

# Networking...

The national voice of Law Centres

## Elections and the fickle world of funding

It now seems that the General Election will be called for 5th May. LCF will be working to raise the profile of Law Centres and the problems we tackle on behalf of clients throughout the election campaign. On 9th April we are planning a demonstration and meeting [informational flyers available at [www.lawcentres.org.uk/watching\\_brief](http://www.lawcentres.org.uk/watching_brief)]. Our lobbying work also continues, with over 100 MPs having now signed our EDM on the threatened closure of Law Centres and the need for a co-ordinated funding for a national network of Law Centres.

Aside from the General Election, 5th May will also see local elections to the County Councils; only three metropolitan authorities are having elections this year, Bristol, Isle of Wight and Stockton on Tees.



Most Law Centres receive funding from the metropolitan authorities and it is no coincidence that with the lack of elections this year some councils have chosen to make funding cuts to the legal advice sector. Most significantly Liverpool City Council is proposing cuts across the sector which will hit the two Law Centres in the City, *Liverpool 8 Law Centre* and *Vauxhall Law Centre*. The picture is not all gloom though. *Brent Law Centre* successfully fought off a proposed cut of £50,000 with help from the London Legal Services Commission (LSC) Office, which forcefully pointed out, to paraphrase, that the proposed cut would not be conducive to their partnership working!

### Law Centre Funding Application Successes

The search for funding alternatives other than the LSC and local councils can be fraught with difficulty but is not impossible. *Devon Law Centre* until recently was mainly dependent on LSC contracts, which as we are all aware remain

### Law Centres Federation

18 Warren Street  
London W1T 5LR

Tel: 020 7387 8570  
Fax: 020 7387 8368

E-Mail: [info@lawcentres.org.uk](mailto:info@lawcentres.org.uk)  
WebSite: [www.lawcentres.org.uk](http://www.lawcentres.org.uk)

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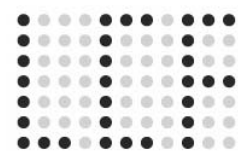
### Access to Justice Alliance Public Meeting

Saturday 9th April 2005 2.00 pm  
Oliver Thompson Room, Tait Building  
City University Northampton Square  
London EC1V 0HB

(10 minutes from Angel underground station:  
turn left down St. John Street)

Speakers include: Helena Kennedy QC,  
Shami Chakrabarti (Liberty), and  
Ross Cranston MP

To be followed by public demonstration- All are invited to march to 11 Downing Street to deliver a letter on behalf of Law Centres. Meet at 4.00 pm at Tait Building, City University after the Public Meeting. For more



narrowly focused on casework services for clients within scope and eligibility. The Law Centre has recently been able to secure a grant from the Department of Work and Pensions to work with older benefit claimants, as well as a grant from the LSC's development fund and another from Lloyds TSB. Devon Law Centre is fast becoming that infamous beast of our times the Law Centre/Charity with "*diverse funding streams*". The staff and management committee at the Law Centre deserve considerable credit for turning around a Law Centre that was potentially facing closure. The LCF Diverse Funding Stream of the Month Award, if there was such a thing, would go to Bury Law Centre, which last month secured a grant for half an immigration post from the J.Paul Getty Trust, (is this a first?), while funds from other sources are "*in the pipeline*".

Both Bury and Devon Law Centres are also lobbying to secure funding from local councils. Like most Law Centres, engagement with local government has to be a priority for them, despite the struggles, as there are few other funding opportunities that offer the relative security that local council funding provides.

This leads us back to LCF's campaigning activity. As a member of the "*Access to Justice Alliance*", the LCF will participate in a campaign meeting this April focused on the fifth anniversary of the Legal Services Commission. Despite the increases in funding from the LSC to Law Centres for casework services, we still seem to be fighting much the same battles at a local level as we have done throughout the last twenty years.

Yes, Law Centres can "play the game" dancing around the constantly shifting "funding streams" of government and others. The question for the politicians this election is that *surely, services such as Law Centres, that help underpin the rule of Law and our democracy by enabling access to justice for impoverished communities, need more secure funding?*

***More importantly, don't the people that both Law Centres and politicians serve deserve better?***

Steve Hynes  
Director of the Law Centres Federation

## MPs Support for Law Centres

We are delighted that 113 MPs have signed EDM 692 below and our thanks go to all the Law Centres who wrote to their own MPs to encourage them to sign up.

"That this House remembers the principles established in the Access to Justice Act 1999 that it is not enough for people to have rights but that they must be able to enforce these rights; notes with concern that the number of people assisted by Community Legal Service funds has dropped by nearly half the number of those funded in 2000; recognises that anticipated additional funding from local authorities meant to provide legal and advice services has not occurred, giving rise to a legal aid lottery which denies people access to justice; notes with alarm that two Law Centres in Humberside and Liverpool face closure because local authorities have reduced or stopped their funding; further notes that people are increasingly losing their right to seek independent legal advice; believes that this undermines Government objectives for regenerating deprived neighbourhoods, affects the most vulnerable and socially excluded members of society and ensures that such legal triumphs as Humberside's victory in winning redundancy payments for fishermen are unlikely now to be repeated; and calls on the Government to adopt a five-year plan to tackle disadvantage and which will secure funds to develop a national network of law centres and advice providers."

### Group Professional Indemnity Policy for Law Centres?

Around 15 Law Centres are now buying their professional indemnity insurance via the broker Endsleigh Insurance. LCF is encouraging Law Centres to get quotes from Endsleigh so that we can eventually obtain a reduction on insurance costs for Law Centres via a group policy. LCF has received assurances from Endsleigh that they will be cheaper than other brokers, even if a Law Centre obtains a Zurich policy, which is the insurer Endsleigh is dealing with, via another broker. Please contact Ian Neighbour at Endsleigh on 01242 866866 for a quote.

LCF would like to stress though, if a Law Centre obtains a cheaper quote than Endsleigh we need to know so we can take this up with them!

Contact Steve via email at [Steve@lawcentres.org.uk](mailto:Steve@lawcentres.org.uk)

## CRE Funding - the good and the bad news !

The Commission for Racial Equality announced funding under its Getting Results funding framework for six Law Centres in March.

This is good news especially for the Law Centres who had not received funding from CRE before. For others however, the announcement meant a cut to current funding. This applied to the *London Discrimination Unit* run from *Lambeth Law Centre* and *Avon and Bristol Law Centre*. Avon and Bristol have been receiving CRE grants for over 10 years and are funded to *"increase awareness of legal rights and access to justice, empower individuals from the black and Minority Ethnic and other communities, enhance the skills of advice workers and improve racial equality practices across the statutory, private and voluntary sectors."*

The other four successful Law Centres are *Bradford, Gloucester, North Kensington and Surrey*. Cathy Kane, Practice Manager at Surrey Law Centre said, *"This is the first successful funding application Surrey Law Centre has had. We're very excited at the prospect of extending the work we do to include racial discrimination casework for residents of Surrey. The CRE awarded Surrey Law Centre £30,000 for a part-time post which we hope to recruit from the BME community in the County if possible and plan to start work on this in April."*

It was also new funding for *North Kensington Law Centre* which was awarded a grant towards their equalities work to increase awareness of rights and discrimination among BME users and support them in enforcing those rights in the areas of employment, housing and immigration.

*Gloucester Law Centre* received £30,000 to provide specialist legal advice and casework services to residents across the county of Gloucestershire who are prevented from securing work because of race discrimination or experience race discrimination or racial harassment in the workplace. They are also funded to provide consultancy to their voluntary and statutory partners.

## Asylum Support Appeals Project

A successful bid to the Big Lottery Fund has enabled the setting up of an exciting new project to provide free representation for asylum-seekers at asylum support appeals.

The Asylum Support Appeals Project (ASAP), stemmed from growing concern about asylum seekers being ineligible for legal aid for their asylum support appeals. It is estimated that 80% of asylum seekers that challenge National Asylum Support Service (NASS) claims do so on their own. If their appeals are dismissed, they are left with no income and are immediately evicted from their accommodation.

**Claude Moraes MEP**, their patron said on hearing of the successful bid, *"I'm delighted that the ASAP will be representing asylum-seekers who might risk losing their home if they lose their asylum support appeal...The right to be represented is a basic human right under the European Convention, and asylum-seekers are no exception."*

ASAP aims to reduce the number of destitute asylum-seekers by representing them at ASA appeals and training refugee community organisations to do the same.

The founding organisations, the Law Centres Federation, Hammersmith and Fulham Community Law Centre, Evelyn Oldfield Unit, Hammersmith and Fulham Refugee Forum, the Refugee Council, Asylum Aid, and Advice UK fought for four years to receive funding for the project and welcome the support of the Big Lottery Fund.

Funding has been secured for two years and will enable the project to recruit 2 caseworkers and a project co-ordinator. It will be based in Croydon near to the Asylum Support Adjudicators.

Claude Moraes MEP will be at the formal launch of the Asylum Support Appeals Project on 29th June.

## Law Centres in the News

Law Centres are raising their profile by promoting interesting cases, campaigns, anniversaries and more to their local media. For example:

*Wandsworth and Merton Law Centre* received excellent news coverage of the case of Suthakaran Lalitharani, whose mother-in-law has been denied a visa to the UK despite the fact that she is the only suitable kidney donor for Suthakaran's emergency transplant. Law Centre immigration case worker *Eloise Power* was quoted in *the Guardian* article and interviewed on Channel 4 News.

The *Isle of Wight Law Centre* was officially launched when the Lord Chancellor visited on 3rd March 2005. Lord Falconer's praise of the Law Centre was published in the *Isle of Wight County Press*, *Law Society Gazette*, and carried on BBC Radio Isle of Wight and Isle of Wight Radio.



(From left to right) Andrew Jones IOWLC, Matt Thatcher, IOWLC Manager, Lord Falconer, Martin Seels, LSC Regional Director and Ed Proctor, LSC Regional Manager

*Oldham Law Centre* has worked tirelessly to save client Kirin Azam from forced deportation now that her asylum claims have been exhausted. Her story has appeared in the *Oldham Chronicle* (twice), the *Oldham Advertiser*, and *Asian News*.

Kirin and her caseworker, Talat Jabin have also been interviewed by the BBC Asian Service, Greater Manchester Radio and Manchester TV (MTV). **(To sign the petition to save Kirin from deportation to Pakistan, please contact [jen@lawcentres.org.uk](mailto:jen@lawcentres.org.uk))**



(left to right) Khadeeja Rahman, Lynn Barnes and Paul Heron at the launch of "Quids for Kids"

*Lewisham Law Centre* launched its "Quids for Kids" welfare benefits take-up campaign. The *Lewisham Mercury* and *Lewisham News Shopper* published photos of the Law Centre workers and volunteers distributing informational flyers in the local market.

*Devon Law Centre* promoted its 3rd anniversary by issuing a press release and meeting with journalists from BBC Radio Devon, the *Plymouth Evening Herald*, and the *Western Morning News*.

This face-to-face interaction paid off when the *Western Morning News* later published an article about the Law Centre's new Department of Work and Pensions funding for the Rights for Elderly People.

These are just a few examples of a new profile-raising consciousness among Law Centres. Please share your success with the LCF so we can publicise your hard work too!

### Is YOUR Law Centre missing publicity opportunities?

LCF Campaigns and Communications Worker **Jen Corlew** can provide a personalised media training workshop for your Law Centre workers and management committee.

Call her on 020 7387 8578 or [jen@lawcentres.org.uk](mailto:jen@lawcentres.org.uk)

## Law Centre News

### **Kirklees Law Centre Opens**

Kirklees Law Centre became operational this month, with a full complement of staff, including a Practice Manager, an Administrator and four Caseworkers/Lawyers. The Law Centre occupies premises in Dewsbury, which have recently been refurbished.

Jointly funded by Kirklees Metropolitan Council and the Legal Services Commission, the Law Centre will provide a legal advice and representation service in six areas of law - housing, immigration, employment, benefits, community care and mental health. The local authority funding will also provide an opportunity for the Law Centre staff to engage in traditional Law Centre areas of work such as legal education and tribunal representation, which are currently not paid for in the LSC contracts.

A big thank you is due to the Kirklees Metropolitan Council, the LSC office for Yorkshire & Humberside and all the local advice agencies, which co-operated fully to re-establish a Law Centre for the local community.

*"The establishment of this new Law Centre is great news for the people of Kirklees and I'd like to thank Mike Twiggs, Chair of Kirklees Steering Committee and Metin Kemal, LCF Regional Development Manager, for their hard work in getting the Law Centre off the ground,"* said Steve Hynes.

### **Law Centre Partnership**

The **East Midland Law Centre Partnership** has been funded by the Department of Trade and Industry to promote greater awareness of new employment rights legislation in hard to reach communities, such as :

- \* the lesbian, gay and bisexual members of our community and those who are discriminated against due to familial or friendly relationships with members of this group. Black and Minority Ethnic members of our community who face discrimination in the workplace because of their religious practices and beliefs
- \* the broader religion community who feel discrimination because of their religious practices and beliefs

- \* community advisory groups within the East Midlands catchments.

*Derby Law Centre* is acting as the Managing Agency for the Partnership and the four Law Centres participating in the project are *Chesterfield, Derby, Leicester and Nottingham*. In addition, the geographical coverage of the awareness campaign has been increased by the inclusion of Coventry and Luton from outside of the East Midlands region.

The Partnership plans to develop a new website dedicated to providing easy access to those seeking help and information about victimisation. The site can be found at <http://emlcp.org>.

### **Surrey Law Centre**

In January's edition of their newsletter, *Surrey Law Centre* announced its new training programme sponsored by the Surrey Law Society. They cover a range of courses in employment, community care and immigration.

Their community care worker, *Julie Hinnigan* reports that assessments and provision of services for children with disabilities in need makes up an increasing amount of their work. *"In our consultancy work, we are dealing with a case where Surrey County Council have refused to carry out an assessment under the Children Act and appear to be applying 'threshold' criteria before deciding whether to assess or not. This appears to be unlawful."* Julie said she would be interested to hear of any other cases where this is happening.

Surrey's email address is [info@surreylawcentre.org](mailto:info@surreylawcentre.org)

### **New Annual Reports**

Covered this month are four Law Centres all based in South London. The news is collected from their Annual Reports.

### **Southwark Law Centre**

#### **New Refugee Project**

Southwark reports that the Association of London Government has given the Law Centre additional funds to pay for a new project assisting and representing refugees and asylum seekers in Bromley and Lewisham as well as

Southwark. As part of the project they have established a partnership with Bromley Refugee Network.

Southwark's Annual Report for 2003 - 2004 was dedicated to refugees and asylum seekers and their particular problems were highlighted in each of the four areas of law they cover.

*Southwark Law Centre* only takes referrals from other agencies. Their annual report included a referral agency feedback questionnaire asking agencies about their satisfaction with the service they receive.

## Lewisham Law Centre

Lewisham also reports on new services on offer. During the last year they have extended an outreach advice session to people living in the south of the Borough and, using pro bono lawyers have introduced an evening advice session to deal with rent arrears, council tax and other debt problems.

*Lewisham Law Centre* has done really well over the last year to secure funding to continue their services. Some innovative fundraising has allowed them to start projects such as *Quids for Kids* which was funded by NHS Health First. (see page 4). Their fundraising committee successfully obtained additional funds to renovate their reception area - funding from Deptford City Challenge and the London Development Agency helped renew the structure whilst funding from City Parochial finalised the computerisation of their office.

## Greenwich Law Centre

Greenwich is a member of the Healthy Greenwich Network which aims to deliver a wide range of activities to particular target groups : older people with mental health needs, black, ethnic minority and refugee communities and people who experience social exclusion and live in deprived areas. *Greenwich Law Centre* provides a variety of advice sessions, which dovetail with other partners. They are also involved with Integrated Asian Advice Service in a pilot to cover the pathfinder area, and held four workshops in the community on debt, immigration and welfare benefits. They aim to provide advice sessions at schools, places of worship and community centres.

*Greenwich Law Centre* received additional funds from the Community Fund and the Single Regeneration Budget to recruit local people and, over a 12-18 month period, train them to NVQ Level 3 in advice and guidance. They have developed in-house training packages including a one day Customer Service Skills session as well as a File Management Training course. Community Chest funding has helped extend opportunities to three more local people.

## Lambeth Law Centre

*Lambeth Law Centre* has had a difficult year but is now on the way to stabilising their funding. This has been helped by successfully converting their Legal Services Commission private practice contracts to not for profit.

## London Discrimination Unit

The Unit was formed four years ago to combat race discrimination at the workplace by providing free legal representation at tribunals. The Unit changed its name last year to reflect its expansion into other areas of discrimination.

The Unit has had some notable successes including *Mohmed v Virgin Trains* in which an Asian Muslim sued his ex-employers after being dismissed for refusing to shave his beard off on the grounds of his religion belief. Also *Budha v Ministry of Defence* in which an ex-Ghurkha soldier sued the MOD for race discrimination in failing to give him the same pension rights as British servicemen. This was an important test case that has affected hundreds of other Ghurkha soldiers.

The Unit receives funds from the Community Fund and Association of London Government. It also has funding from the DTI to provide information and training on the new regulations on religion and belief and sexual orientation.

The Unit provides training to local RECs on the new regulations. Despite this excellent work, the Commission for Racial Equality which was one of their key funders, recently proposed to cut their grant. See page 3.

## Advicenow News

ASA's Advicenow project has received a further year's funding from the DCA to continue the LivingTogether campaign. The campaign aims to explode the myth of common law marriage and highlights the fact that no matter how long couples live together they don't have the rights of married couples. We've been running a media campaign and publishing free downloadable leaflets on the actions that couples can take to safeguard themselves. Information is available on making a will, getting a parental responsibility order, making a living together agreement and Next of Kin, with pensions, tax and benefits to follow. The Living Together agreement has been very popular with over 50,000 downloads since its launch in December.

See: [www.advicenow.org.uk/livingtogether](http://www.advicenow.org.uk/livingtogether).



We have also produced leaflets on a wider range of legal issues, a number of them in conjunction with Law Centres. The cartoon above is from our leaflet on Claiming Compensation. We also have material on Employment rights and Discrimination at Work from *Islington Law Centre*, Bailiffs and Debt Collection from *Blackfriars Advice Centre*, and Homelessness and Young People by *Enfield Law Centre*. We will shortly have a total of eleven packages, many as leaflets available for download.

See [www.advicenow.org.uk/features](http://www.advicenow.org.uk/features). This work is funded by the LSC.

Martin Jones  
Advicenow Project Director  
Advice Services Alliance  
[Martin.jones@advicenow.org.uk](mailto:Martin.jones@advicenow.org.uk)

## Regulation of the Legal Profession

The Lord Chancellor, Lord Falconer announced Government plans to reform the legal profession on 21st March. To get people into the mood, the announcements were made at a state of the art location in Docklands with videos, pop music and the excellent Jeremy Vine, from *Newsnight* in the chair. Against this background, and with reference to the recommendations for reform made by Sir David Clementi, the Lord Chancellor set out the Government's three key areas for change.

### Legal Services Board

The Board will be set up to oversee the legal services sector. It will set standards, monitor them to ensure that they are being met and apply a range of sanctions where they consider regulation has failed. The Lord Chancellor said, *"I envisage a sliding scale of powers - for example, these could be setting targets, issuing guidance and imposing fines. It could have the power to direct a professional body or it could have the power to take over one or more regulatory function."* The Board will have a lay chair, and a lay majority.

The day to day regulation will remain the task of the professional bodies, such as Law Society and Bar Council. The regulatory bodies will be required to separate clearly their regulatory function from representation.

### Office for Legal Complaints

The Government plans to establish a single complaints body which will ensure a *"consistent, fair and professional handling of cases for all complainants."* The Office will be led by a board with a lay chair and a lay majority.

### New Business Structures

The Lord Chancellor gave his support for new business structures which *"could see non-lawyers for the first time not only as managers of legal practices but also as owners and investors in them."* Firms operating with the new business structure will need the approval of the Legal Services Board. *"What is needed is a strong licensing arrangements... to provide the assurance that all involved will rightly demand, that those who run these businesses and own them are fit to do so."*

The Lord Chancellor promised a White Paper on the reforms later this year.

## New Focus for Legal Aid

There was good news this month when the Government changed its mind about taking the equity in people's homes into account when deciding to award legal aid. It has also shelved plans to make housing repair cases subject to conditional fee agreements.

David Lammy, Minister at the Department for Constitutional Affairs said that they would however make changes to eligibility limits - with income thresholds for legal representation reduced by £75.00 per month to £630.

## CLS Direct

The Legal Services Commission have recently advertised an invitation to tender for housing and employment telephone and casework services. The contracts will be for an initial period of 21 months commencing on 1st July 2005. The application form and accompanying papers are on the LSC website at: [www.legalservices.gov.uk/aboutus/jobs/appointments](http://www.legalservices.gov.uk/aboutus/jobs/appointments). The closing date for the tender is 15th April.

## New LSC Chair

**Sir Michael Bichard** has been appointed as chair of the Legal Services Commission. Sir Michael qualified as a solicitor before starting a 30 year career in the public sector. He led the public enquiry into child protection procedures after the Soham murders. He told the Law Society Gazette *"Inevitably there will be some tensions (with regard to balancing limited resources with the need for publicly funded legal advice). I have always tried to be as transparent and honest as I can and be as approachable as I can."*

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## New Commission for 2007

On 3rd March, Government published an **Equality Bill** setting out plans to establish a Commission for Equality and Human Rights in October 2007.

The purpose of the Equality Bill is to :

\*define the purpose and functions of the new Commission

\*make unlawful discrimination on the ground of religion or belief

\*create a duty on public authorities to promote equality of opportunity between men and women (the gender duty) and to prohibit sex discrimination in the exercise of public functions.

## Commission for Equality and Human Rights

The CEHR will take on the work of the existing equality commissions (the Equal Opportunities Commission (EOC), the Commission for Racial Equality (CRE) and the Disability Rights Commission (DRC) and will in addition assume responsibility for promoting equality and combating unlawful discrimination in the three new strands, sexual orientation, religion or belief and age. The CEHR will also have responsibility for the promotion of human rights.

The CEHR will have powers to :

- \* support cases under the equalities enactments
- \* conduct investigations with powers to compel evidence
- \* enforce the public sector's duties
- \* enter into agreement in lieu of enforcement action
- \* issue unlawful act notices requiring the person concerned to cease unlawful discrimination or harassment or abide by an agreement
- \* make applications to court to enforce such notices if needed
- \* issue statutory codes of practice
- \* offer conciliation services in relation to non-employment equality matters

The Commission will also have an order-making power in respect of "combined" anti-discrimination and human rights cases.

Schedule 1 to the Act states that the Secretary of State will appoint no less than 10 or more than 15 individuals as Commissioners who will have experience and knowledge of discrimination and human rights. The Commissioners must include someone who is or has been a disabled person and must establish a decision-making Disability

Committee consisting of between 7 and 9 members. The appointments will be for a specified period of not less than two years or more than five years.

### Advice and Legal Assistance

Clause 14 of the Equality Bill sets out the general powers and activities the Commission can undertake. These activities include publishing or disseminating ideas and information, giving advice and guidance, undertaking research and providing education or training. Sub sections (e) and (f) permits the CEHR to work in partnership with others, or to arrange for others to carry out any of the listed activities. Clause 14 (2) adds that this does not include preparing, or assisting in the preparation of a document to be used for the purpose of legal proceedings.

Clause 30 refers to legal assistance. Subsection (1) enables the CEHR to give assistance to an individual who is a victim of discrimination and who is or may become a party to legal proceedings brought wholly or in part under the equality enactments. The CEHR will determine the criteria on which legal assistance is granted. Under subsection (2) the types of legal assistance which the CEHR may provide or arrange are legal advice, legal representation, facilities to settle the dispute or any other form of assistance. Such assistance may also include securing an arrangement to avert legal proceedings. This is distinguishable from the provision of formal conciliation services in Clause 29 where both sides are able to meet with a conciliator to resolve a dispute about discrimination and harassment in relation to the provision of goods, facilities and services, education and the exercise of public functions.

The ability of the CEHR to bring judicial review proceedings is limited to its equality and diversity functions. This is because section 7(1) of the Human Rights Act 1998 permits Convention rights to be relied on only by a person who is (or would be) a victim of any breach. However, in furtherance of its functions the CEHR will be able to seek leave to intervene in all cases brought by third parties, including judicial review, covering human rights as well as equality.

### Grants

Clause 18 provides the CEHR with a power to make grants to others, in pursuance of any of its duties under Clauses 8 to 11. These duties cover equality and diversity, human rights, disability and communities. The Explanatory Notes comment that this is a power currently available only to the Commission for Racial Equality.

The Bill was accompanied by the publication of **Regulatory Impact Assessment** to provide an assessment of the options for the provision of support for quality and human rights and the impact upon private and public sectors and wider society.

*The Bill has received its second reading in the House of Commons*

### Equality Review

On 25th February, the Equality Minister Jacqui Smith and Cabinet Minister, David Miliband announced an Equalities Review to be led by Trevor Phillips, chair of the Commission for Racial Equality. The Review will look at the causes of persistent discrimination and inequality, and will inform the development of the new Commission. It will also assist the DTI who are working towards modernising and simplifying equality legislation to create a **Single Equality Act**. The Review will report to the Prime Minister in summer of 2006.

The announcement included the names of a panel of experts who will assist Trevor Phillips. These are Sir Robert Kerslake, Carol Lake, Dame Judith Jonas and Nick Pearce. They will be supported by a Secretariat based in the Cabinet Office. The panel will receive independent input from a wider reference group of equality experts, business, service providers, trade unions and consumer representatives.

In the past the Commission for Racial Equality and the Disability Rights Commission have expressed some reservations about the new Commission. On publication of the Equality Bill, **Trevor Phillips** said on behalf of the CRE,

*"We welcome the publication of this much improved Bill... our concern that the timing for merging the CRE into a single equality body was not appropriate has been addressed and we are pleased to have been given an assurance that we will not be joining the CEHR until 2009."*

**Bert Massie**, chair of the DRC said,

*"The DRC especially welcomes the recognition in the Bill that disabled people should have a clear and distinctive voice within the CEHR, backed up by a properly resourced Disability Committee with an effective range of delegated powers.... The combination of a Disability Committee with executive powers and a guaranteed place on the CEHR Board for a disabled person enshrines the principle that disabled people must have a decisive role in developing and leading future work on disability rights. The inclusion of these measures in the Bill is very welcome"*

## Sex Discrimination Consultation

The DTI has launched a consultation on new regulations to update the Sex Discrimination Act. Proposals include explicitly stating that less favourable treatment on the grounds of pregnancy will be sex discrimination and stating that sex discrimination questionnaires must be responded to within 8 weeks

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## Sustainable Communities

*Sustainable Communities: People, Place and Prosperity* is one of many papers recently issued by the Office of the Deputy Prime Minister (ODPM). This one is the Department's own five year strategy and will influence local government policies in the coming years.

It proposes that sustainable communities are places that offer people ;

- \* a decent home that they can afford
- \* a community in which they want to live and work
- \* the chance to develop their skills and interests
- \* access to jobs and excellent services and
- \* the chance to get engaged in the community and to make a difference.

Their aim is to make public services better and more responsive to local people, *"and make sure that they have the power to take action on the issues that matter most to them."*

The appendix lists eight components of sustainable communities - they will be active, inclusive and safe, well run, environmentally sensitive, well designed and built, well connected, thriving, well served and fair for everyone. A well served community will have *"public, private, community and voluntary sector services that are appropriate to people's needs and accessible to all."* Information and advice is listed as an example of such services.

The LCF wrote to the Minister, **David Lammy** regarding the lack of reference to the advice sector in this important paper. Last year, the LCF together with the Department for Constitutional Affairs wrote *"Legal and Advice Services: A Pathway to Regeneration"* where the Department made a commitment to continue its work to promote the value of legal and advice services to other Government Departments. In reply, the Minister said that the Department recognised the real importance of joining up with other Departments and agencies to create better and more holistic services. He said that the Department and the Commission were building strong links with the Office of the Deputy Prime Minister, in particular with the Social Exclusion Unit and the Neighbourhood Renewal Unit. Their aim is to ensure the provision of sustainable advice services in areas of high deprivation. They are looking at ways in which they can work more closely in developing policies and initiatives.

New ideas that have surfaced recently include :

### Neighbourhood Charters

The ODPM propose to introduce Neighbourhood Charters, to *"give all communities more control over their neighbourhoods."* They could include the ability for communities to own their own assets and have devolved budgets.

### National Framework

The Department also propose to develop a national framework to be agreed between all key stakeholders which would set out principles for neighbourhood arrangements and what each of the parties would do to help establish them. The framework will be underpinned by the *"Charter"*, setting out what local people should expect. Section 3.23 gives the example of the kinds of powers that can be agreed between local authorities and neighbourhoods. Interestingly

the first states, *"Giving communities the ability to require action where local people are dissatisfied with the level of performance on a particular service, including 'triggers' which require the local authority to take action."*

The ODPM has £38 billion to create sustainable communities during the five years 2003 -2008 in addition to funds from other Government Departments. There are five strategic priorities including the delivery of better services through strong, effective local government and tackling disadvantage. Government Offices manage or influence around £9 billion of Government funding and are to given greater responsibility.

### **Citizen Engagement and Public Services: Why Neighbourhoods Matter**

This is a paper published by the ODPM and the Home Office as part of the Government's Local Government Strategy. It says that civil renewal and the improvement of public services play a vital role in mending fractured communities by challenging discrimination and promoting fair access to goods and services. The paper sets out five key principles for neighbourhood arrangements:

- \* All councils, in partnership with other service providers, should provide opportunities and support for neighbourhood engagement... so that they can respond to the needs and priorities of neighbourhood communities.
- \* Neighbourhood arrangements must be capable of making a real difference to the everyday lives of citizens.
- \* Arrangements must be appropriate to local circumstances, be flexible to changing circumstances over time and be responsive to the needs and diversity of the community and its organisations.
- \* Arrangements must be consistent with local representative democracy which gives legitimacy to government institutions, and places elected councillors as the leading advocates for their communities, and with the requirements of local democratic accountability.

- \* Arrangements must be balanced with the demands of efficiency and proportionality.

### **Triggers for action**

Neighbourhood arrangements should provide mechanisms whereby people can trigger action when the quality, accessibility and standards of public services fall below the level they have a right to expect. *"Such action may involve influencing or prompting the service provider to address the issues and to take remedial measures."*

The paper suggests that a neighbourhood body could agree a *"neighbourhood contract"* with the local authority or service provider agreeing minimum standards of service provision. *"The formation of contracts between service providers and neighbourhood bodies might be an effective way of ensuring sustainable improvements in public service delivery and providing for avenues of redress where these are not met."*

The LCF letter to the Minister commented, *"Hopefully these proposals envisage a legal and advice sector there to advise local people on neighbourhood contracts and on the legal responsibilities of service providers."*

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## **Anti Social Behaviour Orders**

Opposition to the use of ASBOs is increasing and an organisation, **ASBO Concern** has been set up to campaign around the issues.

ASBO Concern believes that :

- \* anti-social behaviour can cause distress and misery but the response to it must be appropriate, just, proportionate, positive and effective
- \* Asbos are punitive measure that can criminalise people for behaviour that is not criminal, and often imposed only on the basis of hearsay evidence
- \* they do nothing to deal with causes of anti-social behaviour and can distort work that is being done to build stronger communities

- \* the government is increasing the use of Asbos, despite the fact that there is no evidence that they work. Home Office figures show that at least one third of Asbos are breached
- \* Asbos can result in the eviction of whole families and are increasing the prison population. Around 10 young people a week are imprisoned in this way
- \* we want properly funded community and youth services and support for people with mental health, drug and alcohol or other social problems to build an inclusive society.

### ASBO Concern aims to :

- \* bring together those concerned about the way Asbos are used in a joint campaign
- \* publicly highlight the problems with Asbos and the need for alternative ways of tackling anti-social behaviour that does not criminalise people
- \* counteract the scapegoating and stigmatising of children and young people and vulnerable groups and campaigns for properly funded youth services and support for those who need it
- \* campaign for a full public government review of Asbos and the way they are used.

Charles Clarke, the Home Secretary stated in March that people who receive Orders should be named and shamed. Giving evidence at the Home Affairs Select Committee into anti-social behaviour a few days later, Home Office Minister, Hazel Bears said that the measure was *"not about stigmatising young people."*

As Roger Smith writing in the Law Society Gazette (17th March) said, *"Stand-alone ASBOs are jurisprudential Frankenstein, cobbled together in the satanic mills of the Home Office out of disparate parts of the justice system. Their effectiveness depends in large part on the ability to shock. They do." !*

A launch meeting for ASBO Concern is to be held on **7th April** in London. Information from Matt Foot on 7769 700 115.

## Guidance

The **Local Government Ombudsman** has issued advice and guidance in a special report, *"Neighbour nuisance and anti-social behaviour"*. In their report they focus on anti-social behaviour as experienced by neighbours in a residential environment. It makes many recommendations which councils should follow when dealing with complaints. These start with having a definition of the behaviour so that staff know when specific action should be triggered. The list continues with having and following written policies and procedures, gathering evidence, liaison and action.

At the same time in February this year, the Local Government Ombudsman issued new updated guidance on the guidelines they use when considering remedies for justified complaints. These include time and trouble payments. For information on both these useful publications, visit : [www.lgo.org.uk](http://www.lgo.org.uk).

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## Immigration News

### Constitutional Affairs Committee condemns restrictions to legal aid

The Constitutional Affairs Select Committee has condemned the Governments proposals to introduce a system of retrospective funding for the review and reconsideration of appeal decisions made by the new Asylum and Immigration Tribunal (AIT).

The Report warned that lawyers, especially from small firms or charities, may be reluctant to take on cases unless they are certain of success which could lead to a denial of justice. The Government has denied that the scheme amounts to a *'no win, no fee'* agreement. However, the Committee remains concerned that the proposals could deny justice to appellants who could face death, torture or other degrading treatment if they cannot appeal and are deported.

A previous, failed attempt by the Government to restrict the right of asylum and immigration seekers to appeal to the High Court was criticised by the Committee last year. The Committee's new Report says that the Government should not be able to use the legal aid system to restrict legitimate appeals.

Committee Chair, **Alan Beith MP** said:

*"The Government has set the bar too high on this occasion. No-one would argue that frivolous asylum and immigration cases should be funded by the public purse. However, these proposals swing too far in the other direction. Few solicitors will want to take on cases if there is a significant chance that they won't be paid. This could happen even if the appeal is considered by a judge to have some merit. Discouraging solicitors and barristers from taking on all but the most cast-iron cases could amount to a serious denial of justice. The Government must re-think its position."*

The Asylum and Immigration Tribunal (Procedure) Rules 2005 SI No.230 (L.1) come into force on **4th April**.

## **Accreditation - deadline extended to August**

The Legal Services Commission has extended the deadline for getting accreditation for immigration work to 1st August 2005. This applies to workers who have already begun the accreditation process.

The Law Society Gazette on 17th March reported that several firms were considering judicial review.

## **White List**

On 24th February, Hon. Mr Justice Wilson ruled that the Secretary of State's inclusion of Bangladesh on a 'White List' of countries that are considered safe to return people to, was unlawful. This important case indicates a lack of 'duty of care' by the Secretary of State in how he arrived at the decision to include Bangladesh on the list.

## **EXILE**

EXILE are looking for new trustees. They expect that there will be about 4 meetings per year. If you are interested contact Frank Corrigan at : [frank@exile.org.uk](mailto:frank@exile.org.uk).

## **Employment News**

### **TUC briefing on new Maternity, Paternity & Adoption Pay rules**

The government plans to enhance rights to Statutory Maternity, Paternity and Adoption Pay for employees who are reinstated after an appeal under new statutory dispute resolution procedures. In a new briefing, the Trades Union Congress (TUC) advise that, since October 2004, all employers have been required to have minimum grievance, disciplinary and dismissal procedure and that employees and employers are now required to use these procedures before applying to an employment tribunal. However, whilst some employees may be reinstated or re-engaged following this procedure, and Dispute Resolution Regulations already establish that, when this happens, employees have continuity of employment for employment rights, including paternity, adoption or additional maternity leave. This is not the case, however, for Statutory Maternity, Paternity and Adoption Pay.

Consequently, the TUC reports, that the Government is introducing new regulations - the Statutory Maternity Pay (General) and Statutory Paternity Pay and Statutory Adoption Pay (General) (Amendment) Regulations 2005 - to remedy this. The regulations will ensure that reinstated employees are counted as having continuous employment for the purpose of these benefits, with the period between dismissal and reinstatement being counted when working out how long an employee has been continuously employed.

'The Regulations come into effect on **6th April 2005**. They will apply to any reinstatement or re-engagement that takes place on or after 6 April 2005.

### **Transsexual Employees**

TLT Solicitors based in Bristol have published a useful two-page guide for employers on meeting the requirements of the Gender Recognition Act 2004 (which comes into effect on 4th April 2005), Sex Discrimination Act and Data Protection Act in relation to employees who have gender dysphoria or who have undergone, are undergoing or are preparing to undergo gender reassignment. The guidance sets out the questions that employers should ask

employees, and emphasises that information about individuals is "protected information" under the Gender Recognition Act and "sensitive personal data" under the Data Protection Act.

The guide is at [www.tltsolicitors.com/legal-update/Employment-Law-Online-Update/2005/P6079.asp](http://www.tltsolicitors.com/legal-update/Employment-Law-Online-Update/2005/P6079.asp).

The Gender Recognition Act gives transsexual people legal recognition in their acquired gender ensuring that they are afforded the rights and responsibilities appropriate to that gender.

## Maternity Consultation

The DTI is consulting on a package of measures to improve maternity rights, including extended maternity pay, a right for mothers to transfer a proportion of their leave to fathers and simplify administration relating to maternity leave. The consultation paper, *Work and Families: Choice and Flexibility* invites views on :

- \* extending the period of statutory maternity pay, maternity allowance and adoption pay initially from 26 to 39 weeks and subsequently to 52 weeks by the end of the next Parliament;
- \* improving dialogue between employers and employees during maternity leave, including extending the notice period mothers give when returning to work;
- \* allowing a mother to transfer some of her leave and pay entitlement to the father, and
- \* extending the existing right for an employee to request flexible working arrangements to new groups of people, for example, parents of older children and carers of sick and disabled adults.

The consultation ends of **25th May**.

The Statutory Maternity, Paternity and Adoptive Pay Disputes Resolution Regulations come into force on **6th April** together with the Employment Relations Act 2004.

## Claim and Response Forms

The Employment Tribunals Service has decided to postpone for six months the coming into effect of provisions under which the Employment Tribunals may accept claims and responses on prescribed forms. The Service hopes that by 1st October they will have improved technology so that electronic versions of the forms will be available via the ET website. They also hope to introduce electronic scanning of forms and correspondence as part of a new case management IT system.

## Acas Discrimination Guide

Acas has revised its advisory booklet, 'Tackling discrimination and promoting equality - good practice guide for employers'. The booklet contains a sample equality policy and helpful checklists on how to avoid discrimination.

E-Learning - Acas has produced a series of e-learning packages for employers. Their latest covers working parents' rights. It is available at [www.acas.org.uk](http://www.acas.org.uk)

Acas has a newsletter, Employment Relations Matters which they publish quarterly. The winter edition has articles on managing conflict at work and on bullying and harassment. Copies are available to download from their website above.

## Employment Updates

Sinclair Taylor & Martin, the Charity Team at **Russell-Cooke** solicitors have a regular employment new update to keep people up to date with employment law.

To subscribe you need to send a blank email to [employmentupdate-subscribe@smartgroups.com](mailto:employmentupdate-subscribe@smartgroups.com). **Sandy Adirondack** also provides an excellent legal update service. Visit her website at : [www.sandy-a.co.uk](http://www.sandy-a.co.uk).

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## Disability Rights News

### Disability Equality

The Disability Rights Commission is consulting about the duty placed on all public sector authorities to promote disability equality in the Disability Discrimination Bill 2005. The new legislation will mean the public sector bodies will have a duty to promote disability equality in all aspects of their work - similar to the Race

Relations Amendment Act. The DRC have drawn up draft Codes of Practice to support the legislation and have asked for comments by **22nd April**.

### **Guidelines on Burden of Proof**

On 21st February a landmark decision was made in the Court of Appeal which will strengthen Burden of Proof regulations. The judgment makes it clear that if an individual has established that there could be a valid case of discrimination, employers are expected to provide detailed evidence to prove that they did not discriminate. Evidence needs to show that an employer's actions were in no way related to an employee's sex, race, disability, sexual orientation or religion/belief in order to defeat these claims.

The judgement has been welcomed by all the equality commissions and follows their concerns that the Burden of Proof regulations (introduced in 2001) were not being implemented consistently or correctly by Employment Tribunals.

In 2003-4 17% of all cases related to a main complaint of discrimination. The commissions, believing that the majority of these cases would be for direct discrimination, intervened to request the Court of Appeal to give clear guidance to Employment Tribunals on the burden of proof in direct discrimination cases. The resulting judgment should enable parties to settle claims before they are lodged or reach court.

**Bert Massie**, Chair of the Disability Rights Commission said in response to this decision:

*"This is a useful judgment. It will help Employment Tribunals to implement important new Disability Discrimination Act requirements, which aim to reduce the difficulties people face when proving their case after work-related discrimination. As a result of this judgement, it is now expected that employers will be held liable for unlawful disability discrimination if they cannot provide a good, innocent, explanation for why they have not recruited or retained a disabled person. The Court of Appeal has clearly accepted the positive joint legal arguments put forward by the DRC, EOC and CRE, who all decided to intervene in these cases to help the Court interpret the new law that applies equally across all the present anti-discrimination laws".*

### **HIV-related discrimination**

The National AIDS Trust has launched a new resource pack to help combat HIV-related discrimination and stigma in healthcare. It is a practical resource aimed at raising awareness and promoting good practice to address and avoid HIV-related discrimination in healthcare. The pack (£11.00) can be purchased at : [www.shop.nat.org.uk](http://www.shop.nat.org.uk).

### **Disability Discrimination Act**

An amendment in the House of Lords has been passed which will mean that the effect of depression will be seen as a long-term effect under the Act and will increase a person's protection. Depression should be treated as if it is likely to recur if the person has had a previous episode of depression at this level for six months or more within the last five years.

The Bill had its third reading in the Lords on 28th February.

### **LCF Disability Rights Group**

The next meeting will be held on **Thursday, 19th May**  
012:30 - 3:30  
Sheffield Law Centre  
First Floor  
10 Joiner Street, Sheffield S3 8GW

## **Welfare Rights News**

### **Incapacity Benefit**

The Government plan to scrap Incapacity Benefit and replace it with a "system focused on helping people into work." The Department for Work and Pensions has announced 5 Year Strategy setting plans to replace it with two new benefits - Rehabilitation Support Allowance and Disability and Sickness Allowance. The Government hopes to build on their Pathways to Work programme, which is to be expanded to cover a third of the country over the next eighteen months.

The proposal was greeted with alarm. The Disability Benefits Consortium believes that the proposals could give a dangerous amount of

discretion to JobCentre Plus staff who would have to make judgements about whether or not someone is too ill to fulfil the work conditions, and that claimants already have to pass an exacting medical test of incapacity and should not be treated like job seekers and forced to work with personal adviser and undertake compulsory work-focused activities.

A Green Paper is to be issued in the summer which will look at how the new benefit system will operate, the role of personal advisers and at what people will be required to do in the future to access the higher rates of benefit. It will also explore what safeguards and appeals processes should be in place.

### **Swansea Welfare Rights Unit's Benefit Appeal Pack**

January 2005 edition now available if you email: [welfare.rights@swansea.gov.uk](mailto:welfare.rights@swansea.gov.uk). It consists of seven separate leaflets which can be used alone or together as a self help pack.

### **Commissioners Appeals Procedures**

New regulations (SI No.207) have been issued in relation to appeals to the Social Security and Child Support Commissioners. The Social Security and Child Support Commissioners (Procedure) (Amendment) Regulations 2005 came into force on 28th February.

### **Housing Allowance Pilots**

New regulations have been issued in relation to the roll-out of the local housing allowance to nine new areas between April and July 2005. Launched in November 2003, the allowance replaces housing benefit with a standard payment based on area and family size.

### **Appeals Service Appeal Tribunals & Child Trust Funds**

New regulations (SI No.191) have been issued in relation to the role of the benefit appeals system in dealing with appeals against child trust fund decisions. In force from 25th February, the Child Trust Funds (Non-tax Appeals) Regulations 2005 make provision for appeals against decisions of the Inland Revenue in respect of child trust funds, under section 22 of the Child Trust Funds Act 2004.

### **Civil Partnerships**

In force from 8th April, the Tax Credits Notification of Changes of Circumstances (Civil Partnership) (Transition Provisions) Order (SI No.828) provides that where two people of the same sex are treated as a couple, a change of circumstances is treated as having occurred. Hence, members of same-sex couples who are living together and have claimed tax credits individually will have to notify the Inland Revenue of the change of circumstance.

### **National Association of Welfare Rights Advisers**

NAWRA was established in 1992 and consists of advisers from local authorities, the voluntary sector, trade unions, solicitors and others providing free and independent advice in the UK. Currently, NAWRA has over 200 groups and individual members. NAWRA aims to challenging, influencing and improving welfare rights policy & legislation.

Membership fees for voluntary sector agencies and individuals is just £15.00 (plus VAT) per year. They hold quarterly national meetings and workshops at venues around the country. Each is programmed over a whole day and they are free for members to attend. Contact: Sarah Campbell c/o CPAG, 94 White Lion Street, London N1 9PF Tel: 020 7837 7979 e-mail: [scampbell@cpag.org.uk](mailto:scampbell@cpag.org.uk)

### **Social Security Law Practitioners Association**

The Social Security Law Practitioners Association (SSLPA) is a London-based group of lawyers and specialist advisers working in the field of social security law. Its aims are to promote and develop issues of social security law, provide support to practitioners, facilitate information exchange and provide training in the form of a series of talks by guest speakers who are experts in the field.

SSLPA can be contacted @ Social Security Law Practitioners Association c/o Professional Briefings, 120 Wilton Road, London, SW1V 1JZ. Fax: 020 7233 7779 e-mail: [london@profbriefings.co.uk](mailto:london@profbriefings.co.uk).

## Shorts

### Mediation News

A national mediation helpline and website went live in November 2004. The helpline puts callers in touch with someone who can give the telephone information and advice about mediation in civil and commercial disputes, and refer them onto a mediation provider. People choosing to use a mediator will pay a special standard rate, starting at £250.00 plus VAT for a two hour mediation about a dispute to the value of £5,000 or less. The number of the helpline is 0845 60 30 809. More information on their website : [www.nationalmediationhelpline.com](http://www.nationalmediationhelpline.com). The DCA is providing financial support and the scheme will be researched and evaluated.

For all the latest in ADR visit the Advice Services Alliance website : [www.ADRnow.org.uk](http://www.ADRnow.org.uk). Their last update came out in February and included more ADR schemes, consultations and a note on the Bibi v Southwark LSC case last July about going to arbitration in a disrepair case.

### Update on Volunteers

Volunteers are generally not regarded as employees or workers, because of the absence of an intention to create legal relations and the lack of mutuality of obligation (the legal obligation to provide and undertake work).

Recent cases have referred to the "authoritative guidance" given in South East Sheffield Citizens Advice Bureau -v- Grayson 2004 IRLR 353 . An update is on Bateswell's website at : [www.bateswells.co.uk](http://www.bateswells.co.uk). Since that case, Bateswells have persuaded the President of the Employment Appeal Tribunal to reject another claim made by a Volunteer - Melhuish -v- Redbridge Citizens Advice Bureau UK EAT/ 0130/04/DM. This case has not yet been reported, but in the light of the level of interest, the President of the EAT has drawn it to the attention of the legal reporters.

### Payroll Giving Incentives

The payroll giving scheme enables employees to make charitable gifts by deduction from their salary. The deduction is made from gross pay. Since the 26th January 2005 the government's new Payroll Giving Grants programme provides incentives for bodies with up to 500 employees to register for payroll giving.

Charities which register for payroll giving between 6th April 2004 (i.e. backdated to last year) and 31st December 2006 will receive a one-off grant of £300 for bodies with 1-199 employees, £400 for those with 200-249 employees, and £500 for those with 250-499 employees.

And until the scheme ends in March 2007, the Government will match each employee's donations for six months, to a maximum of £10.00 per employee per month.

The scheme is administered by the Institute of Fundraising and Business in the Community. Full details for employers, charities and employees are at [www.payrollgivinggrants.org.uk](http://www.payrollgivinggrants.org.uk) or via 0845-602 6786. The Institute is running training for charities throughout the UK.

### CSJ Awards

The new Centre for Social Justice is asking for nominations for their 2005 CSJ awards which will, *"recognise, celebrate and reward organisations making exceptional contributions in tackling social need."* The Centre was established in July 2004 under the chairmanship of Iain Duncan Smith MP. CSJ say that many involved in the Centre are Conservatives but they are actively engaging people from other parties who share their values.

Nominations are requested by 8th April and the top five will share a £20,000 prize. Applicants need to write 500 words to describe how their organisation makes an exceptional contribution to meeting social needs in your community. Information on : [www.centreforsocialjustice.com](http://www.centreforsocialjustice.com).

### Parents' and Carers' Campaign

The Equal Opportunities Commission has launched a campaign to represent parents, carers and workers as well as older people and disabled people. Included in their demands are :

- \* Mothers, fathers and carers being able to choose whether or not to combine caring work and getting the support they need whatever choice they make
- \* More flexible working for all parents and carers in all types of job

- \* Better access to good quality, affordable childcare
- \* Better support services for carers and for older and disabled people

One in six people aged 16 or over were caring for a sick, disabled or elderly person and one in five households contained a carer in research carried out in 2000. These figures represent 6.8 million adult carers in five million households.

Information of the EOC website:  
[www.eoc.org.uk/cseng/policyandcampaigns](http://www.eoc.org.uk/cseng/policyandcampaigns)

## Pregnant and Productive

Another campaign organised by the EOC and launched in February. The campaign reveals the true scale of discrimination faced by women when they are pregnant, on maternity leave or when they return to work. EOC are asking agencies to pledge their support online at [www.eoc.org.uk/pregnancy](http://www.eoc.org.uk/pregnancy) and promote and publicise the campaign whenever possible,

Contact Helen Wollaston, Director of Campaigns at the EOC in Manchester.

## CPAG Campaign

The Child Poverty Action Group marked their forty years anniversary by launching a manifesto to free society of child poverty. The manifesto of demands has been sent to every MP. Information online at : [www.cpag.org.uk](http://www.cpag.org.uk).

## Gypsy and Travellers Sites

On the 7th March the Office of the Deputy Prime Minister announced the introduction of Temporary Stop Notice regulations which will allow councils to stop unauthorised sites in problem locations being further developed. The Government also announced that a new Traveller and Gypsy Unit is to be set up within the ODPM to support local authorities in meeting their responsibilities and that revised guidance on the use of stronger enforcement powers against unauthorised encampments has been issued. These were included in the Anti-Social Behaviour Act 2003 and enable the police to evict unauthorised encampments from land with greater speed.

## DFES Guidance

New guidance has been published by the Department for Education and Skills. It aims to explain to schools who is a parent for the purposes of education legislation, provides a brief description of court orders and sets out some general principles to guide schools as to who they must involve in issues about a child's education. Copies can be downloaded from [www.teachernet.gov.uk](http://www.teachernet.gov.uk)

## Education Line

The National Education Line set up in July 2004 and funded by the Legal Services Commission can be contacted on 0845 456 6811. It is open Monday to Friday between 9.30 and 5.00.

## Union Merger

Talks are going on to merge the T&G union with Unison. This will create the largest Union in the UK and Ireland with at least 2.5 members.

## New Appointment

**Paul Boateng**, ex Law Centre worker and Chief Secretary to the Treasury has been offered the position of High Commissioner to Pretoria, South Africa. Paul Boateng, MP for South Brent has been a strong supporter of Law Centres for many years.

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## Funding News

### Compact

#### Funding and Procurement Code

The new Code was published on 22nd March and provides a framework for better funding relationships.

Richard Hebditch, the Compact Working Group manager said that the aim of the code is to reduce the bureaucracy of making funding applications and monitoring to leave more time to delivering outcomes for the community. Their second aim to have funding processes that help, not hinder organisations.

The Working Group believes that there should be move towards longer term funding and payments in advance. They also believe that funders should recognise the principles of full

costs recovery. This means recognising that the costs of delivery must include all costs associated with delivering the service, especially the relevant overhead costs.

*Mr Hebditch has urged voluntary organisations to challenge funders where the Code is not being honoured.*

### Compact Plus

Charles Clarke, the Home Secretary announced on 22nd March, 'Compact Plus', a new opt-in scheme to shorten and simplify the commitments between Government and the voluntary and community organisations. It will be overseen by a Compact Champion.

The Minister also announced an investment of £4 million in the **Capital Programme** to provide 'incubator' space for embryonic community based organisations and enterprises.

### FutureBuilders

The first 15 investment offers for futurebuilders funds were announced in February. More are expected in coming months. The second 'application window' will start at the beginning of June and will finish at the end of September. Richard Gutch the Chief Executive said that in future the fund would spell out more clearly the full range of investments and loans available and clearer guidance on links with prospective purchasers of services. Futurebuilders has also now set up an external reference group to examine whether funds are being targeted appropriately. The chair is Baroness Jill Pitkeathley. On 22nd March the Home Secretary announced a further £90 million investment in the Futurebuilders fund over the years 2006/07 and 2008/09.

Their website is to be relaunched on 5th April. Visit : [www.futurebuilders-england.org.uk](http://www.futurebuilders-england.org.uk).

### Change Up

Charles Clarke, the Home Secretary announced that Capacity Builders, a new sector-led agency is to manage ChangeUp funds. The fund has also received a further £70 million over three years.

### Single Community Programme

The three community participation programmes; community chests, community learning chests and the community empowerment fund are to be merged into a Single Community Programme in April. Funding is enable community empowerment networks to develop a more strategic and coherent approach to the use of wider community participation resources. Information about the programme is on the Neighbourhood Renewal Unit website : [www.neighbourhood.gov.uk](http://www.neighbourhood.gov.uk).

### Balance Charitable Foundation

The BCF is one of the UK's newest grant making charities and is committed to becoming one of the most innovative and impactful sources of funding in the voluntary sector. On 22nd March the charity announced its first grant making policy programme which will fund work which is focused on the needs of older people across the UK, particularly those over 75 at risk of social exclusion. The programme will encourage innovation and new approaches with grants made over a longer period of time than is common in the charitable sector.

Potential applicants will find a full copy of the Grant Making Policy on the BCF website: [www.balancefoundation.org.uk/foundation/policy/](http://www.balancefoundation.org.uk/foundation/policy/). Details of the application process for the programme will also be posted there shortly. The Trustees will be adding to their priority areas in future years

### POPP

Another funding source worth being aware of is Popp which stands for **Partnerships for Older People Projects** which was announced by the Department of Health in March. £60 million is being made available to encourage councils with voluntary sector partners to devise innovative projects to support older people. They are interested in preventative work and projects that address poor access to services by isolated groups, or those with specific needs based on the culture and race. Applications must be made by Councils with Social Service Services Responsibilities (CSSR). Information on the Department of Health website: [www.dh.gov.uk](http://www.dh.gov.uk)

## Lloyds TSB Foundation

The Foundation support underfunded charities that help disadvantaged and disabled people to play a fuller role in the community. They encourage innovation and new ideas but also recognise the need for core funding. Advice services and services and support for people with disabilities and their carers are listed as the types of activities that are generally eligible.

Application forms can be found at [www.lloydtsbfoundations.org.uk](http://www.lloydtsbfoundations.org.uk).

## Conferences

**Equal Pay: Reviewing the case law** Conference organised by the Institute of Employment Rights in association with Old Square Chambers. It takes place on 27th April at the NATFHE Centre in London. Cost £75.00. Speakers include Margaret Prosser, chair of the Women and Work Commission. Email [magan@ier.org.uk](mailto:magan@ier.org.uk).

**'Honour' Crimes and Violence Against Women - Understanding the culture, preventing the crime** Half day conference on 20th April in London organised by the Centre for Crime and Justice Studies. Cost for members is £55.00. Tel: 020 7848 1668 or email: [ccjs.enq@kcl.ac.uk](mailto:ccjs.enq@kcl.ac.uk)

**Labour Migration and Employment Rights** Conference organised by the Institute of Employment Rights at the NATFHE Centre. It takes place on 14th June starting with Jim Sheridan MP on the Gangmasters Licensing Act. Cost £50.00

**Young Solicitors Group Legal Aid Conference** in Manchester on 7th April. Speakers include the Law Society President, Edward Nally and the LSC Chief Executive, Clare Dodgson. £75.00 Contact for more information Hannah Wiskin at [chair@ysg.org](mailto:chair@ysg.org).

**Advice: Preparing for the Future** Conference organised by the Institute of Advisers on 25th May. Keynote speaker Chris Yapp, Head of Public Sector Innovation. It takes place at Friends House in London and costs £55 plus VAT. Visit: [www.advisersinstitute.org.uk](http://www.advisersinstitute.org.uk) or call 01322 556057.

**ICT Conference for the Voluntary and Community Sector 2005** Conference organised by NCVO and taking place on 30th March 2005 in London. £150 for non members. Information 020 7713 6161 or visit: [www.necvo-vol.org.uk](http://www.necvo-vol.org.uk)

**Deaf Day** Saturday 30th July at 10.00 at City Lit in Keeley Street, Covent Garden, London. City Lit invites people to join them in their new building to find out about education, employment and communications. More information on 020 7383 4027 (voice/fax) 020 7383 7208 (minicom) or email [deafday@citylit.ac.uk](mailto:deafday@citylit.ac.uk).

## Training

**Immigration Accreditation** Joint Council for the Welfare of Immigrants has published their new training programme covering April to October. Levels 1 and 2 take place in London in April and August. There is also a Level 2 course in Manchester at the end of April and the beginning of May. There a range of other courses including Immigration and Marriage, and Preparing and presenting asylum appeals in the new AIT. Email [training@jcw.org.uk](mailto:training@jcw.org.uk) or call 020 7608 7306.

**Age Discrimination and the New Law** One of many employment law courses provided by Central Law Training. This one takes place in the autumn in a variety of venues throughout the country. Law Centres are able to get a reduced fee by quoting reference number **FSS 2242**.

**Benefits for Young People** is one of many courses provided by Disability Alliance. This one is on 13th April and 15th November in London and on 10th June in Leeds. Training is provided at three venues: London, Leeds and Peterborough. Fees for members of Disability Alliance are £85.00. Other courses include Personal Capability Assessments, Tax Credits and taking cases to Commissioners. Bookings can be made on line at [www.disabilityalliance.org/train](http://www.disabilityalliance.org/train) or call the Training Unit on 020 7377 9881.

**Defending Anti-Social Behavioural Orders** Training provided by the Legal Action Group and taking place on 26th April. Half day course costs £160.00 plus VAT. Other courses include Introduction to Judicial Review and Public Law (8th July), Recent Development in Housing Law

(Birmingham) (17th June) and Community Care and Housing Provision for Asylum-seekers and Immigrants (2nd June). Bookings can be made on line at [www.lag.org.uk](http://www.lag.org.uk) or call 020 7833 7434.

**Homelessness: Case Law Update** Course taking place in London, Manchester and York during the Spring. This is one of many courses and seminars provided by Shelter. Cost for Law Centres is just over £100 plus VAT in London and around £90.00 plus VAT in Manchester and York. Visit [www.shelter.org.uk/training](http://www.shelter.org.uk/training) for information about all their courses or call 020 7490 6720.

**Housing Law Practitioners Association** Their next meeting is on 18th May and covers Disrepair Update and the Housing Act 2004. Meetings take place in London between 7.00 and 9.00. Information about membership at [Chandra\\_Roa@shelter.org.uk](mailto:Chandra_Roa@shelter.org.uk)

**Welfare Benefits Training** New training programme out from LASA covering courses April to October 2005. Training covers Tax Credit - Introductory course and an Advanced course, the Social Fund, Representation at appeal tribunals and Identifying errors of law. There are many more that can be accessed by visiting : [www.lasa.org.uk/training](http://www.lasa.org.uk/training). You can keep up to date with special deals and discounts on the same site. Law Centres pay £80 for a one day course and £160 for two.

**Charity Fair** This year the Directory of Social Change Charity Fair takes place at ExCel in Dockland, London. It is on between the 12th and 14th April and has a range of workshops and training events on management issues, finance, fundraising and ICT. Bookings can be made on line at [www.charityfair.org.uk](http://www.charityfair.org.uk).

**Happy Computers Training** New Spring edition of their course programme has been issued. As well as a full range of courses for computing skills, they have started people courses and seminars. These cover things like teambuilding and releasing your potential ! Visit their website for last minute special deals [www.happy.co.uk](http://www.happy.co.uk).

**AIMS Training** London Advice Services Alliance is having an introductory course on AIMS on 7th and 13th April. You can email the AIMS Team at [aims@lasa.org.uk](mailto:aims@lasa.org.uk) or call 020 7377 2806. Courses cost £130 plus VAT and are based at Happy Computers in London.

**Time Management: Work smarter, not harder**

One of the many management and communication course provides by the Centre for Strategy and Communication. This one takes place on 16th May. £185 plus VAT. Visit [www.the-centre.co.uk](http://www.the-centre.co.uk) for further information about this and other courses.

**Media Interview Techniques** Organised by the Centre for Strategy and Communication. This course takes place on 29th and 30th June. £122.32 inc.

**'Outcome' Grants** from the Big Lottery Fund 2005. Series of training days led by Luke FitzHerbert being held throughout the country over the summer. Band B organisations (turnover of over £500,000) pay £175. Visit: [www.dsc.org.uk](http://www.dsc.org.uk) or call 08450 77 77 07.

**Compact Events** Free sessions organised by NCVO on 25th May, 27th July and 21st September at Regents Wharf, 8 All Saints Street, London N1 starting at 1.00 p.m. Contact Carole Osbourne on 020 7520 2454 to book or email her at: [carole.osbourne@ncvo-vol.org.uk](mailto:carole.osbourne@ncvo-vol.org.uk).

**Voluntary Sector Management** Part time course at Cass Business School at City University, London. Information at [www.city.ac.uk/city/pgcourse](http://www.city.ac.uk/city/pgcourse) or call 020 7040 8014.

**CLS Support Training** Advice Services Alliance's Support Unit have published their new training programme. Training includes Improving Performance: An introduction to supervision, file review and appraisal; Making Every Minute Count: 2005!; Sufficient Benefit Test: Principles and Practice and Full Costs Recovery: An Introduction to Costing Your Services. The training takes place in Birmingham Manchester, Newcastle, London and York on various dates from May through to October.

Trainers are Ann Lewis, Audrey MacDonald (*both ex Law Centre workers*) and Patrick Torsney. Each attract CPD points and cost £100 plus VAT.

For more information visit: [www.asauk.org.uk](http://www.asauk.org.uk). Places are likely to get filled up quickly so book early !

## Books

**Immigration, Nationality and Refugee Law Handbook 2005** published by the Joint Council for Welfare of Immigrants. £48.00. Information on 020 7251 8708.

**Torture Survivors' Handbook** published by the Medical Foundation for the Care of Victims of Torture and the Redress Trust. It is available in English, Arabic, Farsi, French, Russian, Spanish and Turkish. Contact number 020 7813 7777 or 020 7793 1777. Redress has also published a report of the seminar held last June for frontline service providers on responding to the needs of torture survivors. Further information on 020 7793 1777 or at [info@redress.org](mailto:info@redress.org). It is also available to download on [www.redress.org/publications/Manchester](http://www.redress.org/publications/Manchester).

**Disability Discrimination; Law and Practice** by Brian Doyle, Regional Chair of the Employment Tribunals. Available from Jordans for £45.00. Orders taken on line at [www.jordanpublishing.co.uk](http://www.jordanpublishing.co.uk)

**How to Access Disability Services** A new guide from the National Information Forum for organisations in contact with disabled refugees and asylum seekers (£5.99). They also publish *How to make a new life in the UK: A self-help guide for young refugees and asylum seekers* (£2.95). The publications are funded by the Diana, Princess of Wales Memorial Fund and the Bridge House Trust. To order call 020 7402 6681 or go on line : [www.nif.org.uk](http://www.nif.org.uk). NIF are starting work on a new guide aimed directly at disabled refugees and asylum seekers. If you would be interested in contributing contact Anne Rich at the Forum on 020 7402 6681.

**Bullying: A Guide to the Law** New publication from the Children's Legal Centre. Call 01206 872466 or visit: [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com).

**Guide to Housing Benefit and Council Tax Benefit 2005-06** (£21.50 + £1.75 p&p) and **Housing Rights Guide 2005-06** (£16.50 + £1.75 p&p) are two new books from Shelter. For these and other publications call 0845 458 4590 or visit [www.shelter.org.uk](http://www.shelter.org.uk).

**Employment Records Handbook for Voluntary Organisations** by Paul Titcher with Gill Taylor and published by the Directory of Social Change £14.95. New publication from the

Directory of Social Change. Visit their website for their full list of publications which includes details of their new Grant-making Guides. Books can be ordered on line at: [www.dsc.org.uk](http://www.dsc.org.uk).

**Human Rights: Who Needs Them ?** Using human rights in the voluntary sector by Frances Butler and published by IPPR. £9.95. Orders on 020 7470 6123.

**Your Rights: The Liberty Guide to Human Rights** by Megan Addis and Penelope Morrow. £19.99. Visit: [www.liberty-human-rights.org.uk](http://www.liberty-human-rights.org.uk) for further information.

**Community Care Practice and the Law** by Michael Mandelstam and published by Jessica Kingsley Publishers. £39.95 Visit [www.jkp.com](http://www.jkp.com) or call 020 7833 2307

**Fuel Rights Handbook 2005** published by the Child Poverty Action Group for £15.00 plus £3.99 p&p. For a list of all CPAG's publications visit [www.cpag.org.uk](http://www.cpag.org.uk)

**Voluntary Agencies Directory 2005** New directory from NCVO. Cost £35 for non members. Information about this and other NCVO publications at [www.ncvo-vol.org.uk](http://www.ncvo-vol.org.uk)

**Occupying Community Premises** New book published by Community Matters for £18.95. Call 020 7837 7887 for more details.

## Leaflets

**The Promotion of Human Rights as a Charitable Purpose** New guidance from the Charity Commissioners. They have also updated their guidance on investments and issued guidance on how it will carry out public benefit checks should the Charities Bill become law. Visit : [www.charitycommission.gov.uk/publications](http://www.charitycommission.gov.uk/publications).

## Warning to all solicitors

The Law Society has made available on their website guidance on money laundering. The guidance adds that confidential advice can be also gained from Professional Ethics at the Law Society's offices in Redditch. Tel: 0870 6062577. Further guidance is available from the Joint Money Laundering Steering Group on 020 7216 8800.

**A Guide for Lone Parents** Leaflet published by the Department for Work and Pensions providing information and contacts for lone parents. The New Deal Helpline is 0800 868 868.

## Reports

**Excluded Older People** is an Interim report from the Social Exclusion Unit. The report highlights the considerable problems that still face older people who are on the lowest incomes and at greatest risk of social exclusion. The next stage will be to look at how to remedy this including the importance of early support and preventative services and more joined up services such as Link-Age programmes.

**Transitions** is another Interim report from the Social Exclusion Unit on Young Adults. The report has identified three key areas for further work: age boundaries, holistic services and the trusted adult, and thinking and behaviour. The next stage will look at the potential for blurring the age-boundaries of services aimed at vulnerable young adults, and for encouraging more overlapping services. The report notes the benefits of having effective partnerships, *"holistic services" where young adults can receive help and advice on a range of problems, can make a difference.'*

**Take it Away** - new report from Citizens Advice expressing concern over Government plans to allow credit unions and commercial companies to 'siphon off' debt repayments direct from welfare benefits. Citizens Advice warn of the hardships these proposals could cause and suggest reforming the social fund to widen access to affordable credit.

**A Choice of Paths: Better options to manage over-indebtedness and multiple debt** Report from the Department for Constitutional Affairs includes a number of steps to assist debtors. These include the introduction of Enforcement Restriction Orders to provide people with temporary relief for enforced debt recovery, the reform of County Court Administration Orders which include the introduction of a debt ceiling of £15,000. The DCA also published a debt position paper emphasising the importance of early information and advice.

**Part-time is no crime - so why the penalty ?** New report from the Equal Opportunities Commission illustrating the 'penalties' of working part-time. Visit : [www.eoc.org.uk](http://www.eoc.org.uk)

**Life Chances: What does the Public Really Think About Poverty** An interim report published in March by the Fabian Society's Commission on Life Chances and Child Poverty.

## Consultation Papers

Green Paper on Adult Social Care **'Independence, Well-being and Choice'** was published in March. It proposes that the elderly and disabled people are given the opportunity to choose how their own budget for personal care is spent.

John Reid, Health Secretary, said: *"Individual budgets will put a stop to the revolving door of care and care assistants because they will allow people to purchase the care they want. They will be able to choose their own carer or instead of receiving institutional care opt to go on a holiday that will benefit them, and their families, in other ways."*

The paper also proposes the sharing of information provided by claimants in connection with Attendance Allowance/Disability Living Allowance claims between the DWP and local authorities. It suggests that the DWP's Link-Age initiative would be an effective model for all people who need support from social services.

## A Single Civil Court ?

A consultation issued by the Department for Constitutional Affairs in February. The paper proposes the unification of the civil and family jurisdictions of the High Court, county courts and the Family Proceedings Court. The consultation asks whether a single court would benefit users. Responses are requested by 27th April 2005.

**Voluntary Action - Meeting the challenges of the 21st Century** is a collection of four strategy papers commissioned by the NCVO.

They have now launched **Your Future - A Consultation** which asks the sector about relationships with government and what difficulties they encounter getting funding and whether there is such a thing as the voluntary sector ! Copies are on the NCVO website: [www.ncvo-vol.org.uk](http://www.ncvo-vol.org.uk).



Staff at the Isle of Wight Law Centre at their launch on 3rd March 2005



Nice statue in front of Kirklees Law Centre. Their new office is behind (the cream coloured blinds above the Post Office).

## Don't forget !

**Saturday 9th April 2005**

**LCF General Meeting 12 noon**

**Access to Justice Public Meeting 2.00 p.m.**

Oliver Thompson Room, Tait Building, City University, Northampton Square, London EC1V 0HB  
(10 minutes from Angel underground station: turn left down St. John Street)

**Speakers include: Helena Kennedy QC, Shami Chakrabarti (Liberty), and Ross Cranston MP**

To be followed by public demonstration - All are invited to march to 11 Downing Street to deliver a letter on behalf of Law Centres

**Meet at 4.00 p.m.**

at Tait Building, City University after the Public Meeting.

*For more information contact [jen@lawcentres.org.uk](mailto:jen@lawcentres.org.uk)*

*Note: Fares to the General Meeting are paid by LCF less the first £10.00*

## LCF Staff

**Noeleen Adams**, London Unit Manager, **Victor Adetiba**, Finance Worker (P/T), **Jen Corlew**, Campaign and Communications Worker, **Lynn Evans**, Policy Manager, **Steve Hynes**, Director, **Metin Kemal**, Regional Development Manager, **Julian Lewis**, LawWorks Project Manager, **Minaxi Panchal**, London Training and Organisational Development, **Stella Russell**, Regional Development, **Emma Tye**, Administrator.

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