

ILPA information update

Information sheets provide general information only, accurate as at the date of the information sheet. Law, policy and practice may change over time.

ILPA members listed in the directory at www.ilpa.org.uk provide legal advice on individual cases. ILPA does not do so.

The ILPA information service is funded by the Joseph Rowntree Charitable Trust.

An archive of information sheets is available at www.ilpa.org.uk/infoservice.html

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Human rights claims on medical grounds, 13 December 2016

The Grand Chamber of the European Court of Human Rights has given its judgment in *Paposhvili v Belgium (Application no.41738/10)* ECHR, 13 December 2016 which changes how human rights claims should be decided where they are made on the basis that removal would lead to the deterioration of a person's health or their death. ILPA has produced an information sheet on this important judgment, available at:

<http://www.ilpa.org.uk/resources.php/33127/information-sheet-human-rights-claims-on-medical-grounds>

UK Supreme Court decisions on rights to private and family life, 22 February 2017

The Supreme Court has given judgments in two cases which deal with rights to private and family life under Article 8 of the European Convention on Human Rights.

In the case of *R (MM (Lebanon) and others) v Secretary of State for the Home Department* [2017] UKSC 10, the Supreme Court considered the minimum income requirements in the Immigration Rules for a British national or person with permanent residence in the UK to bring their partner to join them in the UK if their partner is from outside the European Economic Area. ILPA has prepared an information sheet on the family migration provisions in the immigration rules and the effect of this case, available at:

<http://www.ilpa.org.uk/resources.php/33128/information-sheet-family-migration-sponsoring-a-partner-under-the-immigration-rules-and-the-minimum->

The second case was *R (Agyarko) v Secretary of State for the Home Department* [2017] UKSC 11. In this case, the Supreme Court discusses the approach that should be taken to people whose family lives are established in the UK while they are living unlawfully in the UK. The Court finds that when family life is established in these precarious circumstances, this is a factor that needs to be taken into account when considering the right to family life in the UK. It discusses the approach that should be taken by decision-makers when considering this alongside other features in the case. The decision is complex and may lead to further challenges in individual cases to clarify its meaning.

Free ebook application guides for EU citizens, 24 February 2014

Colin Yeo, a barrister at Garden Court Chambers specialised in immigration law and author of the popular Free Movement blog, has published a series of free application guides for European Union (EU) citizens. The series currently includes the following publications:

- EU Rights Guide for Workers.
- EU Rights Guide for the Self-employed.
- EU Rights Guide for Students.

- EU Rights Guide on Self-sufficiency.

The guides offer advice on steps that EU citizens can take now in the absence of information from the Government on what residence status they will have after the UK has left the EU once the negotiations between the UK and the EU on Brexit have been concluded.

They provide a comprehensive and accessible explanation of the rights of residence of EU citizens and their family members, as well as details of how to apply for residence documentation and documents certifying permanent residence in the UK.

The ebook application guides are available to download for free from:

<https://www.freemovement.org.uk/free-ebook-application-guides-for-eu-citizens/> and people are encouraged to share them widely.

Home Office guidance and application form for additional asylum support, 16 March 2017

The Home Office has issued guidance and an application form for asylum-seekers applying for additional support to meet particular needs or circumstances. ILPA has produced an information sheet based on the guidance explaining when people can apply for additional support and how they can do so. This is available at:
<http://www.ilpa.org.uk/resources.php/33129/information-sheet-asylum-support-additional-support-to-meet-particular-needs-or-circumstancesbr->

Home Office consultation on asylum support rates, 16 March 2017

The Home Office has recently published its 2016 review of the financial assistance provided to asylum-seekers generally and decided not to increase the level of support. Its report is available at: <https://www.gov.uk/government/publications/report-on-review-of-cash-allowance-paid-to-asylum-seekers>.

The Home Office is now consulting on the asylum support rates for 2017/18 with a deadline for responses of **28 April 2017**. We would encourage organisations with experience of how asylum-seekers are affected by level of support to respond. Contact ILPA for details of where to send responses.

Statement of Changes to the Immigration Rules (HC1078), 16 March 2017

The Government published another statement of changes to the immigration rules (HC 1078) on 16 March 2017. The changes will be the focus of ILPA's next set of information sheets.

Right to refugee status recognised for people resettled in the UK under the Syrian Vulnerable Persons Resettlement Scheme and under the Vulnerable Children's Resettlement Scheme, 22 March 2017

There has been a welcome change in government policy which will mean that those resettled in the UK under the Syrian Vulnerable Persons Resettlement Scheme and under the Vulnerable Children's Resettlement Scheme will be recognised as refugees rather than granted humanitarian protection as currently. The change will take effect from 01 July 2017. The government will also publish details of how people who have already been resettled in the UK under these schemes can make a request to change their status from humanitarian protection to refugee status. ILPA's information sheet on this topic provides further details: <http://www.ilpa.org.uk/resources.php/33130/information-sheet-right-to-refugee-status-recognised-for-people-resettled-in-the-uk-under-the-syrian>