



Louise Christian

Good asylum lawyers are increasingly scarce, but make the world of difference to desperate and destitute clients

Amid the race-to-the-bottom rhetoric about immigration from politicians, immigration lawyers must feel under-appreciated. Except by their clients. Doing voluntary work at Hackney Community Law Centre (HCLC) and a drop-in centre for asylum seekers, I have been struck not just by sad tales of people trapped in a Kafkaesque world of lost identity, but also by the sheer scale of the bureaucratic hostility and incompetence which confronts them.

A man who has been in the UK for six years is flown back to his West African country, accompanied by two immigration officers. And then flown back to the UK again when refused entry. On the way back, one of the officers says

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it is the third time he has accompanied people there who had not been allowed in. How many more like this? An appeal against refusal to extend leave for a mentally ill young Jamaican man, who has lived here and in another EU country most of his life, results in the Home Office agreeing to reconsider the case – but only at the appeal hearing, after hours of preparation work.

In the face of often blatant bad faith from the Home Office, good lawyers, now so scarce on the ground, make a huge difference.

At HCLC, Hilton von Herbert – originally from Sierra Leone – is the sole immigration caseworker. In 2013, his dedication and expertise was recognised when he won the immigration award at the 2013 Legal Aid Lawyer of the Year awards. At the New North London Synagogue in Finchley, volunteer lawyers try to find someone like Hilton to help people betrayed by bad lawyers. An Afghan boy of 17 was refused asylum because his lawyer did not iron out a basic discrepancy in his interview about how his father was taken prisoner by the Taliban. This was due to his not understanding an interpreter with a different dialect. It is now far more difficult for him to succeed in a fresh asylum application, because the rules say that there has to be new evidence. A woman from Eritrea, refused asylum four years ago because her lawyers made basic errors, cannot be returned there even by this Home Office, since the Eritrean government locks up returned asylum seekers.

However, she has no basis for staying, other than a fresh application, for which she has no new information. She has been destitute for all that time and is developing mental health problems. How many failed asylum seekers are out there, who should never have been refused and cannot be sent back? What is the cost to them and us of the health problems which ensue? Meanwhile, many are on the streets, homeless and penniless. A gay man from North Africa suffering severe PTSD after being tortured by his family, has tried to

'A gay man from North Africa, suicidal after being tortured by his family, has nowhere to live and no money'

commit suicide. He has nowhere to live and no money, Hilton applies urgently for asylum support for him, backed up by strong medical evidence. Three weeks later, there is no response from the Asylum Support Unit. 'You would be surprised,' the client tells me sadly, 'how many homeless people there are in London.' We try to find a phone number to chase the application. We ring a number, and a woman who answers, saying she works for the Home Office but does not do asylum support, gives us another number. This number does not work. Non-functioning phone numbers – either cut off or constantly engaged – are a common feature of all communications with the Home Office. Hilton sets about trying to find another number, but even a voluntary project specialising in asylum support applications cannot help. I am amazed that Hilton remains polite and calm. How many asylum lawyers have given up, not just because of the extremely low pay but because of sheer frustration?

Louise Christian started reading *Legal Action* 35 years ago when she was a trainee in a City firm. It inspired her to give up commercial litigation after one year as a solicitor and move to a law centre. She ran her own firm for 25 years and became known for her ground-breaking human rights work. Louise became a consultant in 2010, and now volunteers regularly at Hackney Community Law Centre.

This is the first in a regular column for *Legal Action*.

In praise of ... Young Legal Aid Lawyers

One of the few bright spots for the profession over recent years has been the emergence of Young Legal Aid Lawyers (YLAL), a group which, from small beginnings in 1995, has evolved to become a significant force in the access to justice sector.

From the outset, with its extraordinary passion, professionalism and commitment, YLAL drew inspiration from the legal aid sector's finest. However, just as every parent ultimately learns far more from their children, than their children learn from them, as the group approaches its tenth year, it is YLAL which is providing the inspiration and a much-needed morale boost to longer-serving members of the profession.

YLAL has shown itself to be endlessly energetic, creative and committed, cheerfully dragooning the great and good into supporting its campaigns and events. Few who were there will forget the sight of its committee conga-ing up on stage to collect their Legal Aid Lawyer of the Year award for outstanding achievement in 2009.

Without YLAL's social media skills and indefatigability, there would have been no Justice Alliance; no film with the likes of Stephen Fry and Tamsin Greg declaring themselves 'for justice'; no mass protests against the LASPO cuts; and certainly no 'jelfies' (justice selfies). For the latter alone, we all owe YLAL a huge debt of gratitude.

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Send In praise of ...
suggestions to
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