

Annex 2 – Information for Question 1

The information within the scope of this request is provided below. This advice was provided to and agreed by the 2021-2026 Welsh Government administration.

Advice dated 10 March 2026: Allocation of funding for 2026-2027

46. £350,000 is allocated to continue to deliver work to improve the provision of immigration legal advice in Wales. This builds on the work delivered in 2024-2025 and 2025-2026 and will continue to be delivered alongside discussions with the UK Government and the Immigration Advice Authority (IAA) regarding issues concerning access and provision. It is anticipated that the funding, if approved, will be used to run another grant funding window to invite proposals for innovative projects to increase and improve provision in Wales.
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Advice dated 30 May 2024: Legal provision funding

Background

1. Immigration legal advice providers in Wales are experiencing an exceptional level of unmet demand for free immigration legal advice representation.
2. Several research projects have been undertaken to look at gaps in integration services, including provision for immigration legal advice for forced migrants.
3. In January 2023, the Welsh Government published the report undertaken by Dr Jo Wilding '[*Availability and Adequacy of Immigration Legal Advice for Forced Migrants in Wales*](#)'.
4. The report found that there continue to be severe shortages of advice in most parts of Wales apart from the area around Cardiff, Newport and Swansea, and for certain types of advice and casework. The number of sanctuary seekers requiring legal advice has increased whilst the number of regulated legal advisors and Legal Aid firms have reduced dramatically.
5. The Jo Wilding report recommended that the Welsh Government should 'Consider supporting existing legal aid providers to prevent further provider loss. This could include grants to providers with peer review scores of two (or higher) to protect the highest quality provision by cushioning financial losses from legal aid work, or 'client care grants' to support additional communications with clients which are unfunded on the legal aid fixed fee scheme'.

6. In addition to the [Jo Wilding report](#) commissioned by Refugee Action, the Bevan Foundation have recently also published their own [report](#) 'Firefighting: protecting legal aid funded immigration services in Wales' which again highlights concerns around lack of provision of immigration advice across Wales.
7. Since autumn 2023, Welsh Government officials have been in discussion with the immigration legal advice sector (including third sector, universities and private law firms) to better understand the current challenges they are facing and potential solutions. It is evident from the feedback received the immigration legal advice sector in Wales is close to collapse, with two major providers already having closed their doors in the last year.
8. The primary responsibility for ensuring access to justice and Legal Aid provision for sanctuary seekers sits with the UK Government Ministry of Justice. Welsh Ministers previously raised these issues with the Lord Chancellor and Home Office Ministers to urge them to use their powers to ensure sufficient legal capacity is available in Wales. Unfortunately, no major changes have been made to the system to resolve many of the issues we are experiencing in Wales.
9. The UK Government is currently undertaking a review of the Civil Legal Aid System, but this is unlikely to yield any tangible outcomes or recommendations until later in the year. Welsh Government officials have been involved in that review to date and continue to feedback the poor situation regarding Welsh legal immigration advice.
10. Although the Justice system is not devolved, responsibility for supporting the integration and well-being of migrants in Wales is the Welsh Government's responsibility.
11. The proposals include work to co-produce alternative models of advice provision, enable research to identify whether exposure to asylum law will encourage students to consider a career in asylum and related law and provide training sessions across Welsh universities on immigration law to support a pipeline of advisors.
12. This grant scheme is providing financial assistance to legal advice providers in Wales.

Options and analysis, including risks

14. There are limited risks associated with this advice. Advice is based on the research funded by the Welsh Government, external research, and stakeholder feedback. The action being proposed in this MA is based on the recommendations of that research and feedback from stakeholders.

15. It is evident from the feedback received that the immigration legal advice sector in Wales is close to collapse, with two major providers already having closed their doors in the last year. Without access to free legal advice this would inevitably lead to more refused asylum decisions, homelessness, exploitation, and mental ill-health.
16. Despite immigration being a reserved responsibility, where the UK Government should support any gaps in provision, the impact on devolved and on devolved resources could be significant if the Welsh sector is not supported in the interim. As noted above the implications for sanctuary seekers include homelessness, refused asylum, impacts on physical and mental health etc.

Novel or contentious issues

33. Previously the Cabinet Secretary's predecessor raised the inadequacy of the immigration Legal Aid advice sector in Wales and asked the Lord Chancellor to intervene to ensure that sufficient provision is available in Wales. This has not yet led to any tangible action from UK Government.
34. Immigration continues to be politically sensitive and has a high level of media interest. The work outlined in this MA would ensure Welsh organisations are upskilled to have accurate immigration knowledge and proper advice is given and would ensure asylum seekers and refugees in Wales continue to have access to free legal representation. This proposal does not relate to Welsh Government imparting any legal advice and does not seek to fulfil any UK Government responsibility.
35. In addition to funding this work, we will continue to seek opportunities for the Cabinet Secretary to raise the insufficiency of immigration legal advice with relevant UK Ministers, including at the Safety, Security and Migration Interministerial Group.

Programme for Government

37. This proposal supports the Welsh Government's aim for Wales to be a Nation of Sanctuary and aligns with the Programme of Government aim to protect, rebuild and develop services for vulnerable people and the commitment to fully implement the Anti-Racist Wales Action Plan (which includes a Nation of Sanctuary chapter).
38. The Anti-Racist Wales Action Plan commits to ensure the provision of immigration legal advice in Wales.
39. The proposal also supports the Welsh Government's aims in relation to equality and human rights and the fulfilment of its legal duties in this area, including the Public Sector Equality Duty, by enabling the Welsh Government

and others to monitor and improve the integration of migrants in our communities.

Legal issues, powers & statutory duties

REDACTED – s.42 exemption
