

From the Community to the Supreme Court



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Chair's Report

Who needs legal help? A growing number of people in Hackney in our experience. Hackney Community Law Centre (HCLC) places access to justice for the most vulnerable people at the heart of our service.



■ The last five years have seen many people struggle to cope with the impact of ongoing austerity and welfare reform. In March 2015, for example, the *Hackney Gazette* highlighted that children were among the hardest hit by the cuts to legal aid - particularly those who are homeless, have experienced sexual exploitation or suffer from mental health issues. In the last twelve months, in particular, HCLC has seen increasing levels of need with rising demand for our services.

The hardship experienced by families is compounded by the increasingly acrimonious tone of public debate which characterises on-going welfare reform into a 'them and us' dichotomy and seeks to scapegoat people who rely on welfare benefits to make ends meet. Writing in the *Evening Standard* in October 2014, the playwright, TV and Radio producer and comedic writer, Armando Iannucci, commented

on mainstream television: *"In straitened and uncertain times, people look for bogeymen. Eurocrats and immigrant workers are usually the first against the wall but there's another chunk of society quietly being singled out for a more sinister denunciation. Be careful everybody — in today's Britain, woe betide you if you're on welfare."* Iannucci echoes many others from all walks of life who have become concerned about this situation.

The hard work of my HCLC colleagues during 2015 highlights the importance of funding advice services in order to help families overcome the challenges so well articulated by Iannucci.

Housing and homelessness continued to account for a significant part of HCLC's work in 2015. In May, the Supreme Court - in a ground-breaking judgment - allowed an appeal by our client Ms Saba Haile against a finding of intentional homelessness made against her by the London Borough of Waltham Forest. Ms Haile's case is just one example of the many daily hardships my colleagues encountered in 2015.

Throughout 2015, HCLC also collaborated with our colleagues in Hackney Migrant Centre, in a project funded by Trust for London's Strategic Litigation Fund for Vulnerable Young Migrants, to launch a report, *'A Place to*

Call Home: A Report into the Standard of Accommodation provided to Children in Need in London'. The report, which we published in December 2015, highlighted the inadequate standards of the temporary accommodation used to house children and families subject to a 'no recourse to public funds' restriction. It is hoped that the report will prove to be of assistance in litigating against such awful housing conditions in court.

HCLC's work could not be sustained without the invaluable support provided by the London Borough of Hackney. On many occasions our casework has had us placed on opposing sides. However, the commitment by the Council to the provision of independent advice services for its residents demonstrates a maturity and commitment to the core principle of access to justice and the rule of law. We are also grateful to the West Hackney Parochial Charity, Trust for London, The Big Lottery Fund and the London Legal Support Trust for their continued support in 2015.

Finally, I would like to thank the staff, interns and volunteers – including my colleagues on the Board of Directors - for their hard work and energy throughout the year.

We always appreciate more support, however, and if you share with us the view that we need to ensure that there is equality of opportunity in our legal system for everyone, regardless of who they are, then please become a friend of the Law Centre or join us as a volunteer. There's plenty to do!

Ian Rathbone, Chair of HCLC.

Why Hackney needs a Law Centre

Hackney has some of the poorest and most disadvantaged families living in London. Many of them share common experiences such as in-work and out-of-work poverty, long term mental and physical ill-health, homelessness and inadequate housing conditions.



■ Hackney Community Law Centre places the needs of our clients at the heart of how we design and deliver our service. Pivotal to this is a holistic approach, which recognises the connectedness of problems and uses specialist legal skills to devise interventions and solutions through advocacy, casework and representation. As well as tackling individual problems, a critical feature of our work is to help clients better cope with adversity and the management of difficult circumstances.

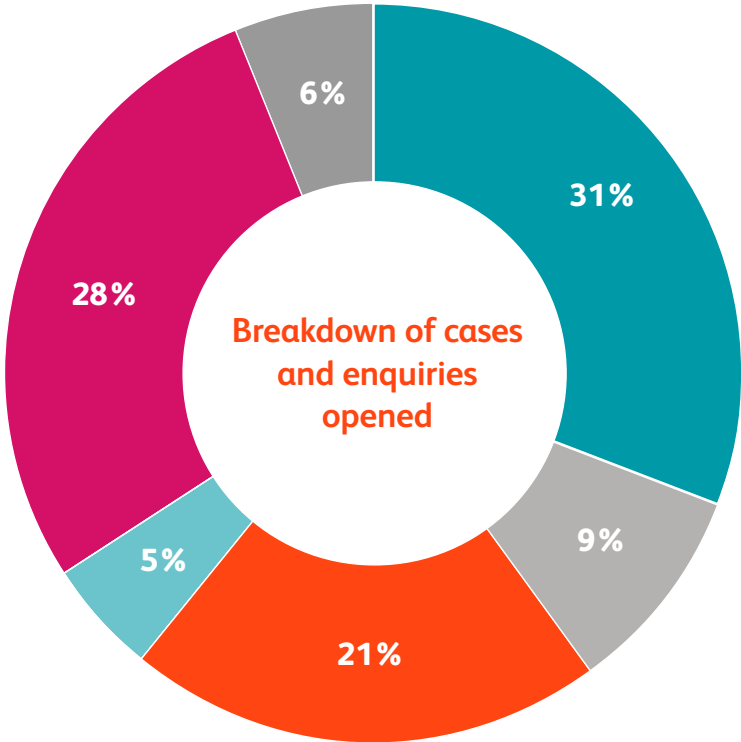
Partnership working is a pervasive feature of our service. In the last two years, we built on relationships with local advice sector colleagues to deliver the 'Sustainable Advice in Hackney' project, funded through the Big Lottery Fund's 'Advice Services Transition Fund'. This supported local advice services to become more resilient in the face of changes and reductions in public funding.

HCLC's community pop-up clinics also continued to be a vital resource for

many local residents, providing them with a first-stage opportunity to access advice services. The pop-up shops are delivered in collaboration with volunteers and partners including the London Borough of Hackney's Libraries Service, Debevoise and Plimpton LLP, Faegre Baker Daniels LLP and BPP Law School.

This report provides an overview of how Hackney Community Law Centre's services have benefitted clients in the last twelve months.

Statistics



- Debt
- Employment
- Housing
- Asylum and Immigration
- Welfare Benefits
- Miscellaneous

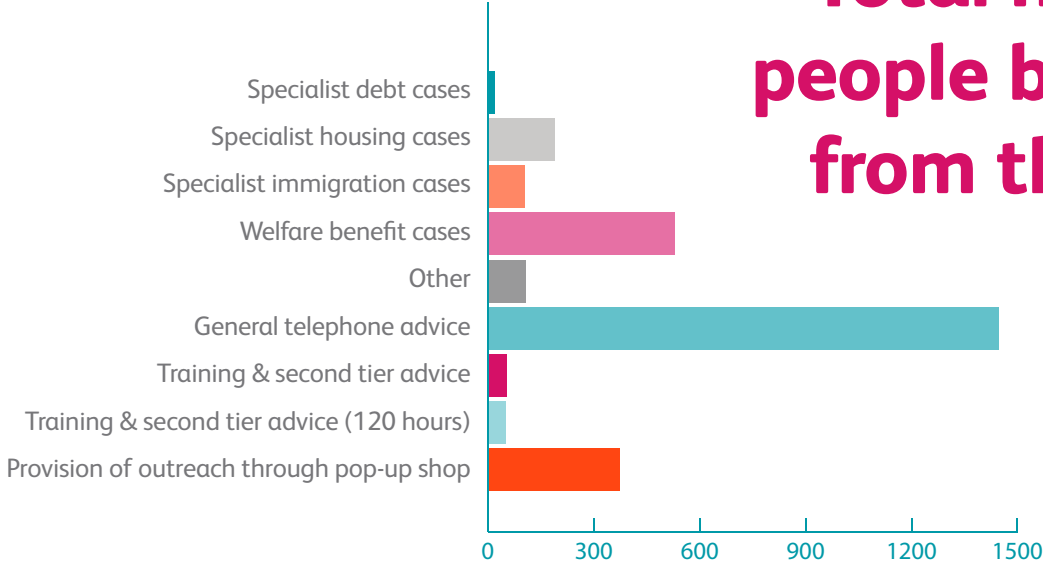


Number of queries in 2015
374



General Telephone Advice
Number of calls in 2015

Total number of people benefiting from the service
3,427



Spotlight on January to March



New service for people looking after a relative's child

January 2015

■ In January, working in partnership with The Family Rights Group FRG, HCLC set up a new evening advice service specifically for people who are looking after the children of a relative or friend. The service was funded by the London Legal Support Trust to help people living or working in Greater London who want to apply for a legal order to secure their caring arrangement but are unable to obtain legal aid.



Top centre: Andrew Caplen

Law Society President Andrew Caplen visits HCLC

February 2015

■ In February, HCLC welcomed Andrew Caplen, President of the Law Society of England and Wales, to the Centre. Andrew's visit was the first time ever that a serving Law Society President had visited a UK Law Centre! Andrew was accompanied on the visit by his Law Society colleagues Rebecca Wilkinson, Pro Bono Advisor, and Barbara Mackintosh, Practice Advice Solicitor. Commenting on his visit to HCLC, Andrew Caplen said: *"People need advice from day one not when they arrive at court with a bag full of papers. We need to concentrate on getting people advice right at the beginning of their problem. It is really special for me to come back to Hackney Community Law Centre as President of the Law Society. What HCLC is doing is so worthwhile and I thoroughly support the Law Centre (and all Law Centres') work. The difference HCLC is making to people's lives is incredible".*



Project 17 delivers 'No Recourse to Public Funds' training

March 2015

■ In March, as part of the Big Lottery funded 'Sustainable Advice in Hackney' project led by HCLC, Project 17, an organisation that works to end destitution among migrant children, delivered a special training session on 'No Recourse to Public Funds' ('Change of Conditions') forms for advisors from the Hackney advice sector who work with destitute migrant families. Project 17's Director Abi Brunswick delivered an extremely helpful and informative presentation.





Thomas Bingham Chambers delivers Immigration Law Community Information Session

March 2015

■ In March, The HCLC led, Big Lottery funded, 'Sustainable Advice in Hackney project' was fortunate to benefit from specialist immigration law training, delivered by the Immigration team at Thomas Bingham Barristers' Chambers, for staff and volunteers working in Hackney's advice sector. The seminar, which took place in Hackney Town Hall, was attended by 100 people representing 40 advice and community organisations from across London. It covered immigration law topics such as Students, European Economic Area, Asylum, Families, Criminal Deportations and Judicial Review. The Immigration Law Session was the second pro bono seminar that Thomas Bingham Chambers' barristers delivered for the Sustainable Advice in Hackney project. The first session was a training seminar on family law held in November 2014.



“... It is really special for me to come back to Hackney Community Law Centre as President of the Law Society. What HCLC is doing is so worthwhile and I thoroughly support the Law Centre (and all Law Centres’) work. The difference HCLC is making to people’s lives is incredible”.

Andrew Caplen, President of the Law Society



Case Study 1

■ In December 2015, Nathaniel Mathews and HCLC intern Onika Phillip-Adams attended Clerkenwell and Shoreditch County Court to make a very quick and straightforward housing application. While they were there, however, Nathaniel noticed lots of people waiting to go into court who looked confused and didn't appear to have any legal help. It turned out that no duty solicitor had attended the court that day. Nathaniel and Onika stepped into the breach and spent the day running back and forth between various courtrooms to make sure that every person who needed legal help was represented. They won 10 of the 11 cases listed, stopping 10 evictions.

One of the cases that day involved A, a joint tenant who had lived in a 3 bedroom property for 19 years, his former partner having left 18 years ago. When A's partner wanted to apply for Council housing in another borough, the London Borough of Hackney (LBH) invited her to unilaterally serve a notice on A bringing their joint tenancy to an end. LBH then issued A with a claim for possession, in respect of which there is no traditional defence in English law. A was due to be evicted the day following the hearing but Nathaniel felt that A had a defence under Article 8 of the European Convention of Human Rights. Nathaniel ran this legal argument in court and managed to get A's eviction postponed. LBH then agreed to offer A a one bed property. Around the same time as A's court victory - after many years of unemployment - he was also offered a job working as a local Hackney postman.

Case Study 2

■ Mr and Mrs N and their son, who was then aged 13, moved into their council property in 1979. The council believed that it had awarded the couple a joint-tenancy in both their names, but – in reality – it hadn't. In 1986, Mr N's son got married and his wife also moved into the property. Mr and Mrs N continued to live with their son and daughter-in-law in the house. In the following years, Mr and Mrs N's son and daughter-in-law had 3 children before Mr N died in 2004. Mrs N then died in 2013. The council initiated possession proceedings to evict the deceased couple's son, daughter-in-law and 3 grandchildren, on the basis that Mr N's son was not entitled to 'succeed' to the property. The council alleged that there had already been one succession to Mrs N when Mr N died. Mr N's son approached HCLC in early 2015. He, his wife and their 3 children, now aged 28, 24, 12, were still living in the home as is custom in traditional Turkish families. HCLC's Tayyabah Ahmed, then HCLC's Sara Taylor, took up the family's case. Sara set about defending the possession proceedings against the family on 'succession', 'estoppel' and human rights grounds. The council would not settle the case and insisted on going to court. At trial, however, HCLC won the case! The judge ruled that Mr N's son was entitled to succeed to the property. Mr N's son is now the secure tenant of their home and he and his family now feel relieved that they will not be made homeless.

Housing Report

Case Study 3

■ F was a refugee with 5 years Leave to Remain in the UK until 2017. On the grant of refugee status in 2012, he obtained private sector accommodation in Rugby, where he had been living when he arrived in the UK as an asylum seeker. However, F managed to find a well-paid job working on the construction of the Olympic stadium and gave up his flat in Rugby to move to London, where he ended up sofa surfing with friends. F continued to find work in London after his contract at the Olympic stadium ended. In 2014, F managed to obtain a family reunion visa for his wife to join him from a refugee camp in Ethiopia. The couple stayed in F's friend's living room but in 2015, when F and his wife had their first child, F's friend asked them to leave.

F made a homelessness application to Hackney council who decided that he had made himself intentionally homeless because he left his original UK accommodation in Rugby. F and his family were facing homelessness and approached HCLC. HCLC's Wendy Pettifer successfully challenged the council's finding of F's intentional homelessness on two grounds. Wendy argued that it was reasonable for F to give up his home in Rugby to work in London and also argued that F's wife, who had been in a camp in Ethiopia at the time, played no part in making that decision. Wendy further argued that F's wife was therefore eligible to be treated as an unintentionally homeless person and that she and her family members – F and the couple's child – should be granted accommodation. Hackney council accepted Wendy's arguments and within two weeks of withdrawing their finding of intentional homelessness against F, offered the family a secure tenancy of a one bedroom flat. F was able to continue working and supporting his wife and child in affordable accommodation.

Spotlight on April to June



Welcome Sara!

April 2015

■ In April, HCLC was delighted to welcome Sara Taylor to the Centre as our new Housing Solicitor. Sara came to us from Hammersmith and Fulham Law Centre where she worked for nearly seven years. Before that, Sara worked as a trainee solicitor at Merseyside Welfare Rights based in Liverpool where she was trained in housing, welfare benefits, debt and family law. Sara also previously worked in Manchester as an advice worker for Manchester Council's advice service and volunteered with the Citizens Advice Bureau.



London Legal Walk

May 2015

■ On Monday 18th May 2015, HCLC participated in the 11th London Legal Walk organised by the London Legal Support Trust. The 10km walk saw nearly 10,000 walkers proceed through London, on foot, to raise funds for charities and law centres that provide advice to some of London's most vulnerable people. Thanks to the support and generosity of so many people, HCLC managed to raise £1,268.75.



Tribute to Ian Lewis

May 2015

■ In May, HCLC expressed our deepest condolences to the family, friends and colleagues of Ian Lewis, the Assistant Chief Executive of the London Borough of Hackney who sadly passed away after suffering from cancer. As Hackney Council's Assistant Chief Executive with responsibility for the Hackney advice sector, Ian was extremely supportive of HCLC's work. Commenting on Ian Lewis' passing, HCLC Chair Ian Rathbone said: *"We were very sorry to hear of the passing of Ian Lewis. He was a good friend of the law centre, and of Hackney, and helped to keep and build our valuable community sector over some difficult years. We will miss him very much".*



"He was a good friend of the Law Centre, and of Hackney, and helped to keep and build our valuable community sector over some difficult years."

HCLC Chair Ian Rathbone tribute to Ian Lewis



Welcome Justin

June 2015

■ In June, HCLC welcomed Justin Kraut from the University of Richmond School of Law in the United States, to HCLC as our 2015 US summer intern. Since 2012, HCLC has hosted students from the University of Richmond School of Law, and other American universities, over the summer. The students have then gone on to take a summer course in law at the University of Cambridge before heading back home to the States. 2015 US summer intern Justin was born in North Carolina. His father was a Lieutenant Colonel in the United States Air Force and so Justin and his family moved around the country a lot, living in many different US states, as well as also moving to Germany for four years. At HCLC, Justin worked on mainly housing cases, supporting HCLC Senior Solicitor Nathaniel Mathews with eviction and homelessness matters. He also assisted clients with welfare benefits problems. While in London, Justin took a tour of parliament, saw Hitchcock's '39 Steps' at London's Criterion Theatre and took a cruise on the River Thames. Justin said his favourite thing about London was that it's a big city that is busy, vibrant and diverse in contrast to Richmond, Virginia, which is a lot smaller.



Diane Abbott MP addresses HCLC AGM

June 2015

■ Local Hackney Member of Parliament and HCLC Patron Diane Abbott addressed HCLC's 2015 AGM which was held in June. HCLC is grateful for her continued support.



Hackney Community Law Centre wins Landmark case in UK Supreme Court!

On the 20th May, the United Kingdom Supreme Court (UKSC) allowed an appeal, lodged by HCLC on behalf of our client Ms Saba Haile, which challenged the way local authorities in Britain were interpreting the definition of ‘intentional’ homelessness.



HCLC's Tayyabah Ahmed and Nathaniel Mathews with Saba Haile

■ Prior to *Haile v the London Borough of Waltham Forest* ('Haile'), the leading case on intentional homelessness was *Din v Wandsworth London Borough Council* [1983] 1 AC 657 ('Din').

While not overruling the case of *Din*, the *Haile* UKSC judgment, marked a significant departure from the way the law on intentional homelessness had been defined in the UK for the last 20 years. It also established a new legal test for intentional homelessness to which every UK local authority now has to adhere.

Background to the case

Saba Haile was a young homeless woman who began residing in a private rented hostel in the London Borough of Waltham Forest (LBWF) in June 2010. It was a hostel for single people. No children or dependants were allowed. The hostel was smelly and unpleasant with the kitchen and toilets being used by 15 people. Ms Haile was so grateful to have a roof over her head that she did not complain.

The situation changed for Ms Haile in May 2011, however, when she became pregnant with her first child. Though

she tried to continue coping up with her living conditions, the smells, the oppressive atmosphere and the serious anti-social behaviour of another resident, exacerbated Ms Haile's morning sickness to such a degree that she was constantly vomiting and feared that she might lose her unborn baby.

In late October 2011, Ms Haile could cope no more and left the hostel. She began sofa surfing. Ms Haile then tried to make a homelessness application to LBWF in early November 2011 and approached HCLC for assistance.



In late November 2011, LBWF decided that as Ms Haile had left the hostel voluntarily and stated that she had made herself intentionally homeless. It informed HCLC that it would therefore not be providing Ms Haile with any further accommodation. This was despite the fact that LBWF acknowledged that the hostel's single person policy meant that Ms Haile would have most certainly been evicted from the hostel – and thus become involuntarily homeless – as soon as her baby was born four months later.

HCLC helped Ms Haile to lodge an application requesting an official review of LBWF's decision but this too was negative.

HCLC then issued proceedings on Ms Haile's behalf in the County Court, instructing Kerry Bretherton of Tanfield Chambers. The court hearing took place in October 2013 but the appeal was dismissed.

HCLC then applied for permission to appeal to the Court of Appeal, which was granted, and the case was heard at the Court of Appeal by the Lord Justices Jackson, Fulford and Clarke in June 2014. They too dismissed Ms Haile's appeal.

HCLC then decided to lodge an appeal at the Supreme Court as we believed that it was essential that Ms Haile's case was heard at the highest level. We felt strongly that Ms Haile's case involved a point of law of general public importance regarding the definition of intentional homelessness.

Ms Haile's Appeal to the UK Supreme Court

Ms Haile's appeal at the UK Supreme Court took place on the 29th of January 2015. It was heard by a panel of five Supreme Court judges including the President Lord Neuberger and the Deputy President Lady Hale. HCLC again instructed Kerry Bretherton of Tanfield Chambers who was supported at the appeal by Laura Tweedy of Hardwicke Chambers.

After reserving their judgment following submissions on the 29th of January 2015, their Lordships allowed the appeal on the 20th of May 2015!

Giving the lead judgment, Lord Reed concluded that even though Ms Haile had voluntarily left the hostel in October 2011, LBWF had given no consideration as to whether her homelessness might actually have been caused by her certain eviction – once her baby was born – from a hostel that only permitted single people without children.

As Lord Reed stated at paragraph 67 of the judgment, "The birth of the baby meant that the appellant would be homeless, at the time when her case was considered, whether or not she had left the hostel when and for the reasons she did".

Their Lordships therefore held that Ms Haile had not made herself intentionally homeless.

Commenting on her Supreme Court victory, HCLC client Saba Haile said: *"I am so emotional. I could almost faint. I can't express how I'm feeling. I'm overjoyed. It's been 4 years. I felt like I didn't have my rights. I was living in terrible living conditions. Hackney Community Law Centre have done an amazing job. When we were appealing to the Supreme Court, I told Tayyabah to forget it. I was exhausted but Tayyabah said we had to keep going and that we couldn't give up. I would like to thank Tayyabah and everyone at HCLC for winning my case. HCLC have supported me for the whole 3 years from start to finish. Now I can plan a real future".*

Ms Haile's solicitor Tayyabah Ahmed said: *"This is a fantastic result for applicants as well as a practical and necessary guideline for local authorities. I am really pleased that HCLC was able to advance our argument all the way to the UK Supreme Court".*

HCLC Senior Housing Solicitor Nathaniel Mathews added: *"This judgment is of particular relevance to those living in hostels with a 'no children' policy. It further emphasises the strong legal protections that exist for pregnant women threatened with homelessness".*

HCLC is grateful to everyone who supported Saba Haile's case. We are very proud that our small, under-resourced legal charity was yet again able to play a major role in changing the law.

"When we were appealing to the Supreme Court, I told Tayyabah to forget it. I was exhausted but Tayyabah said we had to keep going and that we couldn't give up."

Saba Haile

Welfare Benefits Report



Case Study 1

■ In June, HCLC's Nathaniel Mathews won an Employment and Support Allowance case at the First Tier Social Security Tribunal for M, a war veteran who had been conscripted into the Kurdish army aged 11. M could not read or write due to not having attended school. He had lost a leg after stepping on a landmine and he had also been officially diagnosed with Post Traumatic Stress Disorder. Despite his obvious disabilities, the Department for Work and Pensions originally told M that they considered him "fit for work" and said he should "use crutches" to move around. Without HCLC, M would have had no help to lodge – and ultimately win – his appeal.

Case Study 2

■ HCLC's Marie Froya Hole assisted K, a European Economic Area (EEA) national who was single mother with a severely disabled child. K had been refused Income Support on the basis that she did not have a right to reside in the UK. However, K had been a worker/self-employed for four years and nine months before becoming ill six years ago and not being able to go back to work since. Marie managed to convince the First Tier Social Security Tribunal that 1) during K's periods of self-employment she had been in genuine and effective work, even though she ultimately traded at a loss and 2) K had retained her status as a self-employed person who was temporarily unable to pursue self-employed activity for a period of four months after she became ill. Marie used EU case law to try and convince the tribunal of this despite the fact that K had not gone back to work in six years. Marie raised the legal argument that in the initial stages of K's illness her condition was temporary but there had then been a change in circumstances which meant that it her illness had become permanent later on. Marie argued that for those four initial months of K's illness K had retained her status as a self-employed person. When those four months were added to four years and nine months in which K had been a worker and self-employed person, K was found to have exercised her treaty rights for a continuous period of five years and should have been considered to have acquired a permanent right to reside in the UK. The Tribunal allowed the appeal and K was awarded Income Support.

Case Study 3

■ T was a destitute client with a derivative right to reside in the UK as a "Zambrano" carer but she was refused tax credits due to her immigration status. HCLC appealed the decision on the basis that although Zambrano carers are excluded from claiming Child Tax Credits, there is no equivalent provision excluding them from claiming Working Tax Credits. Due to our intervention, Her Majesty's Revenue and Customs reversed its position right before the matter was listed for hearing in the First Tier Tribunal and paid T a lump sum of £7,000, which she was able to put towards the cost of her immigration application fees.

Case Study 4

■ P was a single mother of two children who had been refused Housing Benefit, as she had received a lump sum after being medically retired. P was severely mentally ill and at the time she received the money had spent the entire sum repaying personal loans to friends and family. With HCLC's assistance, P was able to gather sufficient evidence to establish that a) her debts to friends and family were genuine and b) getting Housing Benefit had not been the "significant operative purpose" of repaying the loans. HCLC's Marie Froya Hole took the Tribunal through extensive case law on the definition of "significant operative purpose" and highlighted the medical evidence which showed that P had not had mental capacity to make rational decisions at the time and that she had not had any knowledge or understanding of the benefits system. P was facing housing possession proceedings and had significant rent arrears due to non-payment of Housing Benefit. As a result of HCLC's intervention, P kept her home.

HCLC's Team in 2015

Staff & Board members at December 2015



STAFF

Sean Canning
Manager

Bella Donnelly
Administrator

Marie Froya Hole
Solicitor

Miranda Grell
Development Officer

Nathaniel Mathews
Solicitor

Diane Morrison
Solicitor

Wendy Pettifer
Solicitor

Hope Olugbola
Debt Caseworker

Kim Sin
Receptionist/Administrator

Sara Taylor
Solicitor

Hilton von Herbert
Immigration Caseworker

BOARD MEMBERS

Ian Rathbone
Lawrence Abe
Paul Dillane
Victor McAllister
Mary-Rachel McCabe
Cllr Deniz Oguzkanli
Adenike Ojo
Megan Redmond
Andrew Wingfield

“The HCLC team are much respected legal aid and justice warriors. I look forward to supporting their work”

HCLC trustee Paul Dillane

PAUL DILLANE JOINS HCLC'S BOARD OF DIRECTORS

In July, Paul Dillane joined HCLC's Board of Directors. Paul is the Executive Director of the UK Lesbian & Gay Immigration Group (UKLGIG), the only national charity dedicated to supporting, and advocating for the rights of, lesbian, gay, bisexual, transgender and intersex (LGBTI) asylum seekers. UKLGIG supports in excess of 1,000 people a year, many of whom have been subjected to persecution and human rights abuses as a result of their sexual or gender identity. Paul, who lives in Hackney, is an experienced human rights professional. He began his career as a legal aid practitioner and advocate in South Wales. Between 2004 and 2008, he specialised in immigration, refugee and human rights law and his last legal role was Supervising Counsellor at the Immigration Advisory Service in Cardiff. Between 2008 and 2014, Paul worked at Amnesty International UK as an in-house refugee specialist, where he was responsible for the organisation's involvement in asylum, extradition and human rights litigation. Paul prepared expert opinions in several hundred individual cases at all levels of the asylum process from first instance to proceedings in the European Court of Human Rights. Commenting on his decision to join Hackney Community Law Centre's Board of Directors Paul Dillane said: "At a time when human rights, legal aid and access to justice is under unprecedented assault, it is a real privilege to join the Hackney Community Law Centre Board of Directors. HCLC provides vital legal assistance to some of the most needy and vulnerable in my community. The HCLC team are much respected legal aid and justice warriors. I look forward to supporting their work".



HCLC trustee Paul Dillane

MARY-RACHEL MCCABE BEGINS PUPILLAGE AT DOUGHTY STREET CHAMBERS

In October, former HCLC intern Mary-Rachel McCabe – now a valued HCLC trustee – began her 'pupillage' with Doughty Street Chambers. A pupillage is a form of barristers' apprenticeship that a graduate of the Bar Professional Training Course is required to complete in order to fully qualify. HCLC wishes Mary-Rachel a long and successful career at the Bar.



HCLC trustee Mary-Rachel McCabe

Interns and Volunteers

HCLC would like to thank our 2015 interns and volunteers.

Interns and volunteers: Rachel Shakides; Joy Nwachukwu; Toby Wheldon; Humairaa Fatima; Nargis Sultana; Wemi Alli; Angharad Monk; Onika Phillip-Adams; Primily Jo Malanum; Sorubiha Kamalanathan; Justin Kraut; Emily Messier; Gillian Wildgoose; Claire Mayo; Mohammed Jimale, Alice Holt.



Onika Phillip-Adams, Intern



Claire Mayo, Volunteer



Alice Holt, Volunteer

MEET THE INTERN – ONIKA PHILLIP-ADAMS

Onika Phillip-Adams joined the HCLC team as an intern in September 2015. She worked predominantly with HCLC's Senior Housing Solicitor Nathaniel Mathews on housing law cases. Onika assisted Nathaniel with a variety of work including possession hearings, judicial reviews, the duty solicitor rota at Clerkenwell and Shoreditch County Court (see pg 8) and she also clerked for HCLC and instructed counsel at housing trials at Edmonton County Court. Before coming to HCLC, Onika worked in the hospitality industry while she studied on the Bar Professional Training Course at night. Onika was called to the Bar of England of Wales by the Honourable Society of the Inner Temple in 2012 and hopes to practise as a barrister. She has a particular interest in criminal law, immigration law and insolvency law. In her spare time, Onika likes to read, go for long walks and is a champion baker. Her baking speciality is her Victoria sponge, which she says is the "softest sponge one will ever taste." Watch out Nadiya!

MEET THE VOLUNTEER – CLAIRE MAYO

"As a recent law graduate, I decided to use some of my time to volunteer at HCLC. Volunteering once a week allowed me to gain a remarkable insight into the excellent work that Hackney Law Centre is doing for its local community. I had the opportunity to work with some wonderful solicitors and interns and was given responsibility for conducting client meetings, drafting letters and undertaking data administrative tasks. Working with clients who are facing homelessness and not knowing where they would sleep the following night, really opened my eyes to the current housing crisis we are facing. There seems to be no end to the rising cost of renting in London, with an increasing number of families being pushed out of their homes and forced to stay in unsuitable emergency accommodation. From my first day of volunteering at HCLC, it was abundantly clear that the extent that the legal aid cuts had affected the law centre and the community of Hackney. There was no typical day volunteering at the law centre. I turned up in the morning not knowing who the clients will be, or what aspects of housing law I would be learning more about that day. What was constant throughout my time though, was the sense that I was part of an organisation that is really making a difference to the local community. The clients that come into the law centre often come as their last port of call when there is no one else to turn to and they need representation to ensure that they can enforce their legal rights. I gained a lot more from my time at the law centre, than simply putting the practical skills that I learnt on my degree to use. The support and guidance that HCLC housing solicitor Sara Taylor gave me, allowed me to develop skills which will be invaluable throughout my legal career. I had the opportunity to become thoroughly involved in the cases that the law centre is working on and had the chance to put my thoughts and ideas forward when working on a case. I was able to see first-hand the positive impact that the law centre is having in Hackney, helping those who are the most vulnerable in society".



Lord Low of Dalston with HCLC interns Primily Jo Malanum, Emily Messier, Sorubiha Kamalanathan and Onika Phillip-Adams.

HCLC Patrons

Our patrons all have a connection to Hackney, either having lived or worked here. They have also been involved in campaigning on issues such as housing and immigration.



JON ROBINS WINS BAR COUNCIL AWARD

In October, HCLC patron Jon Robins won the prestigious Bar Council Legal Reporting Award. Jon, an experienced journalist who edits the award-winning www.thejusticegap.com, - won the award for his articles about Hackney miscarriage of justice victim Sam Hallam and another terrible case about an elderly care home patient who was being kept there against her wishes and denied proper representation in the Court of Protection.



TUNDE OKEWALE CELEBRATES URBAN LAWYERS 5TH ANNIVERSARY

In September, HCLC's Miranda Grell, Bella Donnelly and Hilton von Herbert attended a special event to celebrate the Urban Lawyers' organisation's fifth anniversary. HCLC patron and barrister Tunde Okewale founded Urban Lawyers in 2010 to assist aspiring solicitors and barristers from non-traditional backgrounds enter the legal profession. Congratulations again to Tunde and the Urban Lawyers team. Here's to another five years!

Hackney Community Law Centre is extremely grateful to have the support of the following patrons:

Diane Abbott MP; Louise Christian Nicky Gavron AM; Manjit S Gill QC; Meg Hillier MP; Owen Jones; Jean Lambert MEP; Lord Colin Low of Dalston CBE; Rajiv Menon QC; Declan O'Callaghan; Tunde Okewale; Jon Robins; Sir Tony Robinson; Lord Thomas of Gresford QC

OWEN JONES BECOMES A HCLC PATRON

In September 2015, Owen Jones officially joined the HCLC team as a patron! Owen is a high-profile political commentator for The Guardian, The New Statesman and author of bestselling books Chavs and The Establishment. See pg 23 for the full story.



DECLAN O'CALLAGHAN TRAINS HCLC TEAM IN IMMIGRATION & ASYLUM LAW

In June, we were grateful to our patron Declan O'Callaghan for delivering a pro bono training session for the HCLC team on Immigration and Asylum Law. Declan is a barrister at Landmark Chambers specialising in public law, local government and international law. Declan is regularly instructed in a wide range of matters including housing, prisons, education, social welfare, community care, social security, mental health, immigration and asylum.

Immigration Report

“Hello Hilton, we are excited to hear this! Thank you so much again! You have supported and worked on so many winning cases this year. We are grateful”.

(Email from the UK, Lesbian and Gay Immigration Group after being told that Hilton von Herbert had helped one of their LGBT clients to gain refugee status)

Case Study 1

■ J was a 16 year old child from West Africa who had come to the UK lawfully to live with her father, step mother and half siblings 5 years ago. J had ‘Leave to Enter’ to the UK as the Family Member of an European Economic Area (EEA) National exercising Treaty Rights as her father was a European national who was living and working in the UK at the time of J’s arrival. Unfortunately J and her father had a serious falling out. J started stealing essential personal hygiene items and clothes from shops as her step-mother and father had stopped providing these items for her. J was referred to the local council’s social services department, which conducted investigations into her home life and concluded that she was being abused and neglected. Social Services then removed J from the family home and placed her in semi-independent accommodation with key work support. In 2015, just as J’s 5 year family member permit was about to expire, Social Services referred her to HCLC for immigration advice and representation. Hilton von Herbert took on the case.

The case was complex not only for the difficult issues it involved but also because to qualify for permanent residence under The Immigration (European Economic Area) Regulations 2006, the EEA national must still be present and working in the UK and the family member (J in this case) was required to maintain a familial relationship with the sponsoring EEA national. However, J’s father had suffered a stroke and was no longer working. Furthermore, due to their dispute, J’s contact and interactions with her father had significantly reduced. Another problem with the case was that J was no longer considered a minor in law.

Despite the many challenges the case involved, Hilton von Herbert submitted J’s application for permanent residence to the Home Office. J received invaluable support from the London Borough of Hackney’s social services team. J’s application was successful and she was granted indefinite leave to remain. J is now training to become a local authority social worker.





Case Study 2

■ B, who came from Afghanistan, arrived in the UK in October 2014 and lodged a claim for asylum, which was refused in April 2015. B then attempted to lodge another appeal. Prior to his arrival in the UK, B had got married to a fellow Afghan national in an Islamic Nikah Ceremony in Afghanistan. The marriage had taken place back in 2010 when they were both living there. Their families had initially refused them permission to marry, however, but after four years, B had managed to convince them to accept his and his fiancé's firm intention to marry. Shortly after their wedding, B's wife was forced to flee Afghanistan without her husband. She made her way to the UK and was granted Refugee Status. She then sought to apply for B to join her in the UK in accordance with lawful Family Reunion provisions but B's applications were refused on two separate occasions. The UK's Entry Clearance Officers held the view that B and his wife's marriage was not "genuine" or "subsisting". The couple then decided to travel to meet each other and maintain contact with each other in Tajikistan and Pakistan, which neighbours Afghanistan. Unfortunately, however, because B's wife had been recognised by the UK as a refugee she could not go back to Afghanistan and they could not stay together in Tajikistan and Pakistan for longer than 4 weeks because B's wife was required to return to the UK in this timeframe if she did not want to lose her UK refugee status. After returning to the UK following a second trip to see his wife in Pakistan, B's wife informed him that she was pregnant. Her gynaecological complications were so life threatening that the obstetricians at the hospital treating her wrote to the UK's Entry Clearance Officer in support of B's application to join his wife in the UK. However, B's visa application was still refused as the Entry Clearance Officer maintained that B could not possibly have fathered the child when he and his wife had been living in different countries.

Having tried to obtain a UK visa by all lawful channels at great expense and with no success, B decided to make the perilous journey to the UK - by land and sea – by paying unscrupulous agents. By that point, B was receiving death threats from the Taliban. During the 3 month journey to the UK, B was unable to contact his wife, who did not know if he was dead or alive. He eventually arrived in the UK and was apprehended by the police who after listening to his story helped him to make contact with his wife. The couple were finally re-united properly after 4 long years.

B then sought to regularise his stay in the UK by submitting an asylum and human rights claim. Due to his previously refused Family Reunion applications, however, B was unable to obtain legal advice in respect of his asylum appeal as none of the solicitors he approached believed there was any merit.

B approached HCLC in a last ditch effort to salvage the situation. We agreed to take the case. Hilton von Herbert and Marie Froya Hole worked around the clock to try and undo many of the mistakes that B's previous legal advisors had made. Hilton and Marie had to engage several experts, obtain detailed statements from both B and his wife and press them for further documentary evidence that proved that they had travelled to Tajikistan and Pakistan to meet each other. Hilton and Marie also commissioned a DNA paternity report, which conclusively proved that B was the father of his wife's child.

B's appeal took place in November 2015 and was successful. B and his wife were overjoyed. HCLC would like to express our gratitude to Richard Clarke of Landmark Chambers who represented B at his appeal hearing.

Spotlight on July to September



Judge Kevin Gannon & Barrister Desmond Rutledge deliver 'First Tier Social Security Tribunal' training!

July 2015

■ In July, HCLC was enormously grateful to judge Kevin Gannon and barrister Desmond Rutledge, both of Garden Court Chambers, for delivering an excellent pro bono training session for Hackney advisors about the First Tier Social Security Tribunal. The training, which took place under the umbrella of the HCLC led 'Sustainable Advice in Hackney' project, was attended by over 50 advisors from a range of advice agencies across Hackney.



Digital Advice for Hackney

July - August 2015

■ Over the summer, as part of the HCLC led, Big Lottery funded 'Sustainable Advice in Hackney' project, HCLC worked with social enterprise Social Spider CIC to look at ways of using digital technology to provide better advice services. Social Spider conducted two workshops for Hackney advice sector advisors and two workshops for members of the general public. The key aim of the workshops were to try and understand exactly how people are currently using advice services and what kind of digital services, like apps or websites, could make the delivery of advice better available and more useful for local people. Social Spider wrote up its observations and findings from the workshops and then prepared a comprehensive report, which can be read online at www.hclc.org.uk



Intern Toby's sponsored swim for HCLC

■ HCLC is grateful to our amazing former intern Toby Wheldon who managed to complete a one and a half mile sponsored swim for HCLC, in France, in August 2015! Before the swim Toby said: "For the last three months I have had the privilege of working with HCLC. *Recent cuts to legal aid have put an increasing strain on Law Centres, many in London have either had to close or restructure. Nominally Hackney Law Centre supplies legal advice and representation to those who could not otherwise afford it, in reality they provide much more than this. Whilst there I saw a case won at the Supreme Court but also saw staff lend an ear to people who just needed to express their frustration at the bafflingly complex benefits structure. In the current political climate I only see the demand for their services increasing. I will be swimming 2.4km across Lake Annecy as part of an organised event to raise money for the Law Centre. Most of those who see this site will know me and know that this will be a true challenge.*" After the swim, Toby said: "The swim took me 50 minutes. It was fun, a little daunting with all the people but there was a good ambiance, at the end there was a giant tartiflette for the swimmers. I would like to do it again, maybe in another lake as there are similar events all over." Thanks Toby!



HCLC pilots online legal advice surgeries with Wigwam Legal Services and 1 Gray's Inn Square Chambers

■ In September, HCLC began piloting online legal advice surgeries in partnership with Wigwam Legal Services and 1 Gray's Inn Square Chambers. 1 Gray's Inn Square Employment Barrister Fergus McCombie advised HCLC drop-in clients seeking employment law advice, by specially created legal video technology. Feedback from clients attending the pilot sessions was extremely positive. Commenting on the pilot HCLC's Business Development Manager Miranda Grell said: *"We have got to find new ways of delivering services and advice to people who desperately need it. If we have the technology, why not use it?"*

HCLC Chair Ian Rathbone added: *"We have to continue to find ways to make justice accessible to residents in a regime of harsh cuts to legal aid by central Government. An early session with a barrister can also help the client establish directly the validity or feasibility of their case. My thanks to goes to Jonathan Maskew and Matthew Wildish of Wigwam Legal Services and 1 Gray's Inn Square Chambers for working as our partner on this."*



"I'm an activist through writing, you're activists through law" – HCLC welcomes new Patron Owen Jones!

■ In September, HCLC was delighted to announce that Owen Jones had joined the HCLC team as our new patron! Owen, a high-profile political commentator for The Guardian, The New Statesman and author of best-selling books *Chavs* and *The Establishment* joined an illustrious list of HCLC patrons who support Hackney Community Law Centre's work and our campaigns for better access to justice for Hackney residents. Over the summer, Owen visited the HCLC office to meet the team. Having recently returned from visiting the Calais refugee camps for The New Statesman magazine, Owen was visibly moved by what he heard about the types of cases HCLC has been working on.

Owen was also encouraged to hear about the work of law centres in other parts of the UK but was equally disappointed to hear that all of Greater Manchester's law centres had closed as a result of cuts to funding. Despite the difficult times facing HCLC and other law centres, Owen encouraged us to keep going and continue to champion those that "often have little voice". Owen referred to HCLC as "activists" telling us, "I'm an activist through writing, you're activists through law".

"Commenting on his appointment as a new HCLC patron, Owen Jones said: "I am beyond honoured to become a patron of a law centre that fights for people's rights, that courageously champions those who often have little vote, and which stands in the best traditions of social justice. Hackney Community Law Centre is a beacon and I hope I can do all I can to support its clients and team".



Employment Report

Case Study 1

■ Z had been working with School A, a school for excluded youths in South London, for four years. Z had never been given a formal contract of employment and was not paid during the school holidays. However, Z had an excellent rapport with School A's Head teacher. In 2014, Z also began working at School B.

One day, Z complained to School B's Head Teacher about his pay and their working relationship began to break down. Their dispute then escalated until, completely out of the blue, Z was accused of breaching safeguarding regulations and barred from returning to School B. Z was then sent a text by School A informing him that they too were investigating him and that he should not return to School A until a formal investigation had been conducted. Z said that the allegations made against him were completely fabricated but he was suspended and received no pay from either school for several weeks. Z became increasingly concerned about his professional reputation. Would he be able to get a reference and/or would he have a difficult battle to clear his name?

Z realised that he had not been in receipt of holiday pay for four years and sought to bring an Employment Tribunal claim (initially resisted) by both schools assisted by HCLC's Diane Morrison. Following HCLC's intervention, the schools backed down and Z reached a settlement with School A who paid him the arrears that were owed to him.



Case Study 2

■ In August 2015, B approached HCLC after being evicted from her rented home, following her dismissal from work for gross misconduct. B lodged an Employment Tribunal claim for unfair dismissal, race discrimination and outstanding wages owed. Although HCLC was unable to accompany B to the court hearing due to lack of funding to do so, HCLC's Diane Morrison assisted B to prepare all the complicated written court documents involved. B was able to negotiate a successful settlement of £40,000 for her dismissal claim and her outstanding wages.

Case Study 3

■ C worked for a national charity that housed homeless people with drug and alcohol problems. Many of the people also had serious mental health issues. One day, C, who had 10 years of unblemished employment with the charity, was wrongfully accused of breaching safeguarding rules. HCLC took on the case and helped C to amend her claim at the Employment Tribunal. C did not feel that her conduct had breached the charity's safeguarding rules, as in order for her to do her job effectively, she had needed to be firm and robust with the residents, especially regarding their personal hygiene. At court, the charity refused to disclose information requested by the judge. A witness came forward in support of B confirming the existence of the information the charity would not disclose. HCLC's Diane Morrison decided to lodge an application with the tribunal to have the charity's defence struck out. In response, the charity immediately offered to triple the very low settlement offer they had initially made to C to try and settle the case. C was spared the ordeal of attending a five day Employment Tribunal hearing and, because she had also mitigated her losses by getting another job with improved working conditions, the tribunal awarded her a five figure sum in damages.

Debt Report



Case Study 1

■ Mr & Mrs H were a couple with 3 dependent children. They were referred to HCLC's debt service because they were told that they needed to repay an £11,400 overpayment of Housing Benefit. The couple also had council tax arrears of over £2,000 and rent arrears of £700.

Her Majesty's Revenue and Customs (HMRC) had cancelled the family's Housing Benefit and Child Tax Credit payments after the couple were accused of not having submitted information about their previous year's earnings. A new HMRC assessment decided that they should not be awarded anything.

Mr H had a full-time cleaning job but what he earned could not cover even basic household expenses. Against medical advice, Mrs H, who was sick, decided to take on a 10 hour a week job as a school dinner lady. The couple were also in huge debt with friends and families. They were depressed and confused. Mrs and Mrs H had sought help from various advice agencies but had not received adequate support. They finally approached HCLC.

HCLC's debt caseworker Hope Olugbola contacted HMRC to obtain a record of the couple's employment history. HMRC informed Hope that Mr H had been recorded as working for 3 different employers, in 3 different jobs - receiving 3 salaries simultaneously - when, in fact, what had really happened was that Mr H had remained working in the same role for a company that had twice transferred him, under the Transfer of Undertakings (Protection of Employment) (TUPE) regulations, to new management of the same company.

Hope obtained formal letters confirming the Mr H had merely been transferred over to two sets of new management and had only 1 job and 1 employer rather than 3 jobs and 3 employers. Hope asked that the London Borough of Hackney's Revenues and Benefits department to review their decision to cease paying Mr H Housing Benefit and Child Tax Credit. When the review took place, the council found that, when Housing Benefit was reapplied to Mr and Mrs H's account, they were actually in credit by over £1,000. The council reversed its finding that Mr and Mrs H had been overpaid council tax reduction and tax credits and reimbursed them £1,300.

Case Study 2

■ C suffers from a mental health condition. He was receiving Employment and Support Allowance (ESA) until he failed a Department for Work and Pensions 'Work Capability Assessment (WCA) - the medical assessment all people who wish to claim ESA need to undergo. C made a further ESA claim which was also not accepted because of the failed WCA and also because C had made the new claim less than six months after his first claim as rejected. When C was referred to HCLC's debt caseworker Hope Olugbola, he was living on handouts from family and friends and had only a few pounds to his name. In addition to his rising rent arrears, C also had council tax arrears from previous years which had been passed over to bailiffs. C's severe financial hardship was making his mental health condition worse. Hope contacted the DWP and requested an urgent ESA payment for C as it had now been over 6 months since C's last WCA assessment. Hope also contacted all C's creditors to inform them about C's mental health condition. Hope also successfully negotiated a debt repayment arrangement for C.

Spotlight on October to December

Lord Colin Low of Dalston CBE



Sustainable Advice in Hackney's House of Lords Celebration

October 2015

■ On the 13th of October, HCLC patron Lord Colin Low of Dalston CBE hosted a reception at the House of Lords to celebrate the achievements of the HCLC led, Big Lottery funded 'Sustainable Advice in Hackney project'. Lord Low of Dalston is the Head of the national 'Low Commission on the Future of Advice and Legal Support', as well as a HCLC patron.

The Sustainable Advice in Hackney project was a two-year project funded through the Big Lottery Fund's Advice Services Transition Fund (ASTF). The aim of ASTF was to support not-for-profit advice providers working in their local areas to adapt to a new funding environment where less public funding would be available.

HCLC lead the project and was responsible for its management and delivery of the project in partnership with six other local organisations: Hackney Caribbean Elderly Organisation, East End Citizens Advice Bureau, Age UK East London, Hackney Migrant Centre, Halkevi and City and Hackney Mind.

Operating in a contracted public funding landscape, the expectation was that agencies and partners would work to transform how they work to become more effective and resilient, generate new sources of income and innovate to do more with less.



Among the project's many achievements were:

Developing a Hackney wide advice sector website presence through www.hackneyadvice.org.uk to help local people better access advice and local advisors find training sessions and mutual support;

Providing training sessions for advisors and volunteers from the Hackney advice sector at all levels. Between 2013 and 2015, the project's training officers, Andrew Skipper and Benno Allermann, who are based at East End CAB, delivered 30 training sessions in debt, welfare benefits, employment and consumer issues for 288 advisors from over 35 advice agencies in Hackney;

Organising a number of 'Community Information Sessions', all of which took place in Hackney Town Hall in order to provide the local community with information about topics which they had been contacting local advice agencies in overwhelming and growing numbers;

Supporting the financial and organisational sustainability of small advice agencies who can only survive with the assistance of an army of volunteers. HCLC's Miranda Grell, who acted as the project's Business Development manager, organised bespoke training sessions for these agencies on 'Financial Planning and Reporting' and 'Exploring Charging for Charities';

Hosting a roundtable to bring together advisors working in welfare benefits to brainstorm what would assist them to do their job better;

Commissioning the Social Spider Community Interest Company to conduct qualitative research in order to consider strategic issues about the Hackney advice sector as a whole and to conduct research and workshops in the future of digital advice in Hackney. HCLC is very keen that the 'Sustainable Advice in Hackney' project has a meaningful legacy. As well as the website, training courses, community sessions, advisor forums and other initiatives developed during the project, we also hope to take forward the recommendations contained in Social Spider CIC's report and have already begun work on trying to implement its recommendation about how digital channels could be harnessed to help increase access to advice for Hackney residents.



A big thank you again to Lord Low and his wonderful assistant Polly Goodwin for hosting the Sustainable Advice in Hackney end of project celebration!

We would also like to say a big thank you to:

- The Big Lottery Fund – in particular, Dave Hutchinson, Helena Christie and Jane Sterland;
- The Partner organisations – Hackney Caribbean Elderly Organisation, East End Citizens Advice Bureau, Age UK East London, Hackney Migrant Centre, Halkevi and City and Hackney Mind;



- The Project Officers – Benno Allermann, Andrew Skipper and Miranda Grell;
- All of the advisors and local residents who participated in the training sessions;
- Hackney Council – in particular, the late Ian Lewis, Lola Akindoyin, Sonia Khan, Isabel De la Cour & Helen Brock;
- Catfish web design, Social Spider CIC, Thomas Bingham Chambers, Garden Court Chambers, Project 17;
- Cllr Ian Rathbone for chairing all of the Community Information Sessions.



Marie Froya Hole qualifies as a solicitor

■ In November, HCLC's trainee solicitor Marie Froya Hole was officially admitted to the Solicitor's Regulation Authority roll as a solicitor. Marie first came to HCLC as a volunteer whilst a student. At that time, she assisted with the dedicated evening Welfare Benefits drop-in, which helped people to prepare for their ESA and DLA tribunal appeals. In September 2013, thanks to the London Borough of Hackney who provided us with special funding, HCLC was able to appoint Marie Froya Hole as our new Benefits Caseworker and she also undertook a training contract with us. Marie studied International Relations at the London School of Economics before undertaking a Graduate Diploma in Law at BPP Law School. She also completed the Legal Practice Course at the College of Law, where she specifically chose to study electives focusing on legal aid law. Prior to joining HCLC as a volunteer, Marie undertook internships with Anti-Slavery International and Geneva for Human Rights, an organisation that trains regional human rights defenders to understand United Nations processes. Marie speaks Norwegian, Swedish, French, and intermediate Arabic.

Welcoming Marie's qualification as a solicitor, HCLC manager

Sean Canning said: "Marie has been an outstanding trainee throughout her employment with HCLC. She joined us initially as a volunteer in 2012 and showed a strong aptitude to learn as well as a passionate commitment to use her legal training to help our most vulnerable clients. She is a great asset to the staff team."

HCLC and Hackney Migrant Centre publish 'A Place to Call Home' Report

In December, HCLC and Hackney Migrant Centre (HMC) published our new report: *'A Place To Call Home – A Report into the Standard of Accommodation provided to Children in Need in London'*.

■ For over a year, lawyer, writer and human rights campaigner Charlotte Threipland conducted research for HCLC and HMC into the standard of accommodation provided to migrant families under s17 of the Children Act 1989.

The research, funded by the Strategic Legal Fund for Vulnerable Young Migrants, took a mixed method approach comprising interviews, surveys, expert opinions and freedom of information requests made to London Local Authorities under the Freedom of Information Act 2012.

HCLC and HMC decided to commission the research to highlight the severe housing difficulties faced by thousands of destitute migrant families who are simply not on the radar of political decision-makers, policy-makers or journalists.

Some families we interviewed for the report were being placed in accommodation with no working toilet; with one mother and her children being forced to use plastic bags to defecate and other accommodation containing no heating. Other families - overwhelmingly women and young children – were placed in accommodation with vulnerable and extremely disturbed adults.

The 130 page report set out a number of key findings and 26 recommendations for implementation by Central and Local Government, respectively, including calling on them to:

- (Central Government): *Conduct a fundamental review into the provision of subsistence and accommodation support to section 17 families. The guiding principle for any review must be what is in the best interests of children in need.*
- (Central Government): *Consult on and publish statutory guidance setting out minimum standards for accommodation provided under section 17. The guidance should aim to encompass each of the recommendations of this report.*
- (Local Government): *Fulfil their temporary accommodation needs by using professional providers as letting agents who are members of ARLA (the Association of Rental Residential Letting Agents) and only using properties from accredited landlords. The providers should comply with the relevant parts of the Private Rented Sector Code of Practice.*

Report author Charlotte Threipland was supported in her work by a project steering group made up of representatives from Hackney



Community Law Centre, Hackney Migrant Centre, Garden Court Chambers, Project 17, Coram Children's Legal Centre, Southwark Law Centre, Matthew Gold Solicitors, Shelter and the Public Law Project.

On the 1st of December, an event was held to launch the report at Garden Court Chambers. Journalist **Fiona Bawdon** chaired a discussion about the report with panellists **Nicky Gavron AM**, former Deputy Mayor of London and the London Assembly Spokesperson for Housing and Planning; **Liz Davies**, Housing Barrister at Garden Court Chambers; **Don Flynn**, Director of the Migrant Rights Network and **Henry St Clair Miller**, Manager of the Local Authorities' 'No Recourse to Public Funds Network' based at Islington Town Hall.



Financial Report

Hackney Community Law Centre Statement of Financial Activities for the year ended 31 March 2015

		Unrestricted Funds	Restricted Funds	2015 Total Funds	2014 Total Funds
INCOMING RESOURCES	Notes				
Incoming Resources from generated funds					
Voluntary income	2	5,958	0	5,958	4,588
Investment income	3	13	0	13	174
Incoming resources from charitable activities	4				
Provision of legal services and advice		321,056	219,382	540,438	525,856
Total incoming resources		327,027	219,382	546,409	530,618
RESOURCES EXPENDED					
Charitable activities	5				
Provision of legal services and advice		327,950	215,619	543,569	493,225
Governance costs	6	4,300	0	4,300	4,250
Total resources expended		332,250	215,619	547,869	497,475
NET INCOMING RESOURCES		(5,223)	3,763	(1,460)	33,143
RECONCILIATION OF FUNDS					
Total funds brought forward		131,288	26,535	157,823	124,680
TOTAL FUNDS CARRIED FORWARD		126,065	30,298	156,363	157,823

		Unrestricted Funds	Restricted Funds	2014 Total Funds	2013 Total Funds
FIXED ASSETS	Notes				
Tangible assets	10	13,321	6,000	19,321	21,599
CURRENT ASSETS					
Work in progress		103,448	0	103,448	99,901
Debtors	11	61,835	19,206	81,041	29,052
Cash at bank and in hand		59,446	5,093	64,539	44,796
		224,729	24,299	249,028	173,749
CREDITORS					
Amounts falling due within one year	12	(111,986)	0	(111,986)	(37,525)
NET CURRENT ASSETS		112,743	0	137,042	136,224
TOTAL ASSETS LESS CURRENT LIABILITIES		126,064	30,299	156,363	157,823
NET ASSETS		126,064	30,299	156,363	157,823
FUNDS					
Unrestricted funds	13			126,064	157,823
Restricted funds				30,299	0
TOTAL FUNDS				156,363	157,823

These financial statements have been prepared in accordance with the special provisions of Part 15 of the Companies Act 2006 relating to small charitable companies and with the Financial Reporting Standard for Smaller Entities (effective April 2008). The financial statements were approved by the Board of Trustees on 28 September 2015 and were signed on it behalf by:
I Rathbone - Trustee

Funders and Donations

We are grateful to following individuals and organisations for their generous support.

Friends of HCLC

In 2011, HCLC launched 'Friends of HCLC'. Friends of HCLC are supporters who make a regular financial contribution to our work, £5 a month or as much as they can afford. In return, HCLC 'Friends' are kept regularly up-to-date with HCLC news and invited to special events where we can thank them for their support.

We are very grateful to the following Friends of HCLC for their generous and regular financial support:

Louise Christian
Sally Jeffery
Sophie Earnshaw
Julia Hayns
Andrew Lock
Alice Pillar

Funders

London Borough of Hackney
The Big Lottery Fund
Trust for London
London Legal Support Trust
West Hackney Parochial Charity

Donations

We are very grateful to the following people and organisations for their donations to the Law Centre:

- Jon Worth (www.techpolitics.eu) – for designing and continuing to host, upgrade and maintain www.hclc.org.uk free of charge;
- Faegre Baker Daniels Foundation for donating \$2,500 towards the running of the Centre;
- The Haldane Society of Socialist Lawyers for raising funds for HCLC by doing the 2015 London Legal Walk;
- Faegre Baker Daniels Foundation for raising funds for HCLC by doing the 2015 London Legal Walk;
- Hackney Umpires Cricket Club for donating the proceeds of sale from its 2015 Year Book to HCLC.

Dalston Pop-Up volunteers

We would like to thank the following pro bono volunteers for having continued to run and support HCLC's Dalston Pop-Up and Consumer and Debt Evening Advice Service at Dalston CLR James library throughout 2015 with particular thanks to Rebecca Greenhalgh, former Pro Bono Manager at Debevoise and Plimpton LLP; Jan Worsfold at Debevoise and Plimpton LLP; Laura Richards, Senior Supervising Solicitor at BPP Law School; and Stephen Llewellyn, Counsel at Faegre Baker Daniels LLP.

BPP Law School

Chris Mallett, Alex Sussman, Ricky Parmar, Freddie Pragnell, Constantia Charalambous, Mateusz Jakubowski, Sarah Donnelly, Alexander Cibulskis, Philip Novak, Cherry Ho, Afqah Sanusi, Luisa Liu, Bakhtawar Awan

Debevoise and Plimpton LLP

Thomas Matthews, Ted Rosner, Guy Lewin-Smith, Amrit Sagoo, Roni Pacht, Tom Jenkins, Ayushi Sharma, Colin Fulton, Whitney May, Lawrence Hanesworth, Sophie Lamb, Alexander McKinnon, Jane Rahman, Christopher Boyne, Gavin Chesney, Alice Hallowell, Ramsay McCulloch

Faegre Baker Daniels LLP

Stephen Llewellyn, Douglas Badder

London Borough of Hackney Libraries Services

Michelle Gardner, Pervez Chuhan, Anthony Kane, Catherine De Abaitua, Dharminder, Tina Sabz



Top: Dalston clinic student managers Philip Novak, Alex Cibulskis and Cherry Ho.

Middle: Friend of HCLC Sophie Earnshaw who helped HCLC raise funds for the London Legal Walk

Bottom: Hackney Umpires Cricket Club

www.hclc.org.uk

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