



Press Release

22 March 2011

Scottish Legal Aid Board's Best Value Review of Immigration and Asylum

Today the Board published its *Best Value Review of Immigration and Asylum*.

This was carried out following the Board's concerns over increases in expenditure over recent years, standing at £5 million in 2010 (*calendar year*), and about the supply of legal services and the operation of the asylum system more widely.

As a result of the review the Board has identified a number of actions which have either already been taken or which will be shortly to ensure that there is appropriate access to legal help in a way that represents best value for public funds. These include:

- **Reducing costs by reducing fees for travel across all forms of legal assistance, civil and criminal.**
 - A significant amount of costs relate to travel and there has been an increase over the last two years in cases from Dungavel House Immigration Removal Centre, from 10% to 22% of all grants of advice and assistance in relation to immigration and asylum.
 - New regulations came into force on 28th February and reduced the fees available for travel by 50%.
 - It is expected that the reduction will encourage firms to arrange their contact with clients detained at Dungavel in the most cost-effective way.
- **Controlling costs further / ensuring a consistent level of service is available at Dungavel.**
 - The Board will shortly make available a grant to the *Immigration Advisory Service*, part of which will go towards the delivery of an onsite service at Dungavel, so reducing the need for other solicitors to travel to Dungavel.
- **Changes to allow greater scrutiny by the Board of the merits of judicial review cases and where work begins under the "special urgency" regulations.** New amendments to these regulations allow the Board to refuse an application for urgent work if we are not satisfied that the case meets the statutory tests.

Colin Lancaster, Director of Policy and Development at the Board said, "The Board has monitored the situation over recent years and has secured regulatory changes by the Scottish Government and taken other initiatives to ensure that spend on these types of cases represents best value for the taxpayer, whilst ensuring that those who need help continue to receive it.

The number of asylum/immigration cases are driven by external factors, such as the rate of dispersal of asylum seekers to Glasgow, the decisions on individual cases taken by UKBA and the number and profile of people detained at Dungavel. Immigration and Asylum issues are reserved matters for the UK government. It is a complex area and has been compounded over recent years by the clearing by UKBA of a backlog of older cases.

Following our review of the operation and cost of the system we will continue working with the UK Borders Agency, the First Tier Tribunal and the legal profession to manage this area and support the smooth and cost effective running of the system."

Ends

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Notes for editors

Legal aid is help towards the costs of legal advice and representation, for those who qualify, paid for out of public funds. It is designed to help individuals on low and modest incomes gain access to the legal system. There are two main types of legal assistance: advice and assistance and legal aid. Together these are called legal assistance. Legal aid may be free, or someone may have to pay towards the cost of their case, for example through paying a contribution or from the money or property that they win or keep as a result of their legal action. Legal aid is accessed through a solicitor. Unlike most public expenditure, the legal aid fund is not cash limited. The Scottish Government will provide the Board with the funds required to meet the cost of cases which have been granted.