

**Tower Hamlets Law Centre
Annual Review 2015-16**



Chair's Introduction

Commitment to social justice is more important than ever in the context of the current financial and political climate in the UK. Against a background of cuts to legal aid, mounting pressure on other public funding and increasing demand for our services, the law centre has continued to battle for its clients.

- We help people fleeing persecution overseas to be granted asylum in this country; help to reunite families separated by international borders; and help women to escape from violence at home.
- We fight to prevent people from being evicted and becoming homeless; help those already homeless to secure accommodation when it has been denied to them; and help people living in unsafe and unhealthy homes to make their landlords repair them.
- We help make sure that people get the welfare benefits they are entitled to, including some of the most vulnerable members of society who are fearful and desperate in the face of decisions to withdraw Personal Independence Payments and Education and Support Allowance.

Overall, and perhaps more importantly than any of these examples of the types of cases we deal with, we enable people to understand and assert their rights as members of society. We believe this is a fundamentally important part of the framework of a properly functioning democracy.

On behalf of the trustees, I would like to record my thanks to our staff, volunteers and funders for their unwavering support and magnificent efforts, without which none of the law centre's work would be possible.

Manuhar Ali, Chair of Trustees

Immigration

Changes in legislation, increases in court, tribunal and Home Office fees, and further erosion of appeal rights made it more and more challenging to help our clients during 2015-16. Many are facing destitution and homelessness now that landlords have to check their right to live in the UK before allowing them to rent a property.

A further barrier between clients and the specialist legal help they need is the shortage of public funding for immigration law. Legal aid funding is now available only for people facing the most devastating circumstances, involving human trafficking, asylum, or those in which a client on a spouse visa is a victim of domestic violence. We are also supported by a grant from Tower Hamlets Council, which we use to help people who are most in need and with the least resources, and by a grant from the Trust for London to deliver an immigration and domestic violence project (funding until October 2017).

In an effort to address the funding shortfall and offer a service to clients which would not otherwise be available to them, we also offer a charging service for immigration advice and assistance which is outside the scope of legal aid which cannot be covered by our other funding.

Case Study

X is a young man who has lived all his life in the UK, but now faces deportation to Uganda and a life torn apart from his family.

His mother came to the UK seeking asylum from Uganda, and X was born in this country, but before he and his mother were granted indefinite leave to remain here. This makes him a Ugandan national, while his brother and sister, born afterwards, are UK citizens.

X's childhood was deeply troubled: he witnessed his father's violence towards his mother; watched as his father abandoned the family when X was only eight years old; and saw the devastating effect on his mother. X was groomed by a gang from an early age. It became an alternative family for him, and by 10 he had started to offend. Despite this, by the time he reached 18, X was maturing, discovering his independence, and mostly staying out of trouble. His brother and sister looked up to him as a father figure.

But then the Home Office issued a notice of their intention to deport him to Uganda.

The law centre represented X in his appeal to an immigration tribunal, commissioning specialist reports to support his case from a forensic psychiatrist, an independent social worker and a gang rehabilitation organisation.

X was relieved and happy to win his appeal, but the relief didn't last long: the Home Office challenged the tribunal's decision, which was then overturned by an Upper Tribunal. We are currently applying for permission to appeal to the Court of Appeal. In the meantime the Home Office have detained X and he is now being assisted to apply for bail.

Housing

Most of our clients are vulnerable in some way - often with a low income and suffering from poor physical or mental health. During 2015-16, the effect of welfare benefit cuts on these clients has been pronounced. All too often, poor families whose income has been cut cannot afford to pay the rent, leading to court cases brought by landlords seeking to recover their properties.

During 2015-16, we took on over 400 new cases involving possession proceedings for rent arrears, most of them related in some way to problems about housing benefit. We have helped clients defend their homes in cases involving the bedroom tax (where housing benefit is reduced because of a 'spare' room in the home), and where housing benefit administration cannot keep up with the irregular income of people working on zero hours contracts. We also helped around 220 people defend their homes as part of the Court Duty Scheme at Bow County Court.

In addition to these cases, we have acted for clients in possession proceedings based on other issues (protection of deposits, antisocial behaviour and the right to succeed to a tenancy, for example); decisions of the local authority about homelessness; and disrepair of private and public sector homes.

Case Study

K and his family were evicted because his landlord had improperly rented them a home which did not have residential planning permission and the ultimate owner wanted it back.

We advised K that Tower Hamlets Council had a duty to house him and his family under the rules about homelessness. To K's relief, the council accepted this and provided them with temporary accommodation, but he was soon to be disappointed. The council would not accept K's application on to the housing waiting list for long-term council housing because the family had not lived in the borough for three years.

We took up K's case again, arguing that the council's policy was unlawful in its application to homeless people. Our argument was accepted and, as a result of our intervention, K was accepted on to the council's housing waiting list.

Welfare Benefits

During 2015-16, we experienced more demand than ever before for advice and representation in appeals about decisions on welfare benefits. This is largely because of the ongoing cuts to benefits for our sick and disabled clients and the huge number of cases in which Disability Living Allowance or Employment & Support Allowance has been stopped.

Few agencies are still prepared to do the level of work involved in writing submissions to appeal tribunals, liaising with expert witnesses, and representing at tribunal hearings. But because almost two thirds of DWP decisions are overturned by tribunals (if the claimant gets expert help with their appeal) it is vital that we continue to offer this service.

We remain entirely reliant on funding from Tower Hamlets Council for our welfare benefits work, in the absence of any funding by central government, and its financial support is a lifeline for clients, many of whom would otherwise have nowhere else to turn.

Case Study

M's case is a good example of the way in which the lives of many of our clients have been turned upside down. He is a disabled young man who faces huge daily struggles because he is virtually unable to walk and unfit for work.

M received Disability Living Allowance and Employment & Support Allowance and depended on them heavily for his independence and dignity, to say nothing of their importance in simply making ends meet.

But M's Employment & Support Allowance was stopped after an assessment by an employee of the multinational corporation Maximus (a government contractor) found that he met none of the key qualifications – not even based on his mobility problems.

The law centre represented M in his appeal to a tribunal, and gave guidance to his doctor about preparing a medical report to support his case. The tribunal accepted that M had difficulty in walking, but still decided that he did not qualify for Employment & Support Allowance. This was a painful setback for M, but we helped him get permission to appeal again, to the Upper Tribunal.

This time, persistence and courage paid off: the Upper Tribunal accepted that the first tribunal had made errors in its reasoning, restored M's Employment & Support Allowance, including £2000 of arrears owed to him by that time.

Partnerships and Pro Bono Services

These partnerships are increasingly important as public funding for legal services diminishes. The relationship between the law centre and our corporate partners is an example of legal organisations with contrasting characters and objectives working together to reduce the gap between those who can afford to understand and assert their rights, and those who cannot.

Freshfields Bruckhaus Deringer LLP

Freshfields Bruckhaus Deringer is a leader among international law firms, providing business law advice of the highest quality throughout Europe, the Middle East, Asia, and the USA. It has been a pro bono partner of the law centre for over 40 years. During 2015-16, the firm's support included:

- Helping dozens of their trainee solicitors to volunteer their time through our evening legal advice clinics, assisting our clients and gaining valuable experience.
- Seconding four trainee solicitors to assist our expert caseworkers, adding their skills to those of our team and gaining in-depth experience of litigation practice.
- Contributing £25,000 to our running costs to help us maintain our services
- Donating to £1,856.25 (some of the money raised through the London Legal Walk, a sponsorship scheme organised by the London Legal Support Trust).

Norton Rose Fulbright LLP

Norton Rose Fulbright is a leading international legal firm that offers full business law services to many of the world's financial institution and corporations, and has been a pro bono partner of the law centre for over 40 years. During 2015-16, the firm's support included:

- Helping dozens of their trainee solicitors to volunteer their time through our evening legal advice surgeries, assisting our clients and gaining valuable experience.
- Contributing £25,000 to our running costs to help us maintain our services
- Donating to £408.38 (some of the money raised through the London Legal Walk)

Ashurst LLP

Ashurst is a leading multinational law firm and a trusted adviser to corporate, financial institutions and governments worldwide.

Ashurst's pro bono partnership with the law centre started during 2015-16. The firm's support included:

- Helping dozens of their trainee solicitors to volunteer their time through our advice surgeries, gaining valuable experience and assisting our clients
- Offering business support

Miles & Partners

Miles & Partners is a niche group of specialist solicitors who are experts in family and relationship law, mental capacity, mental health and housing issues. The firm's support included supervising some of our evening advice surgeries (we would particularly like to thank Simon Maciniak and Lou Crisfield).

We would also like to thank Olu Adewumi, without whose dedication, support and supervision our evening advice clinics on employment law would not be possible; and Jacob Fabowale-Makinde, who has provided cover at short notice.

Summary of accounts for the year ended 31 March 2016

	Notes	Unrestricted Funds £	Restricted Funds £	2016 Total £	2015 Total £
Income from:					
Donations	2	65,424	-	65,424	56,162
Charitable activities	3	137,675	218,386	356,061	460,736
Investments	4	14	-	14	42
Total		203,113	218,386	421,499	516,940
Expenditure on:					
Charitable activities	5	246,833	219,351	466,184	572,222
Total		246,833	219,351	466,184	572,222
Net expenditure	9	(43,720)	(965)	(44,685)	(55,282)
Transfer between funds	15	-	-	-	-
Net movement in funds		(43,720)	(965)	(44,685)	(55,282)
Reconciliation of funds					
Total funds brought forward		60,375	38,153	98,528	153,810
Total funds carried forward		£16,655	£37,188	£53,843	£98,528

Volunteer Project

During the year, we continued to work on our Bridging Communities: Building Capacity project, funded by the Tudor Trust. The project has helped us to develop and promote a sustainable support structure for volunteering within the law centre, including working with colleagues to provide appropriate support and supervision to the volunteers in their work, and empowering more experienced volunteers to mentor and support newer volunteers.

This structure has enabled us to welcome more volunteers to the law centre: during 2015-16, The Pro-Bono Community brokered a new relationship between the law centre and Ashurt Solicitors, based in Liverpool Street, which has developed into a programme of volunteering that includes all the firm's trainee solicitors. We are now seeking further, similar, relationships to increase the number of volunteers working at the law centre.

We have now prepared all the systems and documentation we need to apply for accreditation to the Investing in Volunteers standard and expect to do so soon.

Tower Hamlets Law Centre

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Open Monday to Friday 10 am to 1 pm and 2 pm to 4 pm

The law centre provides specialist legal advice and representation in housing, asylum/immigration and welfare benefits law for people who live or work in the London Borough of Tower Hamlets. We also give advice on employment law at our fortnightly evening clinics and provide expert support to other agencies in the borough.

We are regulated by the Law Society and the Solicitors' Regulation Authority, and is accredited to the Lexcel standard for excellence in legal practice management and client care. For immigration law, we are also registered with the Office of the Immigration Services Commissioner.

Tower Hamlets Law Centre is a registered charity (no. 287282) and a company limited by guarantee (no. 1720518).