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Legal Aid

This month has seen the introduction of substantial changes for legal aid in immigration and asylum cases, including fixed fees. Some cases, however, are exempted from the fixed fees arrangements.

Further information on the new legal aid arrangements are provided by information sheets on "Legal Aid".

Bills in Parliament

The UK Borders Bill has nearly completed its passage through the House of Lords. It is expected that the Bill will be enacted shortly, at which time a further information sheet will be available.

The Criminal Justice and Immigration Bill is now being debated by a Public Bill Committee in the House of Commons. However, the vast majority of the provisions in the Bill are not related to immigration law, so there is little to report from Second Reading or the early evidence given to the Committee on the special immigration status provided for in this Bill. The key provisions relating to immigration are clauses 115 to 122. Information about these provisions is available from the "Special Immigration Status" information sheet.

The Economic Impact of Migrants

The Home Office and Department of Work and Pensions have produced a joint report on this subject. The report is available at: <http://www.official-documents.gov.uk/document/cm72/7237/7237.pdf>

Turkish Association Agreement

The European Court of Justice in the case of *Tum and Dari* (Case C/16/05) has given judgment on Turkish nationals seeking to establish themselves in business in the UK. Whether the individual is outside the UK or in the UK on temporary admission, the court has ruled that it is the more beneficial Immigration Rules as at 1973 that apply in these cases. Simply that the individual has made an asylum claim, which has been refused, does not defeat their case.

BIA website

The Border and Immigration Agency has indicated that it will be overhauling its website. As part of this process, it appears that some policy instructions may be removed from the website.

Even out of date policy instructions can prove very useful in individual cases. This is because it is often important to know how a case should have been treated in the past, even if the particular policy no longer applies. If you retain past or current policy instructions, please would you contact ILPA regarding this.

Removals to Sudan, Iraq, DRC, Zimbabwe and Sri Lanka

On 18 October, the Minister for Immigration informed the House of Commons that there were no removals planned to Sudan before the judgment of the House of Lords in *AH (Sudan)*. That case was heard on 4 October, and there is no date fixed for the judgment to be given. For information about the previous Court of Appeal judgment in this case, see the "Darfur Judgment" information sheet.

The Home Office have not suspended removals to Iraq. However, arguments before the Asylum and Immigration Tribunal on the effect of Article 15(c) of the European Qualification Directive have in individual cases prevented a removal where the individual was not from and would not be expected to relocate to the northern areas under Kurdish control.

Removals to DRC and Zimbabwe have been generally suspended pending country guidance decisions from the Asylum and Immigration Tribunal. Those decisions remain awaited.

On 23 October, the European Court of Human Rights requested that the UK Government suspend removals of Tamils to Sri Lanka pending cases before the court.

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