

**ADVICE ON INDIVIDUAL RIGHTS IN EUROPE**  
(A company limited by guarantee)

**DIRECTORS' AND TRUSTEES' REPORT  
AND ACCOUNTS**

**FOR THE YEAR ENDED 31ST MARCH 2018**



**Company No: 02824400**  
**Charity No: 1090336**

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**REPORT AND ACCOUNTS**

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**DIRECTORS' AND TRUSTEES' REPORT**

**FOR THE YEAR ENDED 31ST MARCH 2018**

The trustees are pleased to present their annual directors' report together with the financial statements of the charity for the year ended 31<sup>st</sup> March 2018, which are also prepared to meet the requirements for a directors' report and Companies Act purposes.

The financial statements comply with the Charities Act 2011, the Companies Act 2006, the Memorandum and Articles of Association, and Accounting and Reporting by Charities: Statements of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) (effective 1 January 2015).

**OUR PURPOSE AND ACTIVITIES**

The AIRE Centre's objectives are:

- (a) To promote for the benefit of the public the sound administration of the law among states which have ratified the European Convention for the protection of human rights and fundamental freedom ("the European convention") and / or the treaties establishing and regulating the European Union ("the EU treaties") in particular but without limitation) by providing specialist legal advice and representation to people who are unable to obtain legal representation with their own resources, in cases where it is apprehended that the law of any such state is in breach of its obligations under the European Convention or the EU treaties.
- (b) To relieve poverty by providing legal representation and/or advice to persons who are unable to obtain legal representation with their own resources.
- (c) To advance the education and training of the public (and particularly but without limitation to the judiciary and members of the legal profession) in international and human rights law having regard in particular (but without limitation) to the European Convention and the EU treaties.

The AIRE Centre's **Vision**: For all people to enjoy their rights under European law.

The AIRE Centre's **Mission**: To promote awareness of European legal rights and assist marginalised individuals to assert those rights.

To achieve this Vision and Mission, the AIRE Centre has three main activities: advice, litigation and the dissemination of legal knowledge and training on how to use it.

Most of our advice work is on behalf of migrants who are usually but not exclusively European Economic Area (EEA) nationals. In 2017-18 we provided legal services in response to around 2,000 requests.

Many of the requests concern citizens of the newer EU Member States and most concern residence rights and benefits. As at 31 March 2018, the AIRE Centre was litigating 12 cases before the European Court of Human Rights (ECtHR) in Strasbourg.

The AIRE Centre's Strategic Objectives for 2015-2018 are:

- 1. To ensure respect for the rights protected under the European Convention on Human Rights, the Charter of Fundamental Rights of the European Union and related instruments under Council of Europe and EU law, particularly in relation to migration and human rights.
- 2. To increase awareness and knowledge of rights protected by European migration law and related European law.
- 3. To maintain specialist expertise on EU law on the free movement of persons, share that expertise and apply it to protect the rights of migrants.
- 4. To provide high quality legal services to our clients and partners and to ensure that we are an efficient, professional and sustainable organisation.

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**DIRECTORS' AND TRUSTEES' REPORT (Cont/d)**  
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**ACHIEVEMENTS AND PERFORMANCE**

Between 2017 and 2018, our work has been increasingly focussed on the prospective and potential legal ramifications of Brexit on the rights of EU citizens in the UK. This approach is reflected both in our advice work and in the assistance provided to clients and in the projects we conduct.

**1. The Advice Service**

The AIRE Centre provides free legal advice to individuals and other voluntary-sector advisers in the UK on European law. The AIRE Centre has developed niche expertise on EU law on the free movement of persons (the rights of EEA nationals and their family members in the UK and other EU member states in relation to residence documentation, welfare benefits, NHS care, expulsion, and related matters). The AIRE Centre has 'greatest needs' criteria.

Accordingly, particular focus is paid to cases involving vulnerable individuals, such as victims of trafficking in human beings, victims of domestic violence, those facing destitution or homelessness, those with physical disabilities or mental health issues, and individuals who are detained and/or facing removal from the UK.

Advice is usually provided in writing, drafted by the AIRE Centre's volunteer interns and supervised by AIRE Centre lawyers. Some advice is provided directly by the AIRE Centre's lawyers (again, in writing) and occasionally it is provided over the phone or in-person by staff lawyers with relevant accreditation.

In 2017-18, the AIRE Centre provided written advice to over 700 individuals and/or 2<sup>nd</sup> tier agencies. This has been done by providing advice directly, either by sending a letter of advice or an email, or by providing 2<sup>nd</sup> tier agencies with information sheets. From January 2018 onwards, the AIRE Centre has provided 567 written advice letters and 187 information sheets to both individuals and 2<sup>nd</sup> tier advice agencies. The UK's decision to leave the European Union has meant that the AIRE Centre has increasingly been asked to provide and respond to advice requests dealing with the prospective consequences of Brexit and the rights of individual EEA nationals residing in the UK. To mitigate the perspective impact of Brexit on the rights of EU citizens resident in the UK, the AIRE Centre is increasing its efforts in terms of training, advocacy and legal assistance, and information sheets. The AIRE Centre remains concerned about the lack of protection accorded to vulnerable individuals in light of Brexit, in particular the situation of children who risk having their position affected by Brexit.

**2. Tribunal Cases**

The AIRE Centre takes cases pro bono, to the Immigration and Social Security Tribunals, both in the First Tier (65% of our cases) and in the Upper Tribunal (35% of cases). Cases are usually taken based on their strategic importance to the AIRE Centre's aims and mission, and where they are likely to have a wider impact than that for the individual concerned.

In 2017-18 the AIRE Centre provided legal representation in over 28 cases before the First Tier and Upper Tier Tribunals. The AIRE Centre had a 100% success rate in respect of these appeals which were around entry/removal from the UK in respect of EEA nationals and challenging access to social assistance benefits.

**Case studies:**

- Polish national who the AIRE Centre represented after her Jobseeker's Allowance ('JSA') was ended. She had been trafficked to the UK and for 7 years had been forced to work as a prostitute. She was then sold to a man for marriage and she worked as his carer until he died. She has been recognised as a victim of trafficking by the UK's competent authorities. As a result of her experiences, she had a number of physical and mental health problems (she is HIV positive, she has been diagnosed with PTSD and depression and she was recovering from alcohol and drug addiction). The DWP determined that she had a right to reside as a jobseeker for a period of 91 days only and following a genuine prospects of work interview ended her JSA and said she did not have a genuine prospect of work or an alternative right to reside. The AIRE Centre successfully applied for discretionary leave to remain on her behalf. We also successfully represented her in her benefits appeal where the FTT said she had acquired permanent residence during her trafficking experience and was therefore entitled to the same benefits as a UK national would have been in her situation. The Social Worker who supported her through the proceedings said that as a result of the case she could, for the first time since she had arrived in the UK, live independently and in a non-abusive environment.

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- Czech national who was trafficked into the United Kingdom in 2010 on the false promise of a lucrative job earning £350/week. Upon arriving in the UK, he was subjected to forced labour/exploitation on at least five occasions. He was living in extremely poor conditions, often provided with little food and describes occasions of being sold. He eventually moved into a safe house in 2014 and then made a claim to income-based jobseeker allowance. The Department of Work and Pensions found that he had not demonstrated a genuine prospect of work in the United Kingdom. An FFT hearing (SC024/15/02042) held that he was until 2014 exercising Treaty rights as a worker and that he retained this right to reside as a worker thereafter under Art.7(3)(c) of Directive 2004/38 ("the Citizens Directive") and the then Reg.6(2)(b) of the Immigration (EEA) Regulations 2006 ("the 2006 Regulations"). He was therefore entitled to jobseeker allowance. The backdated amount allowed him to remain in the safe house and he found another (legal) job very soon after.
- Lithuanian national who became homeless after having developed a substance abuse problem. He got a place at a shelter through Glassdoor, a Homelessness charity, and undertook some vocational training during this period. He started working again as a waiter and obtained accommodation. However, he was then asked to leave by his landlord without notice and found himself sleeping rough again. He re-engaged with Glassdoor to find new accommodation but was approached on the streets by Home Office immigration enforcement. Although he explained his situation and that he was working and was, therefore, only very temporarily homeless, he was immediately detained. A removal decision was served on him on the same day and he was detained for almost three weeks. As a result of his detention he also lost his job. AIRE Centre worked with Bail and Immigration Detainees (BID) to secure his release. Without a job and income, he was unable to find alternative rented accommodation and so returned to the Glassdoor shelter. The Home Office also retained his ID which hampered his work chances. The AIRE Centre represented him at his FTT hearing. The FTT found the client's circumstances did not constitute an abuse of free movement rights which would warrant his removal. The FTT accepted that he was now exercising treaty rights through being a Big Issue seller.

### **3. Litigation**

The AIRE Centre conducts a substantial amount of litigation work before international courts, and on European law issues in the higher UK courts.

We acted in a considerable number of cases either as third-party interveners or direct representatives before the European Court of Human Rights (ECtHR) and the Court of Justice of the European Union (CJEU) and domestically in the higher UK courts. The cases identified for AIRE intervention normally concern the rights of vulnerable individuals, with particular focus often on migrants, asylum seekers and victims of human trafficking. Particular focus has also been placed on the rights of vulnerable children (see below).

Building on its commitment to the protection of vulnerable children's rights, in parallel with its efforts with the Separated Children in Judicial Proceedings Project, the AIRE Centre has provided legal assistance and expertise in a number of national and European cases concerning the rights of vulnerable children in various situations.

Through these, the AIRE Centre has offered its views and tackled the range of difficulties and rights violations faced by children – especially unaccompanied children - in the context of migration, with particular reference to detention.

Before the ECtHR, the AIRE Centre intervened in the case of *H. A. and others v. Greece*, commenting on various issues affecting migrant and asylum-seeking children. The AIRE Centre also intervened the case of *N.D. and N.T. v Spain*, which concerns Spain's pushback policy in Melilla. The court found a violation of Article 4 of Protocol 4 (prohibition of collective expulsions of aliens) and of Article 13 (right to an effective remedy).

Between 2017 and 2018, the AIRE Centre has acted before the Grand Chamber of the ECtHR as assistant to the representatives in *Ilias and Ahmed v Hungary* (push backs from Hungarian transit zones) and as a third-party intervener, in the ECtHR cases of *Guzelyurtu v Cyprus and Turkey* (on the joint responsibility of both states for investigation of deaths); *Beizarus v Lithuania* (criminalisation of hate speech); *Strand Lobben v Norway* (on forced adoptions); and, in collaboration with other specialised organisations such as ILGA, ECRE, the Dutch Council for Refugees and the International Commission of Jurists, before Chambers of the ECtHR in *MA v Poland* (relating to children and families and the duty to accept asylum request); *JB v Greece* (concerning the EU Turkey arrangement) and before the UN Committee of the Rights of the Child in *DD v Spain* with regard to child asylum seekers.

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Before the UK Courts, the AIRE Centre intervened in:

- **LL v Lord Chancellor** – challenge in the High Court to the decision of the Director of Legal Aid Casework to refuse an extension of legal aid for civil legal services in relation to the determination of whether the Claimant was a victim of trafficking on conclusive grounds and an application for discretionary leave.
- **CN and GN v Poole Borough Council** – in the UK Supreme Court concerning a local authority's duty of care in negligence to protect vulnerable children from harassment and abuse by third parties.
- **GRX v Secretary of State for the Home Department** – a judicial review on the standard of proof in Conclusive Grounds trafficking decisions
- **SM (Algeria)** – which was referred to the European Court of Justice from the UK Supreme Court. The substantive issues in this case concerned the position under the Directive 2004/38/EC of a child who is a third country national but has been placed in the legal guardianship of EU citizens under the Islamic "kefalah" system in her own country.
- **Bajratari** – which was referred to the European Court of Justice by the Court of Appeal in Northern Ireland relating to the conditions which of a non-EU citizen must satisfy to assert a derived right of residence in the UK relying on the EU citizenship status of a child (colloquially known as Chen parents).
- **Gureckis** – in which the High Court found the UK governments policy in respect of the removal of EU rough sleepers to be unlawful, in the rough sleeping was not an abuse/misuse of the right to free movement right under EU law, and that the policy was discriminatory and disproportionate.
- **Bashir** – in the UK Supreme Court around the plight of refugee families in the Sovereign Base Areas of Cyprus.
- **Help Refugees v SSHD** – a judicial review of the Government's implementation of s.67 of the Immigration Act 2016 (the "Dubs Amendment"), concerning the identification and transfer of unaccompanied asylum-seeking children from continental Europe to the United Kingdom (and the associated domestic consultation process). The case was heard in the High Court in 2017, and appealed to the Court of Appeal in 2018, with the AIRE Centre intervening at both levels.

#### **4. The AIRE Centre Projects**

The AIRE Centre projects have increased over the last two years. These projects fund expert staff to manage and oversee a range of initiatives that reflect the pressing needs of people in the European Union, and beyond, around access to EU law information and legal advice.

The key projects that ran during 2017/18 were:

- **Domestic Violence and Human Trafficking project**

With the adoption of EU Directive 2011/36 on Preventing and Combating Trafficking in Human Beings, the second year of the project saw the Directive's entry into force on 6 April 2013. This provided the AIRE Centre with new opportunities to push for the direct recognition and implementation of its substantive provisions by the United Kingdom courts, tribunals and authorities in general – in particular, through further strategic litigation at every level and enhanced communication between the AIRE Centre and the 'Competent Authorities' (i.e. UK Border Agency and UK Human Trafficking Centre on the implementation of the Directive).

We have continued to be part of the EU Anti-Trafficking Platform, to which the AIRE Centre was invited and admitted as an NGO Member. The Platform meets at least twice a year in Brussels to provide an opportunity to focus on specific problems in Member States and to facilitate a dialogue through the European Commission for the resolution of ongoing issues relating to implementation of the Directive and / or the protection of victims.

In terms of legal advice under this project, the AIRE centre has provided advice in over 30 cases involving recognised as well as potential victims of human trafficking (VoT) and domestic violence and represented 6 victims of human trafficking before the First Tier and Upper Tribunals.

Enquiries were submitted both by organisations providing refuge and assistance to victims of human trafficking and by researchers and students asking for legal advice on the rights and legal provisions pertaining to this category or interested in the AIRE Centre's views on some leading cases in the field.

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Individual requests for advice have mainly concerned cases of recognised VoTs seeking to access entitlements to residence and social benefits as well as potential VoTs in the process of being conclusively recognised as such.

Victims were predominantly EEA nationals from Eastern European countries. The forms of exploitation recorded in the cases before us ranged from labour exploitation to sexual slavery and domestic servitude. In many cases the individuals subjected to these practices reported to also suffer from both physical and mental issues. On one occasion the AIRE Centre successfully represented a client in her First Tier Tribunal appeal against a deportation decision, and also successfully supported her to obtain Discretionary Leave to Remain (DLR) for 30 months. Support with a DLR application has been provided on another occasion and a decision in this respect is currently pending before the Home Office. The representative organizations assisted included various support providers such as the Medaille Trust, Hestia, Restore (Exeter), Hibiscus, Cornerstone Day Centre (Manchester), Hope for Justice, The Women's Trust Project.

Another key outcome of this project is to train other NGOs and representatives in order to increase the pool of knowledge in the sector. Considerable progress has also been made regarding the third key outcome of this project which entailed the provision of tailored legal training to other NGOs and representatives, aiming in turn to increase the pool of knowledge on European law rights within the advice and decision-making sector, thus enabling representatives to detect issues triggering European law and be able to provide the necessary assistance. We have also promised to compile 5 information sheets over the course of this three-year project. During year 1, we managed to put together two information sheets: one on Brexit and the rights of victims of human trafficking and the other on identification of victims of human trafficking, both of which will be available online once our revamped website is launched (scheduled around the end of April). We have further completed two information notes on domestic violence to assist others advising and working in this field. This means that already four out of the five information sheets have been delivered with potential for more progress over the next couple of years.

- **The AIRE Centre's Rule of Law programme for the Western Balkans**

Over the past 19 years, we have worked in co-operation with national courts and institutions, international organisations and civil society organisations to implement a number of rule of law projects, and conduct training for judges and lawyers in the Western Balkans and other countries in Central and Eastern Europe. Our Programme in the region aims to:

- improve the implementation of the European Convention of Human Rights (ECHR) and other key international instruments in the domestic courts throughout the region
- strengthen domestic capacities to meet the Rule of Law requirements necessary for eventual membership of the European Union, and
- promote cooperation and exchange of best practice amongst domestic legal institutions across the Western Balkans.

Under the Programme umbrella, the key initiatives implemented in 2017/18 include:

- (a) ***Capacity Building to Strengthen the Rule of Law in Montenegro***

The project established a Judicial Reform Forum whose members include the President and judges of the Supreme Court of Montenegro, the presidents of the lower courts as necessary, and the Minister of Justice of Montenegro. The Forum's key priority is to identify gaps in the implementation of European legal and human rights standards and help strengthen the rule of law in practice in Montenegro's courts through harmonising jurisprudence of domestic courts. The Judicial Training Centre, the official institution charged with building the capacity of the judiciary, is involved in the work of the Forum. In 2017/18 the project organised 4 round tables followed by implementation reports that were communicated to all courts in Montenegro. Comprehensive impact evaluation exercise of the project, tracking progress in implementation of fair trial, right to liberty and security and freedom of expression, was completed successfully in February 2018.

- (b) ***Strengthening the rule of law in Montenegro through the codification of civil law***

The project supports the Ministry of Justice of Montenegro (MoJ) in delivering a comprehensive reform process that will simplify and harmonise the country's current complex and contradictory civil law arrangements, in order to improve access to justice for individuals, reduce complexity and legal uncertainty for business and investment, and close off opportunities for corruption. In 2017/18 the project facilitated review of the current Montenegrin legislation conducted by a team of senior regional experts, and setting up the national Codification Commission, mandated by the Montenegrin Government to complete draft Civil Code by 2022..

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**(c) Legal Reform: Preparing State and Entity Court Systems for EU Accession**

The project:

- (i) helps build a more independent and professional judiciary in Bosnia and Herzegovina (BIH), better capable of implementing the rule of law, fighting corruption and organised crime and meeting the demands of European integration; and
- (ii) strengthens cooperation and exchange of best practice amongst judiciaries of the Western Balkans.

The project has strong support and active participation of the Court of BIH, the Constitutional Court of BIH and the High Judicial and Prosecutorial Council at most senior level. All project activities have been designed in cooperation with those institutions to ensure they are addressing their most pressing needs in the context of implementation of European legal standards at the domestic level.

In 2017/18 the project facilitated 5 training events, two editions of legal publication aimed at domestic judges, and setting up and launch of the database of caselaw of most senior courts in BIH.

**(d) Combating corruption in the Western Balkans and strengthening regional cooperation in the field of asset recovery**

This short term project conducted a comprehensive overview and analysis of search, seizure and confiscation of *illegally obtained* assets in the Western Balkans, focusing in particular on decisions on asset seizure and on final court judgments in cases of corruption. Following this, an action plan for strengthening the capacity of key institutions to further align domestic practices with international and European standards was developed jointly with the asset recovery offices and judicial training institutions in the Western Balkans. The plan was endorsed at the stakeholders conference in March 2018, paving the way for a longer term project to strengthen the capacity of authorities in charge of asset recovery.

**(e) Right to asylum in Serbia – phase I**

Under this IOM project, in autumn 2017 the AIRE Centre was commissioned to develop a guide on right to asylum for domestic practitioners and comprehensive online course for officials deciding on the claims. Outputs were presented in March 2018 to a wide audience of judges and practitioners and follow up project was agreed with IOM to commence in the summer 2018.

**(f) Rule of law platform for the Western Balkans**

The Rule of Law Platform for Western Balkans (the Platform) is comprehensive programme effort to strengthen the rule of law and protection of individual rights in Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia. Focused on building domestic capacity, the Platform is developed by the AIRE Centre in cooperation with judicial training institutes and senior courts of the six countries of the Western Balkans. It draws on over 15 year of experience and cooperation between the partners to help strengthen respect for human rights and the rule of law in the region.

**(g) Annual Rule of Law Forum, held in Skopje in March 2018**

The Annual Forum, established in 2014 by the AIRE Centre and Civil Rights Defenders, brings together senior representatives from the highest courts across the region. Its mission is to help the leaders of the judicial and legal institutions in the region share their experiences and learn from each other, with the goals of promoting greater respect for human rights, higher standards in implementation the Convention, and faster European integration. The Forum is now established as the key annual rule of law event in the region, making an important contribution to the region's EU integration process, and helping to build societies that respect international legal and human rights standards.

Over 150 Forum participants come from Albania, Bosnia and Herzegovina, Croatia, Kosovo, Macedonia, Montenegro and Serbia. The Forum brings together the judges from the region who sit in the ECtHR, with presidents and representatives from the national Supreme Courts and Constitutional Courts, Directors of Judicial Training Academies and Institutions, Government Agents before the Strasbourg Court, representatives of NGOs, and prominent legal experts in the field.



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**(h) European Human Rights database**

The European Human Rights database ([www.ehrdatabase.org](http://www.ehrdatabase.org)) was launched in 2014 by the AIRE centre in cooperation with the Governments of the region. It is the only comprehensive online resource of ECHR jurisprudence available fully in the local languages of the region (Albanian, Macedonian and Serbian/Bosnian/Croatian/Montenegrin). It is available free of charge. The project was developed and implemented with the strong support and engagement of the legal communities in the participating countries, including the respective Ministries of Justice, Government Agents, and the Judicial Training Centres. A major update of the database was completed in December 2017.

**(i) AIRE Legal Bulletin**

The quarterly AIRE Centre Bulletin, published since 2000, enjoys an excellent reputation. It remains the only up-to-date source of Strasbourg and Luxembourg case law published in Bosnian/Croatian/Montenegrin/Serbian for domestic lawyers and judges. Four editions of the Bulletin were prepared in 2017/18.

In addition to the above initiatives, the AIRE prepared and published a further six handbooks/guides in countries of the region.

• **Separated Children in Judicial Proceedings: Promoting a joined-up child-centred approach by judicial and legal professionals towards separated children in judicial proceedings**

After its launch in December 2015, in 2017-2018 different activities connected to the Separated Children Project were carried out and the project was successfully concluded in October 2018. The project, run in partnership with University College Cork (Ireland), Child Circle (Belgium), Centar za Žene Žrtve Rata, ROSA (Croatia), co-funded by the EU Commission's Rights, Equality and Citizenship and associate partners (ICJ - European Institutions, Fair Trials, reunite and ECRE) and contributions in cash and kind from various donors was aimed at raising awareness on current legal issues affecting the position of children involved in judicial proceedings who are separated from one or both parents or siblings and promote the exchange good practices among the different legal and non-legal actors involved. The idea was to cross-fertilise the experience and expertise of judges and practitioners working on issues affecting children in different areas of law.

Three main focus areas of the project were as follows:

- The recourse to European and International Mechanisms in cases involving separated children (focus on the ECtHR, CJEU, ECSR and the new protocol to the UNCRC)
- Children in Relocation and Abduction situations
- Trafficked and/or Asylum-Seeking Children

Building on the activities held since its launch, in 2017/2018 the project continued to pursue its aims by bringing practitioners together to discuss issues relating to the best interest of children in context of separation resulting from family disruption or migration movements. Judges from the UK Supreme Court and the European Court of Human Rights and many distinguished academics and practitioners came together to build the project.

The key outcomes of the project in 2017-2018 included the organisation of successful conferences in Dublin (access to international mechanisms), London (relocation and abduction) and Brussels (asylum seeking and trafficked children) culminating in the project closing conference, on 1 and 2 March 2018, kindly hosted by Freshfields Bruckhaus Deringer LLP in London which served to mark the project conclusion and to present its outputs. This was a wider stakeholder event, structured in 2 half-day sessions in order to facilitate practitioners' attendance. Some participants had attended at least one previous event organised under this project and were able to share examples of how they had incorporated cross-fertilisation and multidisciplinary approaches into their practice.

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The **President of the UK Supreme Court, Baroness Hale**, who followed the progress of the project from the beginning, addressed the audience with a keynote speech, complimenting the project's training and mutual learning activities and remarking the importance of raising awareness on the situation of separated children. Gulwali Passarlay, a former unaccompanied asylum seeker, author of the biographical book "The Lightless Sky," and advocate for refugee children's rights, also shared his testimony. Diverse topics were discussed, including: the continued participation of the UK in the Common European Asylum System, the Hague Conventions, Brussels ii(bis) regimes, as well as specific and relevant domestic and European cases such as *SM (Algeria)*, *Bajratari* at the CJEU, *Oller Kaminska v Poland* at the ECtHR, and *CN v Poole Borough Council* at the UK Supreme Court.

In 2017 the **Separated Children Project** was runner-up in the **Rule of Law and Access to Justice category in the Financial Times Innovative Lawyers Awards**. As part of the same Award, the AIRE Centre's Senior Lawyer Nuala Mole was named as the **European Legal Innovator of the Year** for her work on the Separated Children project, awarded at a big ceremony which received widespread media coverage (including a special supplement to the FT). The FT and its awards supplement is widely disseminated throughout the legal professions, and this was an excellent opportunity to reach lawyers from across the legal spectrum, and other opinion formers

- During the life of the project, 11 countries accepted the optional Protocol to the UN Convention on the Rights of the Child, allowing individual communications. Currently there are 39 cases pending before the CRC Committee, including several cases concerned with asylum seeking and migrant children who are subjected to inadequate reception conditions and/or age assessment techniques. Through the training and capacity building activities held during this project, we have made more practitioners aware of the possibility of challenging erroneous age determinations before the UNCRC. **Many of those practitioners are now engaged in litigating and promoting the prominence of child rights** in children's cases in their national courts, e.g. *CN and GN v Poole Borough Council* before the UK Supreme Court, *Help Refugees v SSHD* before the UK Court of Appeal, *4/2016 D.D. v Spain*, *4/2016 12/2017 Belgium* before the UNCHRC, *Darboe and Camara v Italy* (no. 5797/17) and *Trawalli and others v. Italy* (no. 47287/17) at the ECtHR, and *SM (Algeria)* and *Bajratari* at the CJEU.
- Drawing on the work conducted at the events described, **training templates and modules were designed, produced and disseminated** to a wider group of participants and stakeholders for use after the completion of the project, under the generic name "Thinking outside the Box". These outputs were presented and made available to the attendees of the 1-2 March closing conferences and are being made available in electronic version on the AIRE Centre's website. This will enable practitioners to have a convenient reference set of materials to disseminate more widely the knowledge and expertise they acquired from the project with other stakeholders and interested parties.

• **Brexit**

As a result of the project and including its work on the effects of Brexit on children, **AIRE Centre's lawyers are invited to speak at other events and initiatives**, to provide expert input into policy advocacy committees (such as the various ad hoc committees dealing with the impact of Brexit on all the different areas of law that affect children and migrants), and to write for practitioners' and academic publications. Some publications included:

- Nuala Mole: 'Some thoughts on the impact of Brexit on the rights of children' (European Human Rights Law Review, Vol 6, 2017) in the EU Parl Brexit Literature Update 02/2018: [www.europarl.europa.eu/RegData/etudes/ATAG/2018/604945/IPOL\\_ATA\(2018\)604945\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/ATAG/2018/604945/IPOL_ATA(2018)604945_EN.pdf)
- Markella Papadouli, 'Brexit: What's in Pandora's Box for asylum seekers and victims of human trafficking? A modern day parallel', 30 July 2017, [Blog Article] at: <http://www.airecentre.org/news.php/282/brexit-whats-in-pandoras-box-for-asylum-seekers-and-victims-of-human-trafficking>. Blog republished on Cambridge Centre for Applied Research in Human Trafficking [CCARHT]: [www.ccarht.org/site/tag/trafficking-in-human-beings-2/](http://www.ccarht.org/site/tag/trafficking-in-human-beings-2/)
- Pending publication - Family Law – "Thinking outside the Box – a new approach to child rights" forthcoming 2018

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**FOR THE YEAR ENDED 31ST MARCH 2018**

- **Project FIRST: Capacity Building for First Points of Contact for Victims of Domestic and Gender-based violence**

The FIRST project brings together seven partners from four EU countries to develop capacity building for first points of contact for victims of domestic and gender-based violence in an international project promoting first action against violence. It is a European Project, co-funded by the Rights, Equality and Citizenship Programme of the European Union. The major objective of the project is to ensure that psychosocial and legal support and assistance are widely available to victims of domestic and GB violence, through which early detection of violence can be ensured, and provide appropriate support and aid to victims of violence to recover from traumatic experiences. This will contribute to reducing the harmful effects of violence on direct and indirect victims of violence, as well as improve health and increase prosperity in society.

Beneficiaries of the FIRST project will include victims of domestic and gender-based violence; decision makers, and professionals such as medical workers, teachers etc who will be able to receive free training to enable them to become the first point of contact for victims.

The project aims to develop the relevant knowledge and skills of staff at organisations acting as first points of contact, so that they can better meet a victim's needs for support, which may include referring them to more specialist support services. In the UK, the AIRE Centre has done this through in-person training (a 'train-the-trainer' workshop) and an e-toolbox, which is available online to all organisations participating in the network. This comprises an e-learning programme and an e-help tool that provide advice, answers and guidelines for specific common situations.

The AIRE Centre held a four-day train-the-trainer training on 24th and 25th of April 2017 and 4th and 5th of May 2017 for the members of the FIRST network of first points of contact for victims of domestic and gender-based violence. The training offered support and awareness raising regarding different forms of initial aid to individuals who are experiencing violence. The AIRE Centre also produced a handbook on domestic violence, as well as 6 articles and a comparative report under that project. The project was successfully completed in January 2018.

- **Combating EU migrant homelessness in London, funded by Trust for London**

The overall aim of this project is to reduce the number of homeless people in London who come from other EU Member States. The project also provides advice and support to allow more EEA nationals in London to be in employment (aim one) works to improve policies affecting this group of individuals (aim two) and builds the capacity of London's voluntary sector to help EEA nationals facing homelessness (aim three). As part of this project, we provide free first and second tier legal advice in writing and through surgeries, currently in cooperation with Haringey Migrant Service in North London.

- **EEA Women in Prison project, funded by the Hadley Trust, Pilgrim, Evan Cornish and Comic Relief**

The EEA Women in Prison Project provides outreach and legal support in UK prisons for EEA national women. Following the publication of The Corston Report in 2006, this project builds on a growing consensus on the need for specific protections for vulnerable women in the UK's criminal justice system.

Since the project launch, The AIRE Centre has delivered advice surgeries in HMP Holloway, HMP Bronzefield, HMP Send and HMP Peterborough and has assisted over 200 women through these clinics, many of whom are victims of trafficking and abuse. Prior to its closure, The AIRE Centre delivered weekly training and legal support in partnership with The Poppy Project in HMP Holloway to provide specialist support to trafficking victims.

In order to help EEA nationals to access their rights effectively from prison, The AIRE Centre has also delivered specialist training on trafficking and unlawful removals and deportation in HMP Send, HMP Peterborough and HMP Bronzefield. As a result, during 2017-18, the AIRE Centre has taken on and provided representation in 12 cases where EEA national women have faced removal at the end of their sentences or where they have been subject to immigration detention. In all of these cases we have been successful in challenging their removal.

**ADVICE ON INDIVIDUAL RIGHTS IN EUROPE**  
(A company limited by guarantee)

**DIRECTORS' AND TRUSTEES' REPORT (Cont/d)**

**FOR THE YEAR ENDED 31ST MARCH 2018**

• **Brexit and Citizens Rights Project, funded by Equalities and Human Rights Commission Project**

The AIRE Centre's project, Brexit and Citizens Rights, was funded by the Equalities and Human Rights Commission (EHRC) for a short and intensely focused period from January 2018. During that time, the Centre built on its reputation for excellence in advising EEA migrants of their rights by increasing the number of acts of advice (123 in a 4-month period), undertaking tribunals and strategic litigation, and increasing knowledge and skills within the public and voluntary sectors and amongst fellow legal professionals. The project was designed to achieve 20 outcomes – the external evaluation showed that 19 of these were fully met. This was an ambitious amount of work for a small charity with UK-wide coverage to undertake. We created a Theory of Change, to improve the robustness of its referral system and increase its evidence base. The evaluator concluded that this had been a highly successful project.

**Our volunteers / interns**

During the year the AIRE Centre was able to meet the demand for its services through the assistance of appropriate interns. The AIRE Centre has around 35 legal interns per year including interns from American universities such as Columbia, Michigan and Syracuse.

The interns' role is vital to the work of the AIRE Centre as they answer the advice line and provide the written advice to clients (under the supervision of the legal staff). We have also recruited finance and communication interns to assist us respectively with our financial reporting, as well as to develop our website and increase our presence on social media, in particular twitter.

**Our pro bono support**

We are very grateful to the law firms and barristers who have supported our work on a pro bono basis, including Allen & Overy LLP, Freshfields Bruckhaus Deringer LLP, Herbert Smith Freehills LLP and Reed Smith LLP. We have not included a financial value for these services in our accounts since this is not work which the charity would have been in a position to pay for.

**Public Benefit statement**

In shaping our objectives for the year and planning our activities, the trustees have considered the charity Commission's guidance on public benefit, including the guidance 'public benefit: running a charity (PD2). The achievements and activities above demonstrate the public benefit arising from the charity's activities.

**FINANCIAL REVIEW**

The Statement of Financial Activities showed a net deficit for the year of £58,534 (2017 – deficit £88,312) and total reserves stand at £162,970 (2017 – £221,504).

The accounts show that we remain reliant on restricted funds for our work. Our priority remains to increase unrestricted income from voluntary sources and targeting funders to cover core costs.

**Principal Funding Sources**

Funding is obtained from grants from various organisations and supporters.

**Investment policy and performance**

Under the Memorandum and Articles of Association, the charity has the power to make any investment which the trustees see fit. The trustees have considered the most appropriate policy for investing funds and have found that cash deposits meet their requirements to generate income.

**Reserves policy**

As at the year end accounts showed reserves of £162,970 (2017 - £221,504), of which £120,102 (2017 - £205,271) was restricted. The unrestricted funds not designated or invested in tangible fixed assets held by the charity are a balance of £42,868 (2017 - £16,233).

**ADVICE ON INDIVIDUAL RIGHTS IN EUROPE**  
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**DIRECTORS' AND TRUSTEES' REPORT (Cont/d)**

**FOR THE YEAR ENDED 31ST MARCH 2018**

The Management Committee has an agreed reserves policy for the AIRE Centre. This policy states that the AIRE Centre will hold sufficient reserves (3 months) to enable us to meet any close down costs/redundancy payments. During 2017/18 reserves fell below this level. We are taking steps to increase general income to enable us to achieve the minimum required level of reserves. Last year we received core funding, which improved the situation, which will need to be maintained.

**FUTURE ACTIVITIES**

In the coming year our key focuses will be to:

- ✓ Find new ways to deliver advice, including 1:1's, advice lines and an increase through training grass roots/frontline organisations who deal with vulnerable groups directly and via information tools on the website
- ✓ Retain sufficient liquid funds to enable the charity to meet its short-term obligations and to respond to any unplanned opportunities and/or crises that arise.

**STRUCTURE, GOVERNANCE AND MANAGEMENT**

**Governing document**

Advice on Individual Rights in Europe (The AIRE Centre) is a company limited by guarantee and not having a capital divided by shares. The company was incorporated on 29 May 1993 and is a registered charity (registered 30 January 2002) constituted as a Limited Company under the Memorandum and Articles of Association. The charity registration number is 1090336 and the company registration number is 02824400.

**Recruitment and appointment of Trustees**

We endeavour to recruit trustees from our stakeholder and client groups, ensuring that the management committee has the necessary skills to properly govern the AIRE Centre. We would like to thank Frances Nicholson for the many years she dedicated to the charity and the invaluable insight she provided.

Sadly, we pay tribute to our friend and colleague Navi Ahluwalia, who joined the AIRE Centre shortly after qualifying and on leaving our employment was in the role as Assistant Director. Navi remained involved with the AIRE Centre by joining the Board in 2004 where he remained until his untimely death earlier this year. The contribution he made to the AIRE Centre was immeasurable and we mourn his loss.

**Trustee Induction and training**

The AIRE Centre has a trustee induction process which aims to ensure that all trustees understand the organisation, its purposes, beneficiaries and its values, which include:

- Roles and nature of the organisation and their role / responsibilities within it.
- Full understanding of the spirit / aim of AIRE's Equal Opportunities / Diversity commitment.
- Understanding of the practical day-to-day implications of what is expected of all workers.
- Contents of the AIRE Staff Handbook.

**Organisation**

The AIRE Centre's work is led by a management committee who serve as trustees and company directors. They work closely with the Director, governing the work and approving decisions on strategic direction. The management committee is responsible for ensuring that the AIRE Centre operates within its charitable objectives as stated in the governing documents. The charity operates a line management structure with the Director overseeing the work of the charity.

Matthew Evans has been the Director since October 2013. Matthew is a Solicitor and has extensive management experience in the voluntary sector, having been Managing Solicitor of the Prisoners Advice Service for six years. The role of Director combines responsibility for the organisations' overall management and its legal work and strategy.

**ADVICE ON INDIVIDUAL RIGHTS IN EUROPE**  
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**DIRECTORS' AND TRUSTEES' REPORT (Cont/d)**

**FOR THE YEAR ENDED 31ST MARCH 2018**

The AIRE Centre staff and consultants' team is as follows: one senior lawyer (Nuala Mole, the founder of the AIRE Centre), five legal project managers; two consultants who run the Balkans work; one finance and administration coordinator and a business & finance manager.

**Related parties**

During the year there were no related party transactions.

**Pay policy for senior management staff**

The directors consider the board of directors, who are the Trust's trustees, and the senior management team comprise the key management personnel of the charity in charge of directing, controlling, running and operating the Trust on a day-to-day basis. All directors give of their time freely and no director received remuneration in the year. Details of directors expenses as related party transactions are disclosed in note 12 to the accounts.

The pay of the senior staff is reviewed annually. In light of the nature of the charity, the directors benchmark against pay levels in other legal NGOs of a similar size run on a voluntary basis.

**Risk management**

The AIRE Centre has an effective risk management process. The Director ensures that at each quarterly meeting the management committee receives and reviews a copy of the updated risk register. The risk management process has focused on discussing and agreeing action to be taken regarding the high-level risks and new risks that have been identified during the course of the year. In addition, high-level risks have also formed part of the broader discussions at Board meetings.

**REFERENCE AND ADMINISTRATIVE DETAILS**

**Company Number:** 02824400

**Charity Number:** 1090336

**Directors / Trustees**

Navtej Singh Ahluwalia (Deceased February 2018)

Brian D Downey

Greg Mayne (Resigned 11 November 2018)

Frances Nicholson (Resigned 5 June 2018)

Duncan Price (Treasurer)

Shane Ryan (Chair) (Resigned 4 October 2018)

Jonathan Seller

Josephine Shaw

Paul Yates (Chair) (Appointed 12 October 2018)

Emma Mockford (Appointed 17 October 2018)

Michael Quayle (Appointed 17 October 2018)

Jason Pobjoy (Appointed 17 October 2018)

**Secretary:** Navtej Singh Ahluwalia (Deceased, February 2018)

**Senior Management Team:** Matthew Evans – Director

Nuala Mole – Senior Lawyer

David Joseph – Chief Financial Officer – up to August 17

Yvonne Williams – Business & Finance Manager – from October 17

**Registered Office:** 17 Russell Square, Charles Chore House, London WC1B 5DR

**Auditors:** Ramon Lee & Partners, Eagle House, 167 City Road, London EC1V 1AW

**Bankers:** Barclays Bank plc, Dulwich Area Branches, London SE15 4TY

**ADVICE ON INDIVIDUAL RIGHTS IN EUROPE**  
(A company limited by guarantee)

**DIRECTORS' AND TRUSTEES' REPORT (Cont/d)**

**FOR THE YEAR ENDED 31ST MARCH 2018**

**Trustees' responsibilities in relation to the financial statement**

The trustees (who are also directors of Advice on individual Rights in Europe for the purposes of company law) are responsible for preparing the Annual Report and the financial statements in accordance with applicable law and regulation.

Company law requires the Directors to prepare financial statements for each financial year. Under that law the Directors have elected to prepare the financial statements in accordance with United Kingdom Generally Accepted Accounting Practice (United Kingdom Accounting Standards and applicable law). Under company law the Directors must not approve the financial statements unless they are satisfied that they give a true and fair view of the state of affairs of the company and of its income and expenditure for that period. In preparing these financial statements, the Directors are required to:

- select suitable accounting policies and then apply them consistently;
- observe the methods and principles in the Charities SORP;
- make judgements and estimates that are reasonable and prudent;
- state whether applicable UK Accounting Standards have been followed, subject to any material departures disclosed and explained in the financial statements;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charitable company will continue in business.

The Directors are responsible for keeping adequate accounting records that are sufficient to show and explain the company's transactions and disclose with reasonable accuracy at any time the financial position of the company and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

**STATEMENT OF DISCLOSURE TO AUDITOR**

So far as the trustees are aware, there is no relevant audit information of which the company's auditors are unaware. Additionally, the trustees have taken all the necessary steps that we ought to have taken as trustees in order to make themselves aware of any relevant audit information and to establish that the charity's auditors are aware of that information.

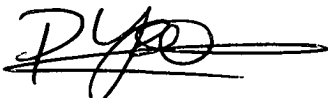
**AUDITORS**

A resolution was proposed and agreed at the Annual General Meeting that Ramon Lee & Partners be re-appointed as auditors of the Charity for the ensuing year.

These financial statements have been prepared in accordance with the provisions applicable to companies subject to the small companies' regime within Part 15 of the Companies Act 2006.

**APPROVAL**

This report was approved by the Board and signed on its behalf by:



**PAUL YATES**  
**CHAIR**

**18<sup>th</sup> DECEMBER 2018**

# **INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF**

## **ADVICE ON INDIVIDUAL RIGHTS IN EUROPE**

**(A company limited by guarantee)**

### **Opinion**

We have audited the financial statements of Advice on Individual Rights in Europe for the year ended 31<sup>st</sup> March 2018, which comprise the Statement of Financial Activities (Summary Income and Expenditure Account), balance sheet, the Statement of Cash Flows and notes to the financial statements, including a summary of significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards, including Financial Reporting Standard 102 The Financial Reporting Standard applicable in the UK and Republic of Ireland (United Kingdom Generally Accepted Accounting Practice).

In our opinion the financial statements:

- give a true and fair view of the state of the charitable company's affairs as at 31<sup>st</sup> March 2018 and of its incoming resources and application of resources, including its income and expenditure, for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice; and
- have been prepared in accordance with the requirements of the Companies Act 2006.

### **Basis for opinion**

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law. Our responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of our report. We are independent of the company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### **Conclusions relating to going concern**

We have nothing to report in respect of the following matters in relation to which the ISAs (UK) require us to report to you where:

- The directors' use of the going concern basis of accounting in the preparation of the financial statements is not appropriate; or
- The directors have not disclosed in the financial statements any identified material uncertainties that may cast significant doubt about the company's ability to continue to adopt the going concern basis of accounting for a period of at least 12 months from the date when the financial statements are authorised for issue.

### **Other information**

The other information comprises the information included in the annual report, other than the financial statements and our auditor's report thereon. The directors are responsible for the other information. Our opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in our report, we do not express any form of assurance conclusion thereon. In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether there is a material misstatement in the financial statements or a material misstatement of the other information. If, based on the work we have performed, we conclude that there is a material misstatement of this other information we are required to report that fact.

We have nothing to report in this regard.

### **Opinions on other matters prescribed by the Companies Act 2006**

In our opinion, based on the work undertaken in the course of the audit:

- The information given in the directors' report for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- The directors' report has been prepared in accordance with applicable legal requirements.



# **INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF (Cont/d)**

## **ADVICE ON INDIVIDUAL RIGHTS IN EUROPE (A company limited by guarantee)**

### **Matters on which we are required to report by exception**

In the light of the knowledge and understanding of the company and its environment obtained in the course of the audit, we have not identified material misstatements in the directors' report.

We have nothing to report in respect of the following matters in relation to which the Companies Act 2006 requires us to report to you if, in our opinion:

- adequate accounting records have not been kept or returns adequate for our audit have not been received from branches not visited by us;
- the financial statements are not in agreement with the accounting records and returns;
- certain disclosures of trustees' remuneration specified by law are not made;
- we have not received all the information and explanations we require for our audit;
- the trustees were not entitled to prepare the financial statements in accordance with the small companies regime and take advantage of the small companies exemption in preparing the Directors' and Trustees' Report.

### **Responsibilities of directors**

As explained more fully in the directors' responsibilities statements set out on page 14, the directors are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the directors determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the directors are responsible for assessing the company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the company or to cease operations, or have no realistic alternative but to do so.

### **Auditor's responsibilities for the audit of the financial statements**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

A further description of our responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at [www.frc.org.uk/auditorsresponsibilities](http://www.frc.org.uk/auditorsresponsibilities). This description forms part of our auditor's report.

This report is made solely to the company's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the company's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and the company's members as a body, for our audit work, for this report, or for the opinions we have formed.



**DAVID TERRY (Senior Statutory Auditor)  
for and on behalf of RAMON LEE & PARTNERS  
CHARTERED ACCOUNTANTS  
STATUTORY AUDITOR**

**EAGLE HOUSE  
167 CITY ROAD  
LONDON EC1V 1AW**

**18<sup>th</sup> DECEMBER 2018**

**ADVICE ON INDIVIDUAL RIGHTS IN EUROPE**  
(A company limited by guarantee)

**STATEMENT OF FINANCIAL ACTIVITIES**  
**FOR THE YEAR ENDED 31ST MARCH 2018**

**SUMMARY INCOME AND EXPENDITURE ACCOUNT**

	Notes	Unrestricted Funds £	Restricted Funds £	Total 2018 £	Total 2017 £
<b>Income</b>					
Donations	2	83,666	-	83,666	70,909
Income from charitable activities	3	18,541	649,120	667,661	571,026
Investment income	4	33	-	33	133
<b>Total Income</b>		<u>102,240</u>	<u>649,120</u>	<u>751,360</u>	<u>642,068</u>
<b>Expenditure</b>					
Cost of raising funds	5	35,430	-	35,430	29,119
Expenditure on charitable activities	5	40,175	734,289	774,464	701,261
<b>Total Expenditure</b>		<u>75,605</u>	<u>734,289</u>	<u>809,894</u>	<u>730,380</u>
<b>Net Income/(expenditure) &amp; net movement in funds for the year</b>		26,635	(85,169)	(58,534)	(88,312)
<i>Reconciliation of funds</i>					
Total funds, brought forward		16,233	205,271	221,504	309,816
<b>Total funds, carried forward</b>		<u>42,868</u>	<u>120,102</u>	<u>162,970</u>	<u>221,504</u>

The Statement of Financial Activities also complies with the requirements for an income and expenditure account under the Companies Act 2006.

**CONTINUING OPERATIONS**

None of the charity's activities were acquired or discontinued during the above financial periods.

**TOTAL RECOGNISED GAINS AND LOSSES**

The charity has no recognised gains or losses other than the above movement in funds for the above financial periods.

The notes on pages 20 to 29 form part of these accounts.

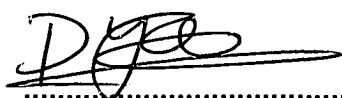
**ADVICE ON INDIVIDUAL RIGHTS IN EUROPE**  
(A company limited by guarantee)

**BALANCE SHEET AS AT 31ST MARCH 2018**

	Notes	2018	2017
		£	£
<b>Fixed assets</b>			
Tangible assets	10	-	-
<b>Current assets</b>			
Debtors	11	195,949	133,186
Cash at bank and in hand		60,552	167,475
		<u>256,501</u>	<u>300,661</u>
<b>Liabilities</b>			
Creditors falling due with in one year	12	93,531	79,157
		<u>          </u>	<u>          </u>
<b>Net current assets</b>		162,970	221,504
<b>Net assets</b>		<u><u>162,970</u></u>	<u><u>221,504</u></u>
<b>The funds of the charity</b>			
Unrestricted funds	13	42,868	16,233
Restricted funds	13	120,102	205,271
<b>Total charity funds</b>		<u><u>162,970</u></u>	<u><u>221,504</u></u>

The trustees have prepared accounts in accordance with Section 398 of the Companies Act 2006 and Section 138 of the Charities Act 2011. These accounts are prepared in accordance with the special provisions of Part 15 of the Companies Act relating to small companies and constitute the annual accounts required by the Companies Act 2006 and are for circulation to members of the company.

These accounts were approved by the Board of Trustees on 18<sup>th</sup> December 2018 and were signed on its behalf by:



..... Chair  
Paul Yates

**Company Number: 02824400**

The notes on pages 20 to 29 form part of these accounts.

**ADVICE ON INDIVIDUAL RIGHTS IN EUROPE**  
(A company limited by guarantee)

**CASH FLOW STATEMENT AS AT 31ST MARCH 2018**

	2018 £	2017 £
<b>Net cash used in operating activities</b>	(106,956)	(110,532)
<b>Cash flows from investing activities</b>		
Interest income	33	133
<b>Cash provided by investing activities</b>	<u>33</u>	<u>133</u>
Decrease in cash & cash equivalents in the year	<u>(106,923)</u>	<u>(110,399)</u>
Cash & cash equivalents at the beginning of the year	167,475	277,874
<b>Total cash &amp; cash equivalents at the end of the year</b>	<u><u>60,552</u></u>	<u><u>167,475</u></u>

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**Reconciliation of net movement in funds to net cashflow from operating activities:**

	2018 £	2017 £
Net movement in funds	(58,534)	(88,312)
Deduct interest income shown in investment activities	(33)	(133)
Decrease / (increase) in debtors	(62,763)	17,116
Increase / (decrease) in creditors	14,374	(39,203)
<b>Net cash used in operating activities</b>	<u><u>(106,956)</u></u>	<u><u>(110,532)</u></u>

**ADVICE ON INDIVIDUAL RIGHTS IN EUROPE**  
(A company limited by guarantee)

**NOTES TO THE ACCOUNTS**

**FOR THE YEAR ENDED 31ST MARCH 2018**

**1. ACCOUNTING POLICIES**

**1.1 Basis of preparation of accounts**

The financial statements have been prepared in accordance with 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 Republic of Ireland (FRS 102) (effective 1 January 2015) – (Charity SORP (FRS 102) Revised), The Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) and the Companies Act 2006.

Advice on Individual Rights in Europe meets the definition of a public benefit entity under FRS 102.

The financial statements are prepared in sterling, which is the functional currency of the charity. Monetary amounts in these financial statements are rounded to the nearest pound.

The accounts (financial statements) have been prepared under the historical cost convention with items recognised at cost or transaction value unless otherwise stated in the relevant note(s) to these accounts.

**1.2 Preparation of accounts on a going concern basis**

The charity's Financial Statements show a net deficit of £58,534 (2017 – deficit £88,312) for the year, total reserves of £162,970 (2017 - £221,504) and free reserves of £42,868. The trustees are of the view that these results and fundraising plans for the future, have secured the immediate future of the charity for the next 12 months and on this basis the charity is a going concern.

**1.3 Income**

Income is recognised when the charity has entitlement to the funds, any performance conditions attached to the item(s) of income have been met, it is probable that the income will be received and amount can be measured reliably.

- (a) Income received by way of grants and donations are included in full in the Statement of Financial Activities when received, unless they relate to a specified future period, in which case they are deferred.
- (b) Income from charitable activities received by way of revenue grants and donations are credited to restricted incoming resources on the earlier date of when they are received or when they are receivable, unless they relate to a specified future period, in which case they are deferred.
- (c) Grants and donations of general nature which are not conditional on delivering certain levels of service are included as part of Grants and Donations as shown under note 2. Performance related grants and donations which have conditions for a specific outcome are include as Income from Charitable Activities as shown in Note 3.
- (d) Income from charitable activities includes income recognised as earned (as the related goods and services are provided) under contract, in the form of training income and sale of resources.
- (e) Investment income is included when receivable.

**1.4 Volunteers and donated services and facilities**

Donated professional services and donated facilities are recognised as income when the charity has control over the item, any conditions associated with the donated item have been met, the receipt of economic benefit from the use by the charity of the item is probable and that economic benefit can be measured reliably. In accordance with the Charities SORP (FRS 102), time contributed by volunteers and pro bono legal support are not recognised. More information about their contribution is included in the trustees' annual report.

On receipt, donated professional services and donated facilities are recognised on the basis of the value of the gift to the charity which is the amount the charity would have been willing to pay to obtain services or facilities of equivalent economic benefit on the open market; a corresponding amount is then recognised in expenditure in the period of receipt.

**ADVICE ON INDIVIDUAL RIGHTS IN EUROPE**  
**(A company limited by guarantee)**

**NOTES TO THE ACCOUNTS (Cont/d)**

**FOR THE YEAR ENDED 31ST MARCH 2018**

**1.5 Expenditure recognition and Irrecoverable VAT**

Expenditure is recognised once there is a legal or constructive obligation to make a payment to a third party, it is probable that settlement will be required and the amount of the obligation can be measured reliably.

Expenditure is classified under the following activity headings:

- (a) Cost of raising funds comprises the cost of seeking grants and donations by direct approach and other fundraising activities and their associated support costs.
- (b) Expenditure on charitable activities include expenditure associated with the main objectives of the charity and include both the direct costs and support costs relating to these activities and their associated support costs.

Irrecoverable VAT is charged as a cost against the activity for which the expenditure was incurred.

**1.6 Allocation of support costs**

Support costs relate to those functions that assist the work of the charity but do not directly undertake charitable activities. Support costs include back office costs, finance and administration personnel, payroll and governance costs which support the charity's programmes and activities. These costs have been allocated between cost of raising funds and expenditure on charitable activities. The basis on which support costs have been allocated are set out in note 6.

**1.7 Funds structure**

The general fund comprises those monies, which may be used toward meeting the charitable objectives of the charity at the discretion of the Board.

The restricted funds are monies raised for, and their use restricted to, a specific purpose or donations subject to donor imposed conditions.

**1.8 Tangible fixed assets**

Tangible fixed assets are stated at cost less depreciation. Individual fixed assets costing £1,000 or more are capitalised at cost.

Depreciation is provided at rates calculated to write off the cost or valuation of fixed assets, less their estimated residual value, over their expected useful lives on the following bases

Furniture and equipment	- 33.33% straight line
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**1.9 Cash at bank and in hand**

Cash at bank and in hand includes cash and short term cash deposits.

**1.10 Creditors and provisions**

Creditors and provisions are recognised where the charity has a present obligation resulting from a past event that will probably result in the transfer of funds to a third party and the amount due to settle the obligation can be measured or estimated reliably. Creditors and provisions are normally recognised at their settlement amount after allowing for any trade discounts due.

**1.11 Financial instruments**

The charity only has financial assets and financial liabilities of a kind that qualify as basic financial instruments. Basic financial instruments are initially recognised at transaction value and subsequently measured at their settlement value with the exception of bank loans which are subsequently measured at amortised cost using the effective interest method.

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**FOR THE YEAR ENDED 31ST MARCH 2018**

**1.12 Taxation**

The charity is a registered charity and, therefore, is not liable for Income Tax or Corporation Tax on income derived from its charitable activities, as it falls within the various exemptions available to registered charities.

**1.13 Judgement and key sources of estimation uncertainty**

In the application of the company's accounting policies, the charity is required to make judgments, estimates and assumptions about the carrying amount of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on historical experience and other factors that are considered to be relevant. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised where the revision affects only that period, or in the period of the revision and future periods where the revision affects both current and future periods.

**1.14 Pension costs**

Contributions are charged to the Statement of Financial Activities in the period in which they are payable. The assets of the defined contribution schemes are held separately from those of the company in independently administered funds. The pension cost charge (note 8) represents contributions payable by the charity to the fund and amounted to £1,045 (2017 - £nil). Contributions totalling £nil (2017 - £nil) were payable to the fund at the year end and are included in creditors.

**2. DONATIONS**

	Unrestricted Funds £	2018 £	2017 £
The A B Charitable Trust	15,000	15,000	-
Allen & Overy Foundation	30,000	30,000	-
Freshfields Bruckhaus Deringer	10,000	10,000	10,000
The Law Society	-	-	5,000
Ptarmigan Trust	5,000	5,000	12,000
London Legal Support Trust (Centre of Excellence)	10,000	10,000	12,000
The Simmons & Simmons Charitable Trust	-	-	6,000
Donations < £5,000	13,666	13,666	25,909
	<u>83,666</u>	<u>83,666</u>	<u>70,909</u>

The donations in 2017, totalling £70,909, were attributed £65,539 to unrestricted funds and £5,370 to restricted funds.

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**FOR THE YEAR ENDED 31ST MARCH 2018**

**3. INCOME FROM CHARITABLE ACTIVITIES**

	Unrestricted Funds £	Restricted Funds £	2018 £	2017 £
<b>Advice, information and training:</b>				
Grants and donations:				
Joseph Rowntree Charitable Trust (R002)	-	-	-	17,034
The Pilgrim Trust (R009)	-	15,000	15,000	25,790
The Swan Mountain Trust (R009)	-	-	-	3,000
Eleanor Rathbone Trust (R009)	-	-	-	3,000
Evan Cornish Foundation (R009)	-	-	-	8,000
Unbound Philanthropy (R015)	-	-	-	45,000
Trust for London - Strategic Legal Fund (R018)	-	-	-	5,640
The Legal Education Foundation (R019)	-	-	-	19,221
European Commission (R020)	-	36,947	36,947	-
Esmee Fairbairn Foundation (R021)	-	48,861	48,861	48,570
ISA Intitut (R022)	-	5,357	5,357	23,867
Matrix Chambers (R022)	-	-	-	3,500
Trust for London (R024)	-	30,000	30,000	40,000
Equality and Human Rights Commission (R025)	-	40,273	40,273	-
Strategic Legal Fund - ILPA (R027)	-	7,965	7,965	-
Council for Europe (R034B)	-	6,595	6,595	19,650
Foreign & Commonwealth Office (R038)	-	222,600	222,600	149,850
British Embassy Podgorica (R039)	-	105,243	105,243	76,498
British Embassy Podgorica (R040)	-	45,594	45,594	47,998
Regional Cooperation Council (R041)	-	55,227	55,227	6,025
Regional Cooperation Council (R042)	-	10,570	10,570	8,529
EEA women in prison - donations (R009)	-	-	-	4,089
Operation Nexus - donations ( R018)	-	-	-	2,057
Operation Nexus - donations ( R018)	-	500	500	-
Separated Children - donations (R020)	-	18,088	18,088	1,199
Domestic Violence/Trafficking - Donations ( R021)	-	300	300	-
Consultancy and other income	7,209	-	7,209	6,745
Training income	11,332	-	11,332	5,764
	<u>18,541</u>	<u>649,120</u>	<u>667,661</u>	<u>571,026</u>

The income from charitable activities in 2017, totalling £571,026, was attributed to £12,509 unrestricted funds and £558,517 restricted funds.



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**NOTES TO THE ACCOUNTS (Cont/d)**

**FOR THE YEAR ENDED 31ST MARCH 2018**

**4. INVESTMENT INCOME**

	Unrestricted Funds £	2018 £	2017 £
Investment income	33	33	133
	<u>33</u>	<u>33</u>	<u>133</u>

The investment income in 2017, totalling £133, was attributed to unrestricted funds.

**5. ANALYSIS OF EXPENDITURE**

	Raising funds £	Advice, information, and training £	2018 £	2017 £
Direct staff costs	21,883	173,091	194,974	231,094
Volunteer and intern expenses	-	9,744	9,744	15,483
Staff training costs	-	45	45	3,150
Travel costs	-	27,591	27,591	41,792
Other direct project costs	-	483,781	483,781	348,354
Fundraising costs	489	-	489	904
Support costs (Note 6)	12,184	74,846	87,030	80,203
Governance costs (Note 6)	874	5,366	6,240	9,400
	<u>35,430</u>	<u>774,464</u>	<u>809,894</u>	<u>730,380</u>

Of the £809,894 expenditure in 2018 (2017 - £730,380), £75,605 was charged to unrestricted funds (2017 - £85,011) and £734,289 to restricted funds (2017 - £645,369).

**6. ANALYSIS OF SUPPORT AND GOVERNANCE COSTS**

The charity initially identifies the costs of its support functions. It then identifies those costs which relate to the governance function. Governance costs and other support costs are apportioned separately between the charity's key activities undertaken (see note 5) in the year. All the general support and governance costs have been apportioned to the various charitable activities on the basis of staff time allocated to each activity.

	General support £	Governance function £	2018 £	2017 £
Finance and administration staff (Inc. Subcontractors)	44,032	-	44,032	31,095
Staff travel and welfare	5,260	-	5,260	5,038
Premises and equipment costs	21,453	-	21,453	29,934
Communication and IT costs	10,942	-	10,942	9,829
Legal and professional fees	1,379	-	1,379	4,753
Insurance	3,203	-	3,203	3,338
Other office expenses	2,483	-	2,483	3,878
Foreign exchange differences	(1,722)	-	(1,722)	(7,662)
Audit fees	-	6,240	6,240	9,400
	<u>87,030</u>	<u>6,240</u>	<u>93,270</u>	<u>89,603</u>

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**FOR THE YEAR ENDED 31ST MARCH 2018**

**7. NET INCOMING RESOURCES**

Net incoming resources is shown after charging:

	<b>2018</b>	<b>2017</b>
	<b>£</b>	<b>£</b>
Auditor's remuneration	<u>6,240</u>	<u>9,000</u>

**8. ANALYSIS OF STAFF COSTS, TRUSTEES REMUNERATION AND EXPENSES, AND COST OF KEY MANAGEMENT PERSONNEL**

	<b>2018</b>	<b>2017</b>
	<b>£</b>	<b>£</b>
Salaries	206,255	228,870
National Insurance	16,916	19,835
Pension	1,045	-
	<u>224,216</u>	<u>248,705</u>

There were no employees who earned in excess of £60,000

None of the trustees received any remuneration during the year (2017 – £nil) and no expenses were reimbursed (2017 – £nil).

The key management personnel of the charity comprise of the Chief Executive and senior management reporting directly to the Chief Executive were the Senior Lawyer, Chief Financial Officer and Business & Finance Manager. The total wages of the key management personnel of the charity were £117,956 (2017 £107,852)

**9. STAFF NUMBERS**

The average monthly number of staff employed by the charity during the year (full time equivalent) was as follows:

	<b>2018</b>	<b>2017</b>
	<b>Number</b>	<b>Number</b>
Direct staff	4.9	6.5
Finance and administration	0.7	0.5
	<u>5.6</u>	<u>7.0</u>

The average monthly number of persons employed by the charity during the year was 8 (2017 – 9).

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**FOR THE YEAR ENDED 31ST MARCH 2018**

**10. TANGIBLE FIXED ASSETS**

	<b>Furniture &amp; Equipment £</b>	<b>Total £</b>
<b>COST</b>		
As at 1st April 2017	13,613	13,613
Additions during year	-	-
Disposals	-	-
As at 31st March 2018	<u>13,613</u>	<u>13,613</u>
<b>DEPRECIATION</b>		
As at 1st April 2017	13,613	13,613
Charge for the year	-	-
Disposals	-	-
As at 31st March 2018	<u>13,613</u>	<u>13,613</u>
<b>NET BOOK VALUES</b>		
As at 31st March 2018	<u>-</u>	<u>-</u>
As at 31st March 2017	<u>-</u>	<u>-</u>

**11. DEBTORS**

	<b>2018 £</b>	<b>2017 £</b>
Grant, contract and fee income receivable	190,619	124,479
Gift aid recoverable	743	8,707
Prepayments and accrued income	2,124	-
Other debtors	2,463	-
	<u>195,949</u>	<u>133,186</u>

**12. CREDITORS: amounts falling due within one year**

	<b>2018 £</b>	<b>2017 £</b>
Trade creditors	62,710	54,857
Social security and other taxes	5,540	6,279
Accruals	25,281	18,021
	<u>93,531</u>	<u>79,157</u>

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**FOR THE YEAR ENDED 31ST MARCH 2018**

**13. MOVEMENT IN FUNDS**

	Balance as 01.04.17 £	Income £	Expenditure £	Balance as 31.03.18 £
<b>Restricted funds:</b>				
Joseph Rowntree Charitable Trust (R002)	3,088	-	3,088	-
EEA women in prison (R009)	21,216	15,000	19,482	16,734
Stiftung (R012)	2,580	-	2,580	-
EPIM Joint Learning Programme (R013)	47	-	47	-
EU Accession Phase 2 (R014)	4,425	-	4,425	-
Unbound Philanthropy (R015)	16,661	-	16,661	-
Legal Education Foundation (R019)	8,667	-	6,667	2,000
Operation Nexus (R018)	-	500	35	465
European Commission/ Separated Children (R020)	29,233	55,035	84,268	-
Esme Fairbairn Foundation/ Domestic Violence & Trafficking (R021)	45,800	49,161	43,131	51,830
FIRST(R022)	22,943	5,357	28,300	-
Trust for London (R024)	40,000	30,000	41,617	28,383
Equality and Human Rights Commission (R025)	-	40,273	36,620	3,653
Strategic Legal Fund - ILPA (R027)	-	7,965	-	7,965
Council for Europe (R034B)	6,360	6,595	12,955	-
Balkans European standards (R037)	1,288	-	1,288	-
Foreign & Commonwealth Office (R038)	956	222,600	218,843	4,713
British Embassy Podgorica (R039)	605	105,243	105,832	16
British Embassy Podgorica (R040)	-	45,594	43,613	1,981
Regional Cooperation Council (R041)	452	55,227	55,679	-
Regional Cooperation Council (R042)	950	10,570	9,158	2,362
	<u>205,271</u>	<u>649,120</u>	<u>734,289</u>	<u>120,102</u>
<b>Unrestricted funds:</b>				
General funds	16,233	102,240	75,605	42,868
Total unrestricted funds	<u>16,233</u>	<u>102,240</u>	<u>75,605</u>	<u>42,868</u>
Total funds	<u>221,504</u>	<u>751,360</u>	<u>809,894</u>	<u>162,970</u>

**Description, nature and purpose of restricted funds:**

**Joseph Rowntree Charitable Trust (R002)** – Roma citizenship rights supporting the core work of the AIRE Centre, enabling us to focus on permanently improving the situation of Roma in the UK through advocacy that identifies challenges and eliminates barriers to their rights as EU citizens.

**EEA Women in Prison (R009)** – The AIRE Centre's 3-tiered approach to engage with our beneficiaries, and the overarching issues facing EEA migrants, in a holistic way, making a lasting impact on both the individual level and on a national and international scale.

**Stiftung (R012)** – European Roma rights in action. To enable the AIRE Centre, to organise information and training sessions, to increase the quality / quantity on information on EU law rights available to Roma individuals, communities and organisations in the UK.

**EPIM Joint Learning Programme (R013)** – EPIM funded joint learning opportunity to share and improve organisational skills.