

Collaborative Plan Stats 2019/20 – Case Studies

Our firm works with an NGO to assist families with terminally ill children in relation to social housing, community care and charging issues. We were instructed by “John”, who faced a demand for repayment of £18,000 relating to care of his terminally ill son. John had two sons, Matt and Carter, who suffered from a number of physical and mental disabilities. The Council allocated Matt 30 hours care per month but did not assess Carter for care. Matt’s care was accordingly split between him and Carter. Carter sadly died just before his first birthday. Some years later, the Council sought to recover the value (£18,000) of the 15 hours a month that had been given to Carter. We corresponded with the Council, collected evidence and drafted representations. As a result of our work, the Council withdrew the demand for repayment, issued an apology to John and his family, and committed to reassess Matt’s care requirements.

Our firm works with an NGO to assist individuals with learning and mental health difficulties to obtain disability benefits. We worked with “Jane”, a Paralympic swimmer who has learning difficulties. The DWP refused her application for disability benefit, citing her swimming achievements as a reason for doing so. Our first appeal was unsuccessful; again, the assumption was that, as a Paralympic swimmer, Jane had the necessary competency so as not to be eligible for any disability benefits. We appealed on the grounds that Jane’s achievements as a Paralympian do not mean she does not have significant challenges to overcome in her daily life. This appeal was successful and Jane’s case was re-admitted as an appeal at first hearing. Jane’s second appeal was successful. This decision finally recognised that those in Jane’s position, who have succeeded despite their disabilities, should not be penalised for their achievements when it comes to assessment of benefits.

Our firm works with an NGO and three other firms to obtain Exceptional Case Funding legal aid for destitute immigration detainees facing deportation from the UK. One of the cases involved “Sam”, a homeless HIV+ LGBT male in remission from cancer who has been resident in the UK for over 20 years. The Home Office had given Sam notice to leave the UK. Sam had sought to challenge this, and the re-hearing of that challenge had been listed. The Home Office started separate deportation proceedings, following Sam’s conviction for minor criminal damage. Our lawyer was asked to assist Sam just 10 days before the hearing. She applied for legal aid for both the hearing and the parallel deportation proceedings. She then attended the hearing and made an application for adjournment so the applications for legal aid could be considered. The judge granted the adjournment. Both applications for legal aid were successful, so the client will be able to seek legal aid representation for both the adjourned hearing and the parallel proceedings.

Our firm partners with an NGO and eight other firms on a collaborative pro bono project to assist individuals to gain recognition in the UK as 'stateless'. This recognition is given to those who are not considered a citizen by any country. We worked with “Charles” to prepare his application for recognition as a stateless individual. Charles’s birth was not registered, he was abandoned as an infant and then subject to trafficking, abuse and homelessness. Following an extensive process of

gathering evidence, we established Charles should in fact seek British citizenship instead of applying for recognition as stateless. We helped him to make the application. After over 25 years of seeking recognition, Charles was finally recognised as a British citizen.

In partnership with three organisations, we worked on a pro bono initiative focused on raising awareness of the citizenship law rights of the children of Swiss and EEA national parents living in the UK. Brexit has caused a spike in people making decisions around citizenship. Through a series of three communication tools, namely an innovative comic for young people, a leaflet and an article, we sought to equip people with the right knowledge to make these decisions.