their partners and/or children

We submitted 22 family reunion applications and represented 4 family reunion applications at appeal in the First-Tier Tribunal. Despite being a fundamental human right, this is an area of law without access to legal aid provision. Without representation, many refugee families remain separated, which impacts significantly on the sponsor's ability to recover and integrate into the host community, whilst relatives remain in often dangerous environments, such as war zones or refugee camps.

We have been unable to submit some applications in 2020 due to the closure of UK embassies abroad and travel restrictions. However, we nonetheless advised clients and assisted them to prepare applications for submission once measures relaxed.

Asylum Justice is usually the only organisation in Wales that represents recognised refugees free of charge in these applications, due to the fact that legal aid for this area of work is classed as 'out of scope'. Due to the fact that Home Office processing of initial asylum claims was effectively suspended for many months, however, we found that at least one local firm was willing to move into other areas of work, at least temporarily, so were willing to make applications for Exceptional Case Funding (ECF) to the Legal Aid Agency to allow them to undertake work in these cases. We therefore referred a significant number of these cases out in this year, rather than undertaking the work ourselves. Although virtually all these ECF applications were granted, it remains to be seen whether or not this trend will continue, as once initial asylum processing reaches pre-pandemic levels it seems likely that all firms will return to working predominantly with initial asylum-seeking clients.

4. Leave and Nationality Applications

100% successful leave, further leave, settlement, and nationality applications (2020)

We assist vulnerable migrants to make initial applications for leave to remain in the UK based on their private and family life. Many of these clients may be part of established Welsh families, with a child or partner who is either a British citizen or legally settled here.

Many of those with leave to remain in the UK on grounds of their family and private life are now required to make four separate paid applications over a ten-year period before being able to apply for

legal settlement. To find thousands of pounds every few years for application and solicitor's fees is beyond the reach of most. If no extension application is made before an applicant's current leave to remain expires, they will become 'overstayers' overnight, thereby losing the right to work or access to public funds. They also face the risk of detention and forced removal, separating them from their loved ones.

This year we submitted 35 leave applications and 3 settlement applications, with accompanying fee waivers applications where relevant. We also submitted 2 naturalisation applications on behalf of children.

"Without Asylum Justice, my hope was over. It was so challenging to try to stay in this country. You just feel like you don't know what to do next. Before Asylum Justice took on the case, I was feeling so anxious and stressed. I would have not been able to do my leave application without the help of Asylum Justice."

Shirley*

Successful initial application for leave

**Please note we have not used the clients' real names.*

5. Lifting the No Recourse to Public Funds (NRPF) Condition

This year during the pandemic we made 2 successful applications to lift the no recourse to public funds (NRPF) condition for clients who found themselves destitute during the pandemic due to job losses, reduced hours, or exhausted savings. We expected the number of clients approaching for help with these types of applications to be a lot higher, but the Home Office's policy of penalising clients who request that the restriction on public funds is lifted (so that clients on the '5-year route' to settlement would have to transfer to the '10-year route' to settlement) seems to have dissuaded many from making the request.

6. Strategic Litigation

Intervening at Penally Barracks, Tenby

At the end of 2020, Asylum Justice began undertaking work to act as an intervener in a judicial review challenge being brought by a number of solicitors' firms, all of whom were represented by the Public Law Project (PLP), a leading public law firm that has recently created a permanent presence in Wales. The challenge related to the legality of the use of Penally Barracks by the Home Office as initial accommodation for asylum seekers. As explored in our blog post, *"I Hate It Here" – Our Experience at Penally Barracks*¹, the conditions in which asylum seekers were living at the former barracks were described as 'shambolic, inhumane, and dire'.

Pre-Action Protocols for further accommodation and support issues

We also began work to prepare pre-action protocols in relation to further issues with asylum seeker accommodation and support payments.

7. Referrals to Legal Aid Providers

Due to not working with legal aid, we will refer clients who are eligible for legal aid out to immigration and asylum solicitors. This ensures our casework resources are focused on clients with no access to legal aid. In this reporting period, we referred at least 15 clients to legal aid advisors.

8. Advice-Only Clients

¹ Blog post (23 December 2020) *I Hate it Here – Our Experience at Penally Barracks*, [<https://www.asylumjustice.org.uk/penally-refugees/>]

If

We provided advice-only services to 80 clients on 22 different types of queries. Most of the clients who we advise then progress on to our waiting list for substantive casework to be undertaken on their behalf, as there is no other organisation which we can refer them to in order to access the legal representation they need.

Service Delivery

Prior to the outbreak of the pandemic, we continued to run a weekly drop-in on a Monday at the City United Reformed Church in Cardiff and a monthly drop-in in Swansea at St James' Church Hall. At the drop-in people would receive initial advice and then might be referred on to a legal aid provider or, where legal aid is unavailable, represented directly through Asylum Justice. For some clients, due to the circumstances of their case, it is not possible to assist them further. These clients nonetheless still receive comprehensive advice from us regarding their situation and options. Following advice sessions, we refer clients to other services for assistance for issues related to destitution, communication, mental health, or social isolation. Occasionally, clients need emergency referrals to out-of-hours Social Services departments or Accident and Emergency NHS units.

From November 2019 – March 2020 we saw much higher numbers of people approaching our drop-in for advice and further representation due to the closure of one of the largest providers of immigration legal aid representation in Cardiff. Due to the closure of this firm, the legal aid capacity within Wales shrunk – entrenching it further as a legal aid desert. As a result of this we saw higher numbers of clients approaching the drop-in as they could not find representation.

However, from March 2020, the drop-in had to close to comply with the pandemic's social distancing measures. To continue to provide the service remotely, significant changes were made to our human resource and digital infrastructure. This included the addition of a small Client Liaison team, to coordinate between clients, freelance / pro bono lawyers, and partners, as well as the launching of a telephone service and a digital referral and allocation system.

During the pandemic, we have been successfully providing our advice and substantive casework services remotely. It should be noted that as of the end of January 2021, we had approximately 90 substantive cases in progress. This demonstrates our continued ability to work with a large number of clients despite working through a primarily remote modality.

Due to a slow-down in Home Office and court operations, Asylum Justice saw reduced numbers seeking assistance at the appeals stage. However, due to new procedures introduced at the start of lockdown by the Newport Immigration and Asylum Tribunal, the time and resources spent on each individual appeal has effectively doubled. Since lockdown began, it became mandatory to have an additional initial (albeit remote) hearing in every single appeal case in which skeleton arguments must be presented and arguments about the need for an in-person hearing made. Due to the vulnerabilities of our clients, oral hearings will be frequently granted. The time counsel is now required to spend on the early stages of an appeal case has virtually doubled, which in turn has significantly increased our expenditure on services provided by counsel.

The demand for our advice and representation continues to outweigh our ability to supply these services immediately to everyone who approaches us. At the time of writing this report, we have a growing waiting list, and we anticipate heightened pressure on our caseload, particularly once the Home Office resumes normal operations and we experience an influx of refused asylum seekers seeking legal assistance.

Staffing and Volunteers

Ruth Brown, the Legal Director, is responsible for the charity's casework and office management. Ruth was nominated in 2020 as an 'Inspiring Woman Lawyer' in the UK as part of a study carried out by the Faculty of Law at the University of Oxford. There is one part-time legal advisor (two days a week) and a pool of pro bono advisors working on a case-by-case basis with Asylum Justice.

This year the organisation hired a part-time Funding Officer to identify and apply for new funding, maximise the impact of grants, and build up our reserves through careful financial management. Also

appointed were part-time Client Liaison Officers who assist in the coordination between advisors, clients, and partners in addition to providing administrative support to the Legal Director.

We continued to work with some existing volunteer interpreters on a case-by-case basis. However, for general administration of the organisation and its services, it was decided that paid employees were necessary (the Client Liaison Officers) to ensure continuity and to not to avoid placing untenable management responsibilities on our Legal Director during a period of significant insecurity for all. The contribution of our volunteers in previous years, particularly during our drop-ins, has been invaluable and we intend to engage the assistance of new volunteers in the future once our capacity allows us to.

Partnerships and Memberships

While others in the Welsh migration-focused third sector are working on multiple, interrelated issues which affect the rights and integration of asylum seekers, recognised refugees, and vulnerable migrants – such as destitution, communication issues, mental health and social isolation – no other agency offers free OISC Level 3 immigration advice and representation to those without access to legal aid, nor maintains a central expert role in Wales on issues regarding the legal aid and immigration systems.

We receive regular referrals from, and we refer regularly to (for issues related to destitution, communication, mental health or social isolation), a wide variety of local public, private and third sector partners. Partners such as local authorities, the faith sector, the Asylum Rights Programme partners (including the Welsh Refugee Council, EYST, Tros Gynnal Plant, BAWSO, and Displaced People in Action), a range of third sector organisations (such as British Red Cross, Women's Aid, Homestart, Oasis Cardiff,) and the Law Centres Network.

During 2020, referrals and requests for support did not cease from within our existing partnerships or those formed in response to the pandemic. We saw increased interest in our service from frontline homelessness teams supporting destitute clients with no access to public funds being housed under coronavirus measures. There was interest in supporting these clients insofar as possible to receive immigration advice and subsequent representation, where applicable, to try to remedy their immigration status, gain access to mainstream benefits, and relieve pressure on the agencies supporting them.

Asylum Justice also has strong working partnerships with a range of other organisations including the Welsh Refugee Coalition, Law Works Cymru, the Immigration Law Practitioners Association (ILPA), the Joint Council for the Welfare of Immigrants (JCWI), the Electronic Immigration Network (EIN), Refugee Action, the Refugee Legal Group, and Cardiff and Swansea Universities.

Raising funds

This year's achievements have been underpinned by generous financial support from a range of existing and new funding bodies, which are listed below, in addition to individual donations from supporters or local groups/businesses. Despite the pandemic our overall annual funding increased by 66% in the reporting period.

(i) Grant income

Tudor Trust: Tudor Trust provides a grant for core services which has been renewed from November 2019 – November 2022. This provides the salary for our Legal Director and some core costs. Tudor Trust kindly allowed us to put on hold some of our spending under this grant while we spent short-term emergency grants.

Asylum Rights Programme (Welsh Government): Asylum Justice is part of a consortium of third sector organisations (with the Welsh Refugee Council as lead agency) that secured funding from the Welsh Government for an initial three-year programme, now extended until the end of March 2022, to improve services for asylum seekers and refugees in Wales. This funding is used to pay for a two-day Legal Advisor post, in addition to paying regulated consultants to work on a case-by-case basis. It has also covered some interpreting, translation, and expert report costs.

Welsh Government: Asylum Justice received a grant of £15,000 from the Welsh Government for work carried out in the period April 2019 – March 2020. The grant covered caseworker, interpretation, and expert reports costs. For the period April 2020 – March 2021 we received a further grant for our organisation which covered sessional worker costs, interpretation, and expert report costs.

Lloyds Bank Foundation: Lloyds Bank Foundation kindly agreed to allow us to defer our year three funding to 2021. During this reporting period the remaining year 2 grant covered the Office and Volunteer Coordinator's part-time post, training costs, and in addition some IT and rent overheads.

Ministry of Justice (via. Community Justice Fund): Asylum Justice received emergency funding from the Ministry of Justice through wave 1 of the Community Justice Fund. This emergency funding part-funded a range of staff posts in addition to a significant part of the organisation's overheads, including equipment costs to allow staff to work remotely.

Paul Hamlyn Foundation: Asylum Justice received funding through the Paul Hamlyn Foundation COVID-19 Emergency Fund. In this reporting period, funding covered staff overtime.

Community Foundation Wales: Asylum Justice received emergency funding through the Community Foundation Wales, under the Wales Coronavirus Resilience Fund, to part-fund the Funding Officer's post in the subsequent reporting period. Also funded under this grant (primarily in the subsequent reporting period) were administrative support, interpreting/translation, and specific overhead and capital costs.

COVID-19 Respond and Adapt Programme: Asylum Justice received emergency funding through Migration Exchange to fund policy, strategic litigation and monitoring and evaluation work in addition to part-funding administrative staff salaries during the period. The programme was a joint initiative of Migration Exchange, Refugee Action and NACCOM. It is funded with support from a number of independent funders.

(ii) Donations and Activity Fundraising

The focus in 2020 has been on funding applications to funding bodies, but we have also received ongoing regular donations from a number of supporters.

In the next financial year, we intend to run some individual giving campaigns in order to increase our unrestricted reserves.

Financial Review

The total income for the year ended 31st January 2021 was £223,193 (2020, £134,832) and the total expenditure for the year was £171,123 (2020, £112,474) resulting in a surplus for the year of £52,070 (2020 surplus £22,358). The income received included restricted grant funds of £166,976 (2020, £128,018) and unrestricted grant funds of £50,000 (2020 nil). Continuing donations, including from Standing Order supporters and one-off donations and fundraising income was also received totalling £6,217 (2020, £6,814) and contributed to unrestricted funds. The expenditure for the year has largely been on core management costs, including running the offices at Portland House, office rent, the Legal Director's salary, salaries for part-time staff, payment for consultancy casework including interpretation and expert reports. We also had payments for data storage and IT, as well as ongoing costs of the legal casework database. The restricted fund balance brought forward at 1st February 2020 was £57,155 and £57,650 was carried forward at 31st January 2021. The balance on the unrestricted fund increased during the year from £25,562 brought forward to £77,137 at 31st January 2021.

Reserves Policy

The unrestricted reserves on 31st January 2021 are £77,137 which is equal to approximately 5.4 months of expected expenditure. The current reserves policy aims for 3 months running costs therefore the trustees are satisfied with the level of unrestricted reserves and will continue in the 2022 year working with the Funding Officer to increase these reserves further. Existing grant agreements are

sufficient to cover operating costs for the next year and Asylum Justice receives generous ongoing support from a number of funders.

Risk policy

The trustees are aware of all the major risks regarding the charity including financial and personal risks, which are reviewed on an on-going basis. Financial risk is recognised and controlled by a system of authorisation of expenses and segregation of duties in recording and processing wages and income. Trustees are appointed to check and review personnel matters and Health and Safety and appropriate insurance are in place.

Plans for the future

Asylum Justice will continue to play a unique and essential role within the Welsh refugee and migrant rights sector in terms of outcomes for individuals, reducing pressure on statutory (as demonstrated by recent research²) and other third sector agencies. We have also increasingly become a source of specialist information for wider sector organisations involved in advocacy on refugees'/migrants' rights.

The pandemic has demonstrated our resilience as an organisation to adapt and continue to provide our service through new modalities. It has also led us to reflect on gaps in our resources and consider new solutions, such as regarding the supply of future qualified immigration advisors in Wales. Asylum Justice has now, in 2021, secured further funding and begun focussing some of its resources on training up new advisors to ensure sustainability of available advisors for Asylum Justice in the coming years.

Now with a Funding Officer in post, the organisation is also focusing further efforts to increase our fundraising. This includes improving the organisation's monitoring and evaluation work, such as aiming to produce casework statistics more regularly in addition to increasing the number of testimonials gathered from previous clients. This is work which will assist us to identify improvements we can make to our service, demonstrating the need for, and high quality of, our service in future funding applications. It also means that we are in a unique position to evidence issues and problems occurring within both the asylum and immigration system and the legal aid system. The Legal Director is regularly contacted by academics undertaking research in these areas, and our greater involvement in general advocacy work is an area of work that certain of our funders are very keen for us to develop.

Securing further medium to long-term funding is a priority for Asylum Justice, so that we can ensure the sustainability of its current services but also develop our ability to better resource the organisation's infrastructure. A better resourced infrastructure will relieve pressure from key members of staff, ensure we can provide our service in a timely manner to all those who need to access it, and free up experienced members of staff to concentrate on casework.

Structure, Governance and Management

The organisation is a Charitable Company Limited by Guarantee, governed by its Memorandum and Articles of Association. Asylum Justice is also registered with the Office of Immigration Services Commissioner (OISC) in accordance with the Immigration and Asylum Act 1999 and the Nationality, Immigration and Asylum Act 2002. The charity is also registered with the Information Commissioner's Office for data protection purposes.

The charity is managed directly by its board of trustees. Each Trustee is ex officio a member of the company. There are no other members. The board consists of eight Trustees. A Trustee who has served a continuous term of six years must resign for at least one year but then may stand for re-election to the board.

Recruitment and appointment of trustees

² Leckie C. , Munro R. , and Pragnell M. (September 2021) *Defending the public purse: The economic value of the free legal advice sector* [<https://atjf.org.uk/wp-content/uploads/2021/09/Defending-the-public-purse-The-economic-value-of-the-free-legal-advice-sector-September-2021.pdf>]

Trustees are appointed at a general meeting; the members of the charity may, by ordinary resolution, appoint a trustee or the trustees may appoint a trustee themselves.

A trustee is appointed and holds office until the next Annual General Meeting. If not re-appointed at the AGM they should then vacate office.

Key Management Personnel

The key management personnel are considered to be the trustees and the Directors. Trustees receive no remuneration.

One trustee, Amie Jordan, stepped down during the year due to personal circumstances. The Trustees expressed their thanks and appreciation for the work she had done for the charity.

Reference And Administrative Details

Company Name: Asylum Justice Limited

Company Registration Number: 05447875 Incorporated 10th May 2005.

Charity Registration Number: 1112026

Office of the OISC Registration Number: N200800025

Registered Office: [REDACTED]

Bankers: CAF

Accountants: Mr Huw Palin FCA - BPU Limited , Radnor House, Greenwood Close, Cardiff Gate Business Park, Cardiff, CF23 8AA.

Trustees:

Bernadette Rainey (Chair)

Alison McQueen (Secretary)

Mark Baker (Treasurer)

Sian Summers-Rees

Victoria Goodban

Fermigje (aka Emmy) Chater

Stuart Penny (Appointed 1st September 2020)

Holly Taylor (Appointed 28th May 2021)

Resignations

Amie Jordan (Resigned 28th May 2020)

Rhian Donnelly (Resigned 22nd June 2020)

Louise Morgan (Resigned 11th October 2021)

Statement as to disclosure to our Independent Examiner

In so far as the trustees/directors are aware at the time of approving our trustee's annual report there is no relevant information, being information needed by the examiner in connection with preparing their report, of which the examiner is unaware, and The trustees have taken all steps that they are obliged to take as directors in order to make themselves aware of any relevant information and to establish that the examiner is aware. The Trustees declare that they have approved the trustees' report (incorporating directors' report) above.

Signed by Trustee:

Bernadette Rainey

Date:

19/10/21

Print name: Bernadette Rainey

Independent Examiner's report to the Trustees of Asylum Justice

I report to the charity trustees on my examination of the accounts of the Company for the year ended 31 January 2021.

Responsibilities and basis of report

As the charity's trustees of the Company (and also its directors for the purposes of company law) you are responsible for the preparation of the accounts in accordance with the requirements of the Companies Act 2006 ('the 2006 Act').

Having satisfied myself that the accounts of the Company are not required to be audited under Part 16 of the 2006 Act and are eligible for independent examination, I report in respect of my examination of your charity's accounts as carried out under section 145 of the Charities Act 2011 ('the 2011 Act'). In carrying out my examination I have followed the Directions given by the Charity Commission under section 145(5) (b) of the 2011 Act.

Independent examiner's statement

I have completed my examination. I confirm that no matters have come to my attention in connection with the examination giving me cause to believe:

- 1 accounting records were not kept in respect of the Company as required by section 386 of the 2006 Act; or
- 2 the accounts do not accord with those records; or
- 3 the accounts do not comply with the accounting requirements of section 396 of the 2006 Act other than any requirement that the accounts give a true and fair view which is not a matter considered as part of an independent examination; or
- 4 the accounts have not been prepared in accordance with the methods and principles of the Statement of Recommended Practice for accounting and reporting by charities (applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102)).

I have no concerns and have come across no other matters in connection with the examination to which attention should be drawn in this report in order to enable a proper understanding of the accounts to be reached.



John Huw Palin
FCA
BPU Limited
Chartered Accountants

22 October 2021

Radnor House
Greenwood Close
Cardiff Gate Business Park
Cardiff CF23 8AA

Registered to carry out audit work
in the UK and regulated for a range
of investment business activities by
the Institute of Chartered Accountants
in England and Wales.

bpu Chartered Accountants is
a trading name of BPU Ltd
Company Number 3723948
Registered in Wales.

A list of directors is available from the
registered office above.

Asylum Justice
Statement of Financial Activities (Income and Expenditure Account)
for the Year Ended 31st January 2021

		<u>Unrestricted</u>	<u>Restricted</u>	<u>2021</u>	<u>2020</u>
		<u>fund</u>	<u>funds</u>	<u>Total</u>	<u>Total</u>
	<u>Notes</u>	<u>£</u>	<u>£</u>	<u>funds</u>	<u>funds</u>
				<u>£</u>	<u>£</u>
<u>Income and endowments from:</u>					
Donations and legacies	3	3,105	-	3,105	4,976
Charitable activities	4	50,000	166,976	216,976	128,018
Other trading activities	5	3,112	-	3,112	1,838
Total Income		56,217	166,976	223,193	134,832
<u>Expenditure on:</u>					
Charitable activities	6	5,045	166,078	171,123	112,474
Total Expenditure		5,045	166,078	171,123	112,474
Net income/(expenditure)		51,172	898	52,070	22,358
Transfer between funds		403	(403)	-	-
Net movement in funds		51,575	495	52,070	22,358
<u>Reconciliation of Funds</u>					
Total funds brought forward	11	<u>25,562</u>	<u>57,155</u>	<u>82,717</u>	<u>60,359</u>
Total funds carried forward	11	<u>77,137</u>	<u>57,650</u>	<u>134,787</u>	<u>82,717</u>

The notes form part of these financial statements

Asylum Justice

Balance Sheet 31st January 2021

	<u>Notes</u>	<u>2021</u> £	<u>2020</u> £
FIXED ASSETS			
Tangible Assets	8	<u>5,647</u>	=
		5,647	-
CURRENT ASSETS			
Debtors	9	1,851	1,851
Cash at Bank and in Hand		<u>139,829</u>	<u>85,135</u>
		<u>141,680</u>	86,986
CREDITORS : Amounts Falling Due within One Year	10	<u>(12,540)</u>	<u>(4,269)</u>
NET CURRENT ASSETS		<u>129,140</u>	<u>82,717</u>
TOTAL ASSETS LESS CURRENT LIABILITIES		<u>134,787</u>	<u>82,717</u>
FUNDS			
Unrestricted funds	11	77,137	25,562
Restricted funds	11	<u>57,650</u>	<u>57,155</u>
TOTAL FUNDS		<u>134,787</u>	<u>82,717</u>

The directors/trustees are satisfied that the company is entitled to exemption from the provisions of the Companies Act 2006 (the Act) relating to the audit of the financial statements for the year by virtue of section 477 (2) relating to small companies, and that no member or members have requested an audit pursuant to section 476 (1) of the Act.

The trustees/directors acknowledge their responsibilities for:

- ensuring that the charitable company keeps adequate accounting records which comply with section 386 & 387 of the Companies Act 2006, and
- preparing financial statements which give a true and fair view of the state of affairs of the charitable company as at the end of the financial year and of its surplus or deficit for the financial year in accordance with the requirements of Section 394 and 395 and which otherwise comply with the requirements of the Act relating to financial statements, so far as applicable to the company.

These financial statements have been prepared in accordance with the provisions applicable to charitable companies subject to the small companies regime

The financial statements were approved by the Board of the Trustees and authorised for issue on 19/10/21 and were signed on its behalf by:

Bernadette Roney
Signature

BERNADETTE RONEY
Print name

Company registration number: 05447875
Charity certificate number: 1112026

The notes form part of these financial statements.

Asylum Justice

Notes to the Financial Statements for the Year Ended 31st January 2021

1 ACCOUNTING POLICIES

Basis of preparing the financial Statements

The financial statements of the charitable company, which meets the definition of a public benefit entity under FRS 102, have been prepared in accordance with the Charities SORP (FRS 102) 'Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and the Republic of Ireland (FRS 102) (effective 1 January 2019), Financial Reporting Standard 102 'Financial Reporting Standard applicable in the UK and the Republic of Ireland' and the Companies Act 2006, incorporating section 1A for smaller entities. The financial statements are presented in sterling which is the functional currency of the company and rounded to the nearest £ and have been prepared under the historical cost convention.

Income

All income is recognised in the Statement of Financial Activities once the charity has entitlement to the funds, it is probable that the income will be received and the amount can be measured reliably. The following specific policies are applied to particular categories of income:

- i) Voluntary income is received by way of donations and is included in accounts when receivable.
- ii) Grants, where entitlement is not conditional on the delivery of a specific performance by the charity, are recognised when the charity becomes unconditionally entitled to the grant which will normally be when the grant is actually received. Grants, where related to performance and specific deliverables, are accounted for as the charity earns the right to consideration by its performance. Deferred income represents grant monies received for future periods and released to incoming resources in the period to which it relates.
- iii) Trading income is included when receivable.
- iv) Donated services and facilities are included at the value to the charity where this can be quantified and are material.
- v) Investment income and all other income is recognised when receivable.

Expenditure

Liabilities are recognised as expenditure as soon as there is a legal or constructive obligation committing the charity to that expenditure, it is probable that a transfer of economic benefits will be required in settlement and the amount of the obligation can be measured reliably. All expenditure is accounted for on an accruals basis and has been classified under headings that aggregate all costs related to the category. Where costs cannot be directly attributed to particular headings they have been allocated to activities on a basis consistent with the use of resources.

Asylum Justice

Notes to the Financial Statements - continued for the Year Ended 31st January 2021

Fund accounting

Unrestricted Funds are those funds received or generated for the objects of the Charity without further specified purpose and are available to use at the discretion of the Trustees in accordance with the charitable objectives of the charity.

Restricted Funds can only be used for particular restricted purposes within the objects of the charity. Restrictions arise when specified by the Donor or when funds are raised for particular restricted purposes. Expenditure which meets these criteria is identified to the Fund, together with a fair allocation of management and support costs.

Tangible fixed assets

Depreciation is provided on tangible fixed assets at rates calculated to write off the cost of each asset over its estimated useful life. Assets are originally included at cost and depreciated as:

- Computer equipment - charged on a straight line basis over four years.
- Furniture - charged on a straight line basis over four years.

Taxation

The charity is exempt from corporation tax on its charitable activities.

Cash Flow Statement

The company has not prepared a Cash Flow Statement on the grounds that the company is small.

Pension costs and other post-retirement benefits

The charitable company operates a defined contribution scheme for employees. Contributions to the scheme are charged fully to the Statement of Financial Activities in the period that they relate.

2 NET INCOME/(EXPENDITURE) FOR THE YEAR

This is stated after charging:-

	<u>2021</u>	<u>2020</u>
	<u>£</u>	<u>£</u>
Depreciation on owned assets	215	-
Independent Examiners Fees	<u>1,548</u>	<u>1,548</u>
	<u>1,763</u>	<u>1,548</u>

Asylum Justice

Notes to the Financial Statements - continued for the Year Ended 31st January 2021

	<u>2021</u>	<u>2020</u>
3 Income: Donations and legacies		
Donations received	<u>3,105</u>	<u>4,976</u>

All donation & legacy income is unrestricted in 2021 and prior year.

	<u>2021</u>	<u>2020</u>
	<u>£</u>	<u>£</u>
4 Income from charitable activities	<u>216,976</u>	<u>128,018</u>

Grants received, included in the above, are as follows:

Unrestricted

	<u>2021</u>	<u>2020</u>
	<u>Total</u>	<u>Total</u>
Paul Hamlyn Foundation	20,000	-
Respond & Adapt Programme	30,000	-
	<u>50,000</u>	<u>-</u>

Restricted

	<u>£</u>	<u>£</u>
Tudor Trust	-	43,400
Asylum Rights Programme (Welsh Government)	38,976	41,410
Lloyds Bank Foundation	-	23,645
Welsh Government	15,000	5,000
Home4U (NACCOM)	-	2,000
Help Refugees	-	7,500
Cardiff City Council	-	1,063
Access to Justice Foundation	-	4,000
Community Justice fund	73,000	-
Welsh Government	25,000	-
Community Foundation Wales	15,000	-
	<u>166,976</u>	<u>128,018</u>

The funds are restricted to providing the services as set out in the grant funding agreements.

	<u>2021</u>	<u>2020</u>
	<u>£</u>	<u>£</u>
5 Income: Other Trading activities		
Fundraising events	<u>3,112</u>	<u>1,838</u>

All Trading income is unrestricted in 2021 and the prior year.

Notes to the Financial Statements - continued
for the Year Ended 31st January 2021

6 Expenditure on : Charitable activities

Paul Hamlyn Foundation	Covid-19 Respond & Adapt prog.	Tudor Trust	Asylum Rights prog. (Welsh Gov)		Lloyds Bank Foundation		Network for Social change	Welsh Gov. 1 (NACCOM)		Home4U Refugees Help	Access to Justice Foundation		Ministry of Justice (Com. Justice Fund)		Welsh Gov. 2	Community Foundation Wales		2020 TOTAL			
			U	R	R	R		R	R		R	R	R	R		R	R		R	R	R
**																					
Direct costs																					
Salaries, NI and Pension	7	93	540	28,386	10,749	5,698								22,282	5,667	193	73,608	55,038			
Legal & professional fees	*	3,060	1,352		17,423		2,820	16,746	1,986	5,480	789		1,183	21,431	400	72,670	34,184				
Staff Travel Expenses			6													6	399				
Staff training						350							447			797	-				
Support costs																					
Rent & room hire			1,375		88	2,189							4,990			-	8,642	9,130			
Rates & water			102										336			438	511				
Insurances													885			885	799				
Repairs and Renewals																-	146				
Telephone and Postages					774								891			1,665	2,742				
Printing, Stationery and Photocopying					626								1,848			2,474	2,948				
Legal & Professional fees					354											354	1,915				
Subscriptions					550								185			735	669				
Sundry Expenses					655								20			675	269				
Computer Software, IT & Website Expenses					829				236				5,283			6,348	2,116				
Depreciation					13								202			215	-				
Governance costs					25								1,586			1,611	1,608				

*Direct Legal & professional fees includes caseworkers/expert reports/Interpreters & funding co-ordinator

** U is Unrestricted and R is restricted funding.

Asylum Justice

Notes to the Financial Statements - continued
for the Year Ended 31st January 2021

7 STAFF COSTS AND NUMBERS

	<u>2021</u>	<u>2020</u>
	<u>£</u>	<u>£</u>
Salaries and Wages	71,026	53,674
Social Security Costs	<u>1,228</u>	457
	72,254	54,131
Pension contributions to defined Contributions Scheme	<u>1,354</u>	907
	<u>73,608</u>	<u>55,038</u>

No employee received emoluments of more than £60,000

The number of employees (part-time and full-time) during the year was as follows:-

	<u>2021</u>	<u>2020</u>
Advocacy and Advice	4	4
Funding co-ordinator	1	0

8 TANGIBLE FIXED ASSETS

	<u>Computer Equipment</u>	<u>Furniture</u>	<u>Total</u>
	<u>£</u>	<u>£</u>	<u>£</u>
COST			
Additions in the Year	5,266	596	5,862
At 31st January 2021	<u>5,266</u>	<u>596</u>	<u>5,862</u>
DEPRECIATION			
Charge for the Year	190	25	215
At 31st January 2021	<u>190</u>	<u>25</u>	<u>215</u>
NET BOOK VALUE			
At 31st January 2021	<u>5,076</u>	<u>571</u>	<u>5,647</u>
At 31st January 2020	<u>-</u>	<u>-</u>	<u>-</u>

9 DEBTORS

	<u>2021</u>	<u>2020</u>
	<u>£</u>	<u>£</u>
Amounts due within one year:		
Other debtors	<u>1,851</u>	<u>1,851</u>

Asylum Justice

Notes to the Financial Statements - continued
for the Year Ended 31st January 2021

10 CREDITORS

	<u>2021</u>	<u>2020</u>
	<u>£</u>	<u>£</u>
Amounts falling due within one year:		
Accrued Expenses	10,501	3,402
Social security and other taxes	<u>2,039</u>	<u>867</u>
	<u><u>12,540</u></u>	<u><u>4,269</u></u>

11 COMPARATIVES FOR THE STATEMENT OF FINANCIAL ACTIVITIES

	<u>Unrestrict</u> <u>d funds</u>	<u>Restricted</u> <u>funds</u>	<u>2020</u> <u>Total</u> <u>funds</u>
	<u>£</u>	<u>£</u>	<u>£</u>
<u>Income and endowments from:</u>			
Donations and legacies	4,976	-	4,976
Charitable activities	-	128,018	128,018
Other trading activities	1,838	-	1,838
Total Income	<u>6,814</u>	<u>128,018</u>	<u>134,832</u>
<u>Expenditure on:</u>			
Charitable activities	5,109	107,365	112,474
Total Expenditure	<u>5,109</u>	<u>107,365</u>	<u>112,474</u>
Net income/(expenditure)	1,705	20,653	22,358
Transfer between funds	-	-	-
Net movement in funds	<u>1,705</u>	<u>20,653</u>	<u>22,358</u>
<u>Reconciliation of Funds</u>			
Total funds brought forward	<u>23,857</u>	<u>36,502</u>	<u>60,359</u>

Notes to the Financial Statements - continued
for the Year Ended 31st January 2021

11 CONTINUED

MOVEMENT IN FUNDS YEAR TO 31ST JANUARY 2021

	<u>Balance</u> <u>01/02/2020</u>	<u>Income</u>	<u>Transfer</u> <u>between</u> <u>Funds</u>	<u>Expenditure</u>	<u>Balance</u> <u>31/01/2021</u>
Unrestricted funds					
General funds	25,562	6,217	403	-	32,182
Paul Hamlyn Foundation	-	20,000		3,153	16,847
Covid-19 Respond & Adapt Prog.	-	30,000		1,892	28,108
	25,562	56,217	403	5,045	77,137
Restricted funds					
Tudor Trust	28,115	-		33,695	- 5,580
City United Reform Church	389		(389)		-
Asylum Rights Prog. (Welsh Gov)	(4,249)	38,976		28,260	6,467
City United Reform Church	1,000				1,000
Lloyds Bank Foundation	12,510	-		8,473	4,037
Network for Social Change	5,540			2,820	2,720
Welsh Government 1	1,755	15,000		16,746	9
Home4U (NACCOM)	2,000	-	(14)	1,986	-
Help Refugees	6,790	-		5,480	1,310
Access to Justice Foundation	3,305	-		789	2,516
Ministry of Justice (Com. Justice Fund)	-	73,000		40,138	32,862
Welsh Government 2	-	25,000		27,098	- 2,098
Community Foundation Wales	-	15,000		593	14,407
	57,155	166,976	(403)	166,078	57,650
TOTAL FUNDS	82,717	223,193	-	171,123	134,787

COMPARATIVES FOR MOVEMENT IN FUNDS YEAR TO 31ST JANUARY 2020

	<u>Balance</u> <u>01/02/2019</u>	<u>Add</u> <u>Income</u>	<u>Less</u> <u>Expenditure</u>	<u>Balance</u> <u>31/01/2020</u>
Unrestricted funds				
General funds	23,857	6,814	5,109	25,562

Notes to the Financial Statements - continued
for the Year Ended 31st January 2021

11 COMPARATIVES FOR MOVEMENT IN FUNDS YEAR TO 31ST JANUARY 2020
CONTINUED

Restricted funds

Tudor Trust	25,389	43,400	40,674	28,115
City United Reform Church	389			389
Asylum Rights Prog. (Welsh Gov)	(8,574)	41,410	37,085	(4,249)
City United Reform Church	1,000			1,000
Lloyds Bank Foundation	11,378	23,645	22,513	12,510
Network for Social Change	6,920		1,380	5,540
Welsh Government 1		5,000	3,245	1,755
Home4U (NACCOM)		2,000		2,000
Help Refugees		7,500	710	6,790
Cardiff City Council		1,063	1,063	-
Access to Justice Foundation		4,000	695	3,305
	36,502	128,018	107,365	57,155

TOTAL FUNDS

60,359 134,832 112,474 82,717

A CURRENT YEAR 12 MONTHS AND PRIOR YEAR 12 MONTHS COMBINED
POSITION IS AS FOLLOWS:

	<u>Balance</u>	<u>Net</u>	<u>Balance</u>
	<u>01/02/2019</u>	<u>Movement</u>	<u>31/01/2021</u>
		<u>in funds</u>	
Unrestricted funds			
General funds	23,857	8,325	32,182
Paul Hamlyn Foundation		16,847	16,847
Covid-19 Respond & Adapt Prog.		28,108	28,108
	<u>23,857</u>	<u>53,280</u>	<u>77,137</u>
Restricted funds			
Tudor Trust	25,389	(30,969)	(5,580)
City United Reform Church	389	(389)	-
Asylum Rights Prog. (Welsh Gov)	(8,574)	15,041	6,467
City United Reform Church	1,000		1,000
Lloyds Bank Foundation	11,378	(7,341)	4,037
Network for Social Change	6,920	(4,200)	2,720
Welsh Government 1	-	9	9
Help Refugees	-	1,310	1,310
Access to Justice Foundation	-	2,516	2,516
Ministry of Justice (Com. Justice Fund)	-	32,862	32,862
Welsh Government 2	-	(2,098)	(2,098)
Community Foundation Wales		14,407	14,407
	36,502	21,148	57,650
TOTAL FUNDS	60,359	74,428	134,787

Asylum Justice

Notes to the Financial Statements - continued for the Year Ended 31st January 2021

12 ANALYSIS OF NET ASSETS BETWEEN FUNDS

	<u>Unrestric</u>	<u>Restricted</u>	<u>2021</u>	<u>2020 Total</u>
	<u>ted fund</u>	<u>funds</u>	<u>Total</u>	<u>funds</u>
	£	£	£	£
Fixed assets	-	5,647	5,647	-
Current assets	77,230	64,450	141,680	86,986
Current liabilities	(93)	(12,447)	(12,540)	(4,269)
	<u>77,137</u>	<u>57,650</u>	<u>134,787</u>	<u>82,717</u>

13 TRUSTEES' REMUNERATION AND BENEFITS

The Trustees received no remuneration and did not receive any other benefits during the year ended 31st January 2021 or the 2020 year. The Trustees were not reimbursed for any expenses during the year or the previous year.

14 RELATED PARTY TRANSACTIONS

No were no related party transactions in the year.

15 GOING CONCERN

There are no material uncertainties about the charity's ability to continue as a going concern.

16 FINANCIAL INSTRUMENTS

The Charity has only basic financial instruments (Bank and cash) and these are included in the accounts as and when they are received.

17 LIABILITIES OF TRUSTEES

The entity is a private company limited by guarantee with no share capital.

Asylum Justice

Detailed Statement of Financial Activities for the Year Ended 31st January 2021

<u>Income and endowments</u>	<u>2021</u>	<u>2020</u>
Donations	3,105	4,976
Tudor Trust	-	43,400
Asylum Rights Programme (Welsh Government)	38,976	41,410
Lloyds Bank Foundation	-	23,645
Welsh Government	15,000	5,000
Home4U (NACCOM)	-	2,000
Help Refugees	-	7,500
Cardiff City Council	-	1,063
Access to Justice Foundation	-	4,000
Ministry of Justice (Community Justice Fund)	73,000	-
Welsh Government	25,000	-
Paul Hamlyn Foundation	20,000	-
Community Foundation Wales	15,000	-
Covid-19 Respond and Adapt Programme	30,000	-
Fundraising events	3,112	1,838
Total incoming resources	<u>223,193</u>	<u>134,832</u>
<u>Expenditure</u>		
Salaries, NI and Pensions	73,608	55,038
Legal & professional fees	72,670	34,184
<i>including caseworkers/expert reports/Interpreters</i>		
Staff Travel Expenses	6	399
Staff training	797	-
Rent & room hire	8,642	9,130
Rates & water	438	511
Insurances	885	799
Repairs and Renewals	-	146
Telephone and Postages	1,665	2,742
Printing, Stationery and Photocopying	2,474	2,948
Legal & Professional fees	354	1,915
Subscriptions	735	669
Sundry Expenses	675	269
Computer Software, IT & Website Expenses	6,348	2,116
Bank charges	63	60
Independent Examiners Fees	1,548	1,548
Depreciation	215	-
Total resources expended	<u>171,123</u>	<u>112,474</u>
Net income	<u>52,070</u>	<u>22,358</u>

This page does not form part of the statutory financial statements.