

# Networking...

The national voice of Law Centres

Steve Hynes, LCF Director outlines some key developments in recent months.

## Specialist Support Services Controversy

Many Law Centres objected to the Legal Services Commission's proposal to axe the specialist support services, as reported in the last issue of 'Networking'. As you will be aware the specialist support services provide training and support in social welfare law to practitioners. Last month in response to the controversy the Commission decided to withdraw the threat of the funding cut while entering into further consultation over the future of the service.

Around the same time as the proposed cut to the specialist support services, the Commission also threatened to withdraw funding from the Law Centres Federation. However, after a recent meeting between the Commission and LCF, it appears that the funding is no-longer in immediate jeopardy. This is also welcome, as if the Commission had ended its support to LCF, it would have left Citizens Advice as the only national NfP advice organisation receiving support from government at a time when the prevailing policy is to boost infrastructure support to the NfP sector.

## Community Legal and Advice Centres (CLACs)

The Commission has also announced its strategy for the Community Legal Service though this might be subject to change depending on the findings of



Lord Carter's Report on legal aid procurement which is due to be published next month. The strategy gives details of the proposed CLACs which will be situated in areas of high social deprivation i.e. local authority areas with over 50,000 benefit claimants and a high population density.

So far, only two new CLACs have been announced, in *Leicester* and *Gateshead*. Both areas have long established Law Centres and other NfP services funded by local government and the Commission. An important maxim LCF believes in, applies here, 'if it ain't broke don't fix it.' Surely if the LSC has the cash to launch what is essentially a good initiative why not do it in areas with few services? Not to do so, risks at best duplication and at worse the loss of established services, if funding is withdrawn in favour of the new service.

There is also the question of branding. It seems a senseless waste of resources to establish a new 'brand' either locally or nationally for civil law services, as proposed by the Commission, when there are well

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LAW CENTRES FEDERATION

established private and NfP services. Most importantly, Law Centres and other services are popular with, and trusted by our clients. New services take time to establish themselves in a market place where news spreads essentially by word of mouth. In addition to this, Law Centres and other NfP agencies have a good track record of bringing other resources into the sector. LCF doubts that the LSC will be able to replicate this.

One of the justifications for the timing of the publication of the strategy was so it could help inform Lord Carter's review of legal aid procurement. LCF believes that the cost savings in terms of marketing a service and a track record of raising other funds, as well as providing complementary services such as pro-bono ones, should all be a factors in the procurement process.

## Preferred Supplier

The Access to Justice Alliance at its meeting at the House of Commons on the 23rd May called on the LSC not to roll out the CLACs initiative across the country, before establishing and evaluating a limited number of the new ventures. The meeting was addressed by the new legal aid minister, Vera Baird, Simon Hughes of the Liberal Democrats and Oliver Heald, Shadow Secretary of State for Constitutional Affairs. LCF will be meeting Vera Baird soon and will reinforce the call to proceed cautiously with the CLACs initiative.

CLACs, some believe, might in any event turn out to be nothing more than a sideshow, mainly because of the problems in bringing local authorities on board. What will perhaps prove more significant for Law Centres and legal services in the long run will be the Preferred Supplier scheme (see also news item on page 4) which the LSC published a consultation paper on last month.

LCF recently met the LSC to discuss the scheme which has been piloted so far only in the private sector, though one participant was an NfP supplier with a solicitor contract. It would seem likely that particularly in urban areas it will only be the larger suppliers that will achieve Preferred Supplier status and therefore contract with LSC in the future. By reducing the numbers of suppliers the LSC believes it can shift

resources from spending 'too much time with poor suppliers' to better supporting a smaller number of high quality suppliers. The LSC is also hoping to bring about a 25% reduction in their overall transaction costs through introducing the Preferred Supplier scheme.

If all goes to plan the LSC anticipates only contracting with Preferred Suppliers by April 2009. As all Law Centres currently contract with the LSC, supporting Law Centres in obtaining preferred supplier status will be a key priority for LCF over the next two years.

Steve Hynes  
LCF Director

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## Legal Services News

### New Minister for Legal Aid

For the first time, the Government has dedicated a Minister for Legal Aid. **Vera Baird QC MP** was appointed Parliamentary Under-Secretary of State at the Department for Constitutional Affairs on 5th May. Her brief covers legal aid, the Legal Services Commission and social exclusion. The three other Ministers at the Department are Harriet Harman QC, Baroness Ashton of Upholland and Bridget Prentice MP. Baroness Ashton's brief covers human rights and the new Tribunals Service and Bridget Prentice's includes legal services complaints and asylum and immigration.

The Department for Constitutional Affairs published '*Getting earlier, better advice to vulnerable people*' in March and '*Doing Law Differently*' in April. The first paper focuses on developing a strategy based on three areas: making sure that advice is people-focused, getting advice right first time and learning from mistakes.

'*Getting earlier, better advice to vulnerable people*' recommends that that CLACs are linked to proposed Victim Care Units, so that victims of crime have access to social welfare law. It also proposed a work programme between the DCA and the DTI on employment advice services, saying that this could be used as a model for future work with other departments.

## Access to Justice Alliance

On 24th May, the Access to Justice Alliance held a lobby of parliament followed by a very successful public meeting in Portcullis House. Speakers included: Vera Baird QC MP and Parliamentary Under Secretary of State at the DCA, Oliver Heald MP, the Conservative Shadow Secretary of State for Constitutional Affairs, Simon Hughes MP, Liberal Democrat Shadow Secretary of State for Constitutional Affairs, Steve Hynes, LCF Director and Alison Hannah, the Director of Legal Action Group. The lobby was to express our concerns about the current crisis in legal aid. *Also see the Director's report on page 2.*

## Causes of Action

The Legal Services Research Centre has published their second edition of Causes of Action. The research found that around one in ten people with legal problems are still not seeking advice, and around 15% of those who seek advice fail to obtain any. Around a third of adults reported one or more problems over the three and a half years covered by researchers.

Some of their findings include: a third of civil justice problems affect people's health, 18% of problems lead to stress-related ill-health, and 16% of problems lead to physical ill-health. 16% of problems lead to loss of income or employment and 6% to loss of home. DCA economists estimate that the costs to individuals and the public purse is £13 billion for the period covered by the survey.

The findings showed that social excluded people are particularly vulnerable to civil justice problems. These include people with long-term health problems or disabilities (38%), unemployed and people on very low incomes (55%), people living in rented or high density accommodation (41%), lone parents (57%), people between the ages of 25 and 44 (41%) and victims of crime (47%). Problems have an additive effect: the experience of a problem increases the probability of a further problem and particular problems have a tendency to occur in combination. The three principal problem clusters are: family, homelessness (rented housing, homelessness and benefits) and economic (money and debt, consumer, and employment).

## Legal Services Bill

The Government published the draft Legal Services Bill on 24th May. The Bill proposes the setting up an Office for Legal Complaints to independently investigate complaints and a Legal Services Board to regulate legal services. The Bill sets out arrangements to facilitate alternative business structures, *'which would enable different kinds of lawyers, and lawyers and non-lawyers, to work together on an equal footing.'* Law Centres are likely to fall in this category.

The draft Bill will be scrutinised by a joint committee of the Houses of Parliament, headed by Lord Hunt of Wirral. There has been a call for evidence and the LCF has been invited to give evidence on the 12th June. The Committee is expected to report by 25th July.

## Making Legal Rights A Reality

The Legal Services Commission launched 'Making Legal Rights a Reality' on 22nd March following their consultation last summer. The paper is the LSC's strategy for the development of the Community Legal Service over the next five years. To recap the key proposals are:

- \* Establishing Community Legal and Advice Centres in the most deprived communities, where clients will be able to get legal help for a range of social welfare problems. The centres are to be jointly-funded and deliver a seam-less service, from basic advice to specialist representation in the highest courts.

The LSC report that they would like to set up 12 such centres over the next year. At the moment there are two pilots in *Leicester* and *Gateshead*. Tenders for the two areas were published at the end of May. The contracts will be to provide services in Community Care, Debt, Employment, Family, Housing, Mental Health and Welfare Benefits. They are looking for tenders from *'organisations or groups of organisations will to form a single legal entity which can supply an integrated service of general, and specialist advice and representation.'* Contracts will be with the LSC and the local authority jointly and the aim is to set them up by 31st March 2007. The contracts will run for three years.

- \* Establishing Community Legal and Advice Networks, '*using the joined-up approach proposed for the centres in areas where a good network of service providers already exists*'. The LSC would commission them to form a network to deliver an integrated service tailored to meet the needs of the region. The LSC have identified 36 areas for Networks to be established.
- \* Expanding CLS Direct. '*The strategy proposes further expansion to provide more people with access to front-line information, advice and assistance.*' (see over)

Many feel that the future commissioning of services is the real issue. However, the exact nature of this is not known until Lord Carter publishes his report on procurement next month. It is likely that his proposals will follow those suggested for criminal legal aid earlier this year. Key themes are :

- \* Fixed pricing, according to type of case and possibly region.
- \* Guaranteed volumes of work for Preferred Suppliers
- \* Introducing managed competition based on quality, volume and price.

The emphasis is on achieving the right quality of service at minimum cost. These themes form part of a backdrop to the Preferred Supplier initiative briefly described below.

## Preferred Supplier

The LSC published their consultation paper on the development of Preferred Suppliers in March and is very important for all Law Centres. Preferred Supplier represents a step on from franchising and contracting and aims to increase the quality of work provided. It will ultimately replace the Specialist Quality Mark with a new standard - that of Preferred Supplier.

Only those with Preferred Supplier status will be invited to apply for contracts. Although all the LSC's proposals are subject to Lord Carter's procurement reforms, the LSC aims to have all legal aid services provided by Preferred Suppliers by no later than 2009. The implementation of an exclusively Preferred

Supplier base '*will inevitably concentrate the provision of legal aid services in fewer organisations*'. The method of roll out is still not known, but the LSC expect to have some Preferred Suppliers by next April. Organisations who wish to become part of a CLAC or CLAN will have to have Preferred Supplier status.

Appendix A in the consultation paper lists the LSC's 'Quality of Advice' tools. These include Peer Review, Quality Profiles, File Assessment, Contract Compliance and Value for Money and Data integrity.

The following appendices provide drafts of the Preferred Supplier Assessment Processes for solicitor providers and not-for-profit providers. For each there are three stages. Firstly there are eligibility criteria, following by financial assessments and then quality of advice. The first stage has generic criteria which says that organisations must have met performance targets - their suggested target is 95%. The third stage is when Law Centres will be Peer Reviewed which will eventually be Excellence (1) or Competence Plus (2) in specified major categories (*see CLS Support Briefings over*). A File Assessment Pass has to be obtained for all the remaining minor categories.

Some Law Centres will still be audited by their Regional Offices before the onset of Preferred Supplier. Regions will consider all providers (NfP and solicitors) alongside each other '*when considering what supplier management activity is appropriate.*' Such activity will include discussions about contract performance and audit activity. In considering this, '*regions will take account of the profile of supply in the region, historical management of providers, current and historical performance and future initiatives, etc.*'

The LSC want to move towards an e-business approach and want all Preferred Suppliers to operate and report work electronically. '*all contract holders will use our current electronic facilities (i.e. SPOCC and SPAN) and commit to using the comprehensive e-business systems which we will be implementing over the new few years.*' They add that access to case files for monitoring may also be requested electronically.

If you have been Peer Reviewed after April 2005 and had a (1) or (2) rating this will valid for the

purposes on an application to become a Preferred Supplier. Generally, further Peer Reviews would then be conducted every three years.

## Average Case Times

Advice Services Alliance has recently published a new policy paper on 'Case Lengths Under NfP Contracts.' It includes important information about average case lengths, and the factors that are linked to variations in case lengths. Attached to the paper are individual reports setting out findings in relation to the separate categories of Welfare Benefits, Debt, Housing and Employment. Another compares some of the findings across the four categories.

The paper advises that is vital for agencies to look at their average case times.

- \* How their average case times compare with the averages in their region.
- \* The types of cases they are doing.
- \* The types of clients they are helping.
- \* How much they are doing for clients.
- \* The results they are achieving.

The paper aims to assist agencies with these tasks. It is on the ASA website: [asauk.org.uk](http://asauk.org.uk) under 'What's New'.

## CLS Direct

In April, Broadcasting Support Services (BSS) was awarded a three-year contract to run a legal information and referral call centre. The contract says that they will provide *'telephone legal advice services under the brand of CLS Direct via a front-end triage call centre service staffed by appropriately skilled operators.'* The value of the contract was £5,372,451 excluding VAT.

## New Contracts

The LSC plan to run bid rounds for Mental Health and Immigration/Asylum to start in April 2008. There will be no bid round for contracts being renewed in April 2007 although they may be some new criteria for the contracts. They are likely to give one year or three contracts *'except where we know a bid round is forthcoming when we may include an additional break clause.'* The length of a contract therefore may vary by

category of law of method of service delivery during the transitional period.

The legal help budget was increased from £193m to £195m to 2006/07. The latest information we have is that the LSC still have to make savings and that any new contracts will probably be let through bid round similar to last years, funds permitting.

A consultation on the criteria for new contracts is expected this July.

## CLS Support Briefings

### Peer Review

The Advice Services Alliance's CLS Support Team has published guidance on the Civil Contract amendment bringing in a peer review performance indicator. The amendment specifies that:

- \* The quality of your Contract Work as determined by independent peer review is a performance indicator.
- \* The quality of your Contract Work must be rating 1 (excellent), 2 (competent plus) or 3 (threshold competence).
- \* If the quality of your Contract Work is rating 4 (below competence), this is a breach of contract.
- \* If the quality of your Contract Work is 5 (failure in performance), this is a fundamental breach.

The amendment came into force on 17th May 2006.

## PLEAS

We reported briefly on PLEAS - Public Legal Education and Support Task Force in our last edition of 'Networking'. The Task Force is chaired by Professor Hazel Genn who pioneered research into tribunals and the ways in which individuals deal with legal problems. The Task Force is looking at what is happening in public legal education across England and Wales, and hope to report with a strategy for delivering PLE at the end of the year.

They are looking at examples of PLE among legal services providers such as Law Centres so that they can identify good practice and then

*'use our knowledge of this to develop a strategy for filling the gaps in PLEAS and promoting PLEAS effectively in future.'* Lynn Evans from the LCF is a member of the Task Force and is very keen to hear from any Law Centre who is involved with public legal education or voluntary sector support. Please let her know via email: lynn@lawcentres.org.uk. The website address for PLEAS is pleas.org.uk where you can subscribe to their newsletter.

The Task Force is holding its first public event - a presentation at the House of Lords on 22nd June 2006 - where a selection of activities will be showcased.

## Criminal Defence Service

The Bill received Royal Assent on 30th March and paves the way for the introduction of a new means testing scheme. The new scheme will be implemented in the Magistrates' Court from 2nd October 2006 and is likely to be rolled out across the Crown Courts by the end of 2007. The Government expects the scheme to save at least £35 million in the Magistrates' Courts alone.

The final thresholds to be adopted under the means testing scheme will be published in the Regulations under the new Act.

## Law Centre News

### Law Centres Benefit from Lawyer Walk

Islington Law Centre raised over £2,000 on the 2nd Annual London Legal sponsored walk on May 15th.



Islington Law Centre staff at the start of the march

Staff and committee members from the Law Centre were joined by lawyers from CMS Cameron Mckenna to raise funds for the Law Centre. The London Legal Support Trust estimates that the combined income for Islington Law Centre will exceed £2,500 once gift aid has been recouped.

The walk, organised by the London Legal Support Trust, was led by the Lord Chief Justice, the Master of the Rolls, the President of the Law Society and the Chairman of the Bar. Steve Hynes, who is an LLST trustee, walked in the Trust team. The Judiciary team comprised 31 senior judges, one of whom, Lord justice Lloyd, raised over £4,000 in sponsorship.

Several other Law Centres in London and the Home Counties benefited from the walk. The highest Law Centre beneficiary with its large number of pro bono contacts was South West London Law Centres supported by Allen & Overy and Eversheds and sharing income from firms like Slaughter and May and Norton Rose. The Trust estimate that SWLLC will end up with over £6,000.

Lambeth Law Centre and Surrey Law Centre were both supported by Clyde and Co. Each Law Centre raised several hundred pounds for themselves and share a Clyde pot that is over £600 and rising.

Streetwise Law Centre's own team raised nearly £1,000 while Springfield Law Centre notched up several hundred pounds with the help of lawyers from the Nursing and Midwifery Council in-house legal team.

Dechert LLP walked for North Kensington Law Centre raising around £500 while Leigh Day fielded a team for Lewisham Law Centre.

Overall, the walk raised about £75,000 for London's legal advice agencies including big non Law Centre beneficiaries such as the Royal Courts of Justice Advice Bureau (over £10,000) and the Mary Ward Centre (£1,000) who, in addition to fielding a team themselves, shared the income of walk sponsors Weil, Gotshal and Manges with South West London Law Centres.

Trust Chair and walk organiser, Bob Nightingale, believes this is just the start of a really big annual event.

## Lambeth Law Centre

Lambeth Law Centre celebrated their silver jubilee on 2nd May. Lambeth Mayor, Councillor Daphne Marchant opened the meeting and congratulated the Centre on its work. *'I am full of admiration for the work the Law Centre does. It has been a great achievement to have survived and kept providing services in such a tough environment.'*



Daphne Marchant, Mayor of Lambeth cutting the cake at the Law Centre's celebratory party. Photo includes Patrick Marples to the left and John Howard (Chair) Bryan Reed (Vice Chair) and Noeleen Adams from the LCF.

Lottery funding has enabled the Law Centre to pay for a full-time director. The new director is Patrick Marples who has worked at the Centre for seven years.

## Surrey Law Centre

In April, Surrey Law Centre announced the opening of four new outreach locations. These are being piloted at CAB offices in Staines, Redhill, Godalming and Epsom.

Surrey Law Centre holds LSC contracts for Family (including domestic violence and children), Housing and Community Care. Their website address is: [surreylawcentre.org.uk](http://surreylawcentre.org.uk).

## Southwark Law Centre

As part of their strategy to raise awareness of sexual orientation legislation, Southwark Law Centre's project, **'Pride and Prejudice'** has distributed over 3,000 leaflets through their local LGBT (Lesbian, Gay, Bisexual and Transgender) worker and through the local Council for Voluntary Service. They have also held displays, had stalls and circulated an email

bulletin. Since they started this work last year they have helped in four Sexual Orientation cases and secured over £30,000 in settlements for clients. They said however, that leaflet distribution and other traditional approaches to raising awareness had had limited success.

Now Southwark Law Centre, in partnership with the Law Centres Federation and the Southwark LGBT Network, is taking a more creative approach through the production of a DVD. The DVD will be produced with members of the LGBT community and will be a resource that all Law Centres can use to educate people about their rights.

## Avon & Bristol Law Centre

Avon and Bristol Law Centre have been successful in securing from SRB6 and European funding under Objective 2. With this funding they have been able to re-launch their community groups advice service. They have also been involved with the ChangeUp consortium for Bristol and the West of England. The Centre has successfully secured funding to provide community group advice and training through this consortium, to Bristol as a whole and are working with Community Action to give casework support and supervision to a worker providing advice to community groups in west of England. They also provide training to umbrella bodies in the west of England.

In their recent Annual Review they say, *'Our community group work makes a real difference to new and developing community groups in the area. Having a sound constitution and a good understanding of the roles and responsibilities of committee members, gives groups a firm base from which they can succeed in community activities, attract new committee members and funding, to help them on their way to long term sustainability.'*

Avon and Bristol is also a key member of the Bristol stakeholders consortium which has secured funding for the **'Bright'** project. The purpose of 'Bright' is to improve the standard of benefits and legal advice given by BME voluntary sector organisations to the communities. The Project was launched in April 2005 and will run for two and a half years. It is based at the Law Centre and has two workers - an Advice Service Development Officer and a Liaison Officer.

## Coventry Law Centre

Coventry Law Centre is part of a new team dedicated to helping tenants pay their rent of time to reduce rent arrears. They report that evictions by a Coventry housing group have dropped more than 40% in just 12 months. The team involves Whitefriars Housing Group and the local CAB. The Law Centre has been attending arrears interviews at the pre-issue stage.

They are also piloting a service where Whitefriars text tenants for whom they have a mobile phone number and asking them to call the Law Centre for independent advice. They have also had an advert on local radio, aimed at reaching young people, in a rap style. It's being played every hour for a month. Posters in toilets in clubs and pubs to reach young people are also being piloted to encourage people to attend court.

Coventry Law Centre say of the project:

*'Prevention of evictions is one of the main goals of the Housing team at Coventry Law Centre and, traditionally, we have represented housing association tenants in court to try to achieve this goal. We are very pleased to be able to work together with Whitefriars Housing Group to offer independent advice to their tenants at a much earlier stage in the arrears recovery process. Our experience is that assistance at an earlier stage is more likely to offer solutions that are sustainable, and involvement with tenants before their case reaches court is a much less traumatic process for them.'*

## South West London Law Centre



Guy Beringer, senior partner at Allen & Overy presented a cheque for £25,000 to the staff at South West London Law Centre in March 2006.

## New members of the LCF Executive Committee

The LCF elected four new members to its Executive Committee at the Law Centre General Meeting on 22nd May. **Mahmud Quayum**, member of staff at Camden Community Law Centre was elected as Vice Chair, **Richard Palmer** from Southwark Law Centre took the last remaining place for Law Centre management committee members, and **Anne Hudson** from Sheffield Law Centre and **Jane Waring** from Rotherham Law Centre filled the two remaining places for staff members.

## The Ombudsman - an option to consider?

Is your client facing possession proceedings because of a delay in processing his housing benefit claim? Or has your client had to fight to get schooling for her daughter who has been excluded from school? Have you thought about submitting a complaint to the Local Government Ombudsman? In practical terms it may be the most effective option for your client.

### What we do

We investigate the administrative actions of councils and whether their error or failure to do something has had an adverse effect on an individual. Our remit covers all areas of public law. For example, we can investigate complaints of housing disrepair, whether a proper community care assessment has been carried out, or whether a council is providing the education required by a statement of special educational needs.

### How we investigate

We will contact you or your client to discuss the complaint and if it is something we can investigate we will make enquiries of the council; we may visit the council to go through the files and interview officers involved; we may visit you and your client; when we have sufficient information we will make a decision on your complaint.

## **Legal issues**

Sometimes we can't investigate complaints, for example if your client has already commenced legal proceedings against the council. In these circumstances the Ombudsman has no jurisdiction to investigate, even though the legal action may not provide a complete remedy for all the injustice claimed. For example, judicial review would not provide a financial remedy. Where proceedings have not been issued, the Ombudsman can consider whether it is appropriate for him to investigate the complaint, rather than the courts.

Sometimes, a complaint to the Ombudsman might be more straightforward than legal proceedings, particularly if the issue is one of delay, say in assessing a claim for benefit or for a disabled facilities grant. Often, when we contact the council initially this leads to the claim or application being determined, without the need for a full investigation. Similarly, where there has been poor liaison between departments, an examination of the files by the Ombudsman can often clarify what happened and lead to a satisfactory solution.

## **Remedies**

Where we find the council was at fault we try to find a suitable remedy to rectify the consequences for the complainant. This might mean the council carrying out a new assessment, or putting right the disrepair, and where appropriate, paying financial compensation. In many cases we also recommend that the council review its policies and procedures to prevent similar complaints arising in future. In roughly 3,000 cases a year we are able to resolve complaints to the benefit of the complainant.

## **Costs**

Inevitably, one of the issues to be considered when deciding whether to submit a complaint to the Ombudsman is whether you can recover your costs. The Legal Help Scheme will usually cover the first two hours' advice, but if the Ombudsman subsequently recommends that the council pay compensation the statutory charge will probably apply. The Legal Services Commission will not fund complaints to the Ombudsman under a legal aid certificate.

However, where we consider that the council has been at fault and this has led to a complainant incurring costs we can and do include reimbursement of those costs as part of a recommended settlement of a complaint.

Our website: [lgo.org.uk](http://lgo.org.uk) contains more information about submitting complaints and the Guide for Advisers goes into some detail about the process. Alternatively, call our consultancy line 0845 602 1983 to discuss the issues.

Helen Reay, Investigator  
Local Government Ombudsman

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## **Immigration News**

### **Immigration, Asylum and Nationality Act**

The Bill finally received Royal Assent at the end of March. The main provisions are to:

- \* Restrict appeals for those refused entry to the UK to work or study. People wishing to work in the UK will be subject to the new Points-Based system for managed migration.
- \* Introduce a new civil penalty scheme for employers. Fines of up to £2,000 for each illegal employee, custodial sentences of up to two years and unlimited fines for those found knowingly to use or exploit illegal workers.
- \* Introduce data sharing between the Immigration Service, police and customs, as part of the e-Borders programme.
- \* Denying asylum to 'terrorists'.

At the last minute, the Government accepted amendments to Clause 43. The new Clause 43 gives the Home Secretary the flexibility to provide extra support (above bed and board) when necessary to cover the other essential items. However Clause 43 also stipulates that Section 4 support cannot be provided in cash and that vouchers will be issued instead.

Many Law Centres lobbied their MPs on the re-introduction of vouchers and there were fierce debates in the Commons. However, the call for cash payments instead of vouchers was eventually lost.

Writing in The Times, Nicholas Blake QC outlined some of the other draconian measures of concern in the Act. He said as an example:

*'Within it are provisions that will allow people who are British citizens by birth who hold dual nationality to be deprived of British nationality and be deported if it is 'conducive to the public good'. This will apply regardless to whether they have had any previous contact with the country of their dual nationality and without the need to have been charged with a criminal offence.*

*This increasing power for the Home Secretary to make decisions that override an individual's fundamental rights, which are protected by national and international law, for the good of the State, is alarming - particularly so if no criminal conviction or objective finding that a person has engaged in terrorist acts is required. The term "conducive to the public good" is very broad. Not only are the criteria for stripping someone of citizenship obscure, but the means by which these criteria are established is unlikely to be fair.'*

The Act will be implemented in stages from June 2006.

## Managed Migration

The Home Secretary announced the new Points-Based system to control migration in March. The scheme is to be complemented with a tougher approach from British Embassies abroad who will be asked to 'weed out' false applications. UK businesses and universities will also have to sponsor migrants and help ensure that those they sponsor adhere to the terms of their visa.

The key elements of the system include consolidating more than 80 existing work and study routes into five tiers:

- Tier One - Highly skilled workers
- Tier Two - Skilled workers with a job offer
- Tier three - Low skilled workers filling specific temporary labour shortages
- Tier Four - Students
- Tier Five - Youth mobility and temporary workers, e.g. working holiday makers or musicians.

Points are to be awarded to reflect aptitude, experience, age and also the level of need in

any given sector. A new Skills Advisory Body will be set up to identify shortages.

The scheme will also involve the consolidation of entry clearance and work permit applications into one single-stage application and the end of employment routes to the UK for low-skilled workers from outside the EU except in cases of short-term shortages.

Managed migration is expected to be implemented in stages, and it is unlikely that the Points System will be introduced before 2008.

## High Court Ruling

Hammersmith and Fulham Law Centre represented nine Afghans in a controversial hearing this month. Sheona York commented, *'After a ten day appeal hearing they were found to have a well founded human rights claim not to return to Afghanistan for fear of reprisals from the Taliban. The Home Office chose not to challenge the decision in the courts, but unlawfully delayed making any decision on granting them leave to remain until they had changed the regulations to allow them not to grant asylum status for an indefinite period,'*

In November the refugees received a letter from the Home Office stating that they would not be given leave to remain. It was this and the delay between the original appeal decision and the change in the regulations that prompted the Law Centre to advise the refugees to bring judicial review proceedings. Ms York said, *'This is unfortunately another example of the Home Office being prepared to ride roughshod over individuals legal and human rights under political pressure. These people were found to be genuine asylum seekers. By failing to grant them any status the Home Office are effectively countenanced a situation in which these people are kept in limbo, not able to work or study, forced to live on asylum support unable to take any steps to improve their lives or make long term preparations to return to their country of origin.'*

Mr Justice Sullivan's judgment was particularly damning of the Government's abuse of power,

*'The issue in this case is not whether the Executive should take action to discourage hijacking but whether the Executive should be*

*required to take such action within the law....it is difficult to conceive of a clearer case of conspicuous unfairness amounting to abuse of power.'*

The Court also accepted the Afghans' argument that the Secretary of State had delayed his decision after the tribunal had found in their favour apparently deliberately in order to change the law so that the Minister would have legal backing for a decision to keep them on temporary admission. Significantly, reflecting the strength of the case and the conduct of the Home Office, the Judge awarded costs on an indemnity basis.

The Government said that they would appeal this decision - a position which they subsequently backed away from. The Judge ordered that the Government grant leave to remain within seven days. At the time of writing the Law Centre is still waiting to hear if this has been done. Not to do so or to apply for a stay pending any appeal, could put the Home Secretary in contempt of court with the possibility of the sanction of imprisonment.

Steve Hynes, the LCF's Director has written an article on this case and the political fall out, for the July edition of the Independent Lawyer.

## CLR Performance Targets

The LCF along with other representatives of immigration practitioners were critical of the LSC's proposal to require all suppliers to achieve a 40% success rate on appeals to the AIT. Law Centres that fail to reach the target will be in breach of contract and will be at risk of not having their contracts renewed next April. At the end of the consultation process, the final decision is to:

- \* Introduce a Performance Indicator for success at the AIT of 40% overall and a minimum of 35% in each of immigration and asylum from 1st October 2006.
- \* Carry out further consultation on the measurement of the Performance Indicator and on the contract sanctions that may be introduced in April 2007 contract, for suppliers failing to meet these sanctions.

- \* Not to re-instate devolved powers to grant CLR to all suppliers, however the LSC may take a pragmatic view, extending the number of suppliers with devolved powers (e.g. those with a performance of 30% or more rather than 40%) from October. LSC will consult on extending the LSC's ability to remove devolved powers as part of the April 2007 contract consultation.
- \* Use the existing devolved powers to distinguish between suppliers being awarded a contract from 1st April 2007, i.e. those that fail to meet the criteria would only be awarded a temporary contract.

Contract documentation for the PI will be issued in mid July. The LSC said in a letter to contract holders dated 19th May, from Paul Newell, the Head of Immigration Policy, that no supplier would fail to get a contract in April 2007 merely because of their success rate at appeal. *'However, whether they retain that contract or have it made permanent will be determined by their performance against the PI from April 2007.'*

## New Asylum Model

The Refugee Council has done a useful briefing on NAM (New Asylum Model) outlining some its likely implications for asylum seekers.

NAM is characterised by three processes: segmentation, fast track processing and case ownership. Clarity about the segments is still awaiting as are other details of the new scheme.

The New Model will remove the statement of evidence form (SEF) process with a decision within 2 months. The first segment of NAM is where the interview takes place on day 5 and a decision is reached on day 11. The Refugee Council comment that this will have implications for asylum seekers' ability to get access to legal advice in time. One of their concerns is the quality of the decisions made and calls for IND case owners to be accredited.

The New Model is likely to impact negatively upon vulnerable people and prevent them from having an opportunity to adequately present their asylum claims. Women may find it difficult to disclose particularly sensitive elements of the

asylum claims in the short time provided. Children may be detained whilst their age is confirmed. Victims of torture may receive insufficient support with the tight time scales and lack of legal representation.

The Refugee Council has made a number of recommendations to the Home Office including:

- \* IND to immediately publish a clear business plan for NAM, outlining its plans for further development, definitions and criteria, and the training and accreditation of staff.
- \* All applicants to have adequate time to seek legal advice and properly prepare their claims prior to an initial screening interview.
- \* All applicants should have legal advice before they are interviewed and throughout the procedure.

The Briefing was written by Richard Lumley at the Refugee Council. Visit: [refugeecouncil.org.uk](http://refugeecouncil.org.uk) for a copy.

The Home Office is developing proposals for the possible test of a new approach to legal and other advice within the asylum process. The proposals involve the front loading of resources at the beginning of the process. Applicants would receive generic advice about the asylum process, possible outcomes and their rights and responsibilities within the process prior to the screening interview and before being referred on to a specialist legal advisor in their place of dispersal. Details proposals are expected in June.

The LSC are hoping to start a New Asylum Model Early Legal Advice Pilot in Solihull in October. If this goes ahead, it would bring attendance at interview back into the scope of legal aid for those authorised by the LSC to provide the service. A formal consultation on proposed changes to the General Civil Contract in October is expected shortly.

## Accreditation Scheme

Our congratulations to the Law Centre worker who was one of the first three to be granted Advanced Caseworker status by the selection panel at the end of March.

The criteria for the advanced level of the scheme have been revised and are available on the Law Society's website:

[lawsociety.org.uk/professional/accreditationpanels/...](http://lawsociety.org.uk/professional/accreditationpanels/) Guidance notes on how to apply for Advanced Casework status together with the appropriate forms are also available. Successful applicants receive a 5% uplift in fees from the LSC.

The Law Society and the LSC have reviewed the scheme since it was set in April 2004 and has produced detailed guidance to accompany the standards. They have also reformatted and represented the standards to assist candidates. The revised standards can be found on the Law Society's website as above. Assessments will continue to be provided by Central Law Training: [clt.co.uk](http://clt.co.uk).

Up until March 2006, 2,350 caseworkers have become accredited including 1,270 at Level 2 and 667 supervisors.

The LSC has recently completed a review of the Work Restrictions of the Immigration and Asylum Accreditation Scheme following consultation with practitioners and in April published a summary of amendments. The Work Restrictions detail the work that the LSC will fund caseworkers and trainee caseworkers at different stages of accreditation to perform, under an Immigration contract. The paper can be found on the LSC website and provides a full list of tasks that Probationers and Accredited Caseworkers may perform. A probationary period for Accredited Caseworkers (Level 1) progressing to Senior Casework (Level 2) has been introduced. All amendments came into force on 30th April.

The LSC are currently updating the full Work Restrictions and operational guidance documents which will be published on their site 'in due course'.

## Law Society - Revised Guidelines

The Law Society's revised guidance on professional conduct in immigration matters is published in Annex 12C of the Guide. New guidance on dealing with retrospective funding for onward appeals also appears at Annex 12F. The Guide Online can be found at: [lawsociety.org.uk](http://lawsociety.org.uk).

## Home Office Gender Guidance

Recent research by the Refugee Women's Resource Project at Asylum Aid, *'Lip Service or Implementation? The Home Office Gender guidance and women's asylum claims in the UK'* found that the Home Office is failing to adhere to its own Gender Guidance. The Home Office adopted the guidance in March 2004.

The study found that decision-makers have a poor knowledge of the Refugee Convention, particularly in relation to women's experiences. They also lacked knowledge of women's situation and status in their countries of origin, which was exacerbated by the generally poor quality of country information provided.

RWRP has launched a three-tier campaign to get the Gender Asylum Policy Instructions (API) implemented. Firstly, they want to persuade the IND to implement its own policy and secondly they want to raise awareness of the Gender AIP among immigration lawyers, who are in a good position to remind IND caseworkers to follow the API and to raise any lack of implementation at appeal. Finally, they believe that women asylum seekers themselves need to know their rights and they are producing multilingual leaflets summarising the Gender API which they hope will enable women to raise any relevant issue with their legal representatives and/or with IND caseworkers.

Copies of their research and the Gender Guidelines are on their website at: [asylumaid.org.uk](http://asylumaid.org.uk).

## Refugee Week

Refugee week takes place between the 19th and 25th of June this year. If you have any events you are planning for that week, you can put them up on the Refugee Council's website in their events diary: [refugeecouncil.org.uk/diary](http://refugeecouncil.org.uk/diary). *Please LCF know too about any events.*

## Re-shuffle

John Reid became the Home Office Secretary of State at the start of May in the Government's re-shuffle. Two weeks later, Tony McNulty was replaced by Liam Byrne as immigration minister. Mr Byrne will now be in charge of the Immigration and Nationality Directorate.

Law Centres Federation

Annual Conference 2006

and AGM

10th and 11th November 2006

Copthorne Hotel Manchester  
Clippers Quay, Alford Quays  
Manchester M50

## Project: London

*Do you need help accessing healthcare? Or do you know people within your community who need some help to access healthcare?*

In January 2006, **Médecins du Monde UK**, a medical non-governmental organisation launched an advocacy project which aims to help people to access healthcare. We help, for example, people to register with GPs, dentists or to access maternity services. Until this is possible, however, a nurse and a doctor are present at every session and can provide short-term healthcare treating most infections and acute conditions. If necessary, the doctor will prescribe some medication which the client will be able to pick up from our pharmacist partner free of charge in Stepney. It is important to understand that Project: London is not an alternative service to a family doctor but is here to help you find one. We also provide information on how the NHS works, the different services available, how to access these services and exemptions from NHS charges. Anyone is welcome to use this service whatever their status and wherever they live. The service is totally free, confidential and independent.

Project: London is a drop-in, *'first-come-first-served'* service (without appointment). It is better though to come early to avoid disappointment.

Project: London runs every Monday and Wednesday (except Bank Holidays) at Praxis, Pott Street, London E2 OEF from 1 to 5pm. Last admission 4.30pm.

During clinic opening hours: 020 8123 6614 or 0797 4616852 For information, call Médecins du Monde office on 020 7516 9103 and visit website: [medecinsdumonde.org.uk](http://medecinsdumonde.org.uk).

## Tribunals Service

The Lord Chancellor, Lord Falconer launched the new Tribunals Service at the Tower of London on 3rd April. The Service has been formed by bringing together the tribunals already administered by DCA with five other tribunals from across Government. These five tribunals are: the Employment Tribunals Service, the Appeals Service, the Mental Health Review Tribunal, the Special Educational Needs and Disability Tribunal and the Criminal Injuries Compensation Appeals Panel.

The new Service published a Framework Document setting out the purpose, vision and values of the single tribunal service. Their Business Plan for 2006-07 sets out the process through which it will go through to develop the service over the next three to five years. This includes developing shared venues and creating a clearing house. The plan sets out a number of key performance indicators, such as a target of 75% as the percentage of single Employment Tribunals cases where the hearing begins within 26 weeks of receipt. Key tasks include producing a plan to rationalise the IT applications currently used by the various tribunals. The target date for this is July 2006.

One of the key objectives is to *'reduce the volume of appeals reaching a full tribunal hearing and to dispose of that do in more effective and efficient ways.'* They report that during the year, they will start two separate pilots to provide the evidence, *'upon which future policy and procedural changes can be based.'* The first pilot will be undertaken jointly with the Legal Services Commission to *'provide customers with enhanced advice'*. The aim will be to develop an innovative and cost-effective mechanism for providing additional or improved information and advice to potential users, with the following objectives:

- \* To inform customers of the options available to resolve their dispute.
- \* To assist customers in making well-informed choice.
- \* To help customers to decide whether their case is worth pursuing, and
- \* To support users in presenting the best possible case.

*'We believe the outcome of this will be fewer cases, but equally importantly, those cases will be better prepared and require fewer adjournments.'*

The other pilot will cover early neutral evaluations, mediation and other alternative dispute resolution methods. The Service also intend to commission research of potential and existing tribunal users.

The Chief Executive of the new service is Peter Handcock. The website for the Tribunal Service is: [tribunals.gov.uk](http://tribunals.gov.uk). There are links there to all the tribunals currently within their remit.

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## Housing News

### Dispute Resolution

In March, the Law Commission published, *'Housing: Proportionate Dispute Resolution: An Issues Paper.'* The review is based on a number of assumptions about how the system works, including quite a few about how Law Centres resolve problems. Fortunately, the authors recognise that they need to have a better understanding of where and how housing problems are solved and acknowledge that those on the front line have the knowledge and experience necessary.

Based upon assumptions about how the system is not working, they suggest possible remedies. The Commission propose that 'a proportionate system for solving housing problems and resolving housing disputes' should comprise of three principle elements:

- (1) 'Triage Plus'
- (2) Non-Court/Tribunal Processes
- (3) Court/Tribunal Processes.

Triage Plus is to undertake three principle functions: signposting, oversight and intelligence gathering. The first role is *'to provide a disciplined means of giving people a fully informed choice of options.'* This is based on a working assumption that few if any providers are currently able to offer this. Providers would operate in a variety of ways: response mode, proactive mode and educational mode. The second function of triage plus is oversight - this would oversee the dispute resolution methods being used locally and nationally. This includes

the triage plus provider being able to take action, *'if a local practice seems to be at variance with the triage plus provider's understanding of the law, it might be desirable for the triage plus provider to be able to take the issue to a court or tribunal for determination.'* The third function is the creation through intelligence, of a knowledge bank.

Under debate is whether Triage Plus requires the creation of wholly new service or whether it could be based on existing services (*or CLACs and CLANS?*). The paper recognises the importance of having providers who understand the area from which the housing problem is coming. Although not a complete solution, the paper also suggests the development of 24 hour telephone advice line (such as CLS Direct), Internet advice, and other media.

The Commission anticipates that the Legal Services Commission will take a lead in determining the details of the scheme. The Law Commission believes that their scheme will result in cost-savings in the civil justice system. One suggested option for funding would be *'to make local Triage Plus providers budget holders. They would act as the gatekeeper of resources for dispute resolution, rather as Primary Care Trusts do the NHS.'*

Chapter 8 looks at specifically at Courts and Tribunals offering an analysis of the pros and cons of both. The paper asks for views on whether the adjudicatory body should be a specialist or generalist and about the desirability of creating a specialist housing jurisdiction. It also asks whether the current civil and criminal jurisdictions should be amalgamated. With regard to legal aid for representation it asks whether, *'appropriate levels of public funding,...when that was needed, could be made available were there to be a concentration of housing dispute resolution in a housing tribunal.'*

In the summary, on the question of housing tribunals, the Report says, *'We acknowledge the need for a formal adjudicatory body to provide authoritative interpretations of the law, hear appeals, and comply with the ECHR requirements for an independent and impartial tribunal. We note their strengths, such as independence, procedures based on transparency and fairness, and the delivery of*

*authoritative, accurate outcomes, but also what some regard as their weaknesses, relating to cost, delay, inequality of arms and the failure to consider underlying issues. Some people for called for a specialist housing court or tribunal.'*

The LCF has joined the Law Society, Shelter, Housing Law Practitioners Group and others to hold a debate about the proposals. Martin Partington from the Law Commission will be attending as well as Jan Luba. It hoped that the debate will allow us to identify areas where we share common concerns. There will be a specific group for not-for-profit housing lawyers chaired by Steve Hynes, our Director.

**The conference takes place at the Law Society on 30th June starting at 9.00 and continuing until 1.00 p.m. All housing workers welcome. See Flyer enclosed.**

The closing date for responses to the proposals is 11th July.

## Renting Homes

The Final Report from the Law Commission was published this May along with a draft Bill. The Report proposes two radical changes to the legislative approach to the regulation of rented housing. Firstly, it recommends the creation of a single social tenure and secondly, a new *'consumer protection'* approach. *'This focuses on the contract between the landlord and the occupier (the contract holder) incorporating consumer protection principles of fairness and transparency. Thus our recommended scheme does not depend on technical legal issues of whether or not there is a tenancy as opposed to license.'*

The Report recommends that before making a possession order, *'judges will be required consciously to balance the interests of those threatened with eviction against the interests of the landlord, and indeed of other occupiers who have paid the rent on time.'* It covers the issue of security of tenure, saying that they believe it is best addressed by focusing on the contractual rights between the parties rather than statutory rights. There will be two classes of grounds on which a landlord may terminate a contract and seek an order for possession from the court: discretionary grounds and mandatory grounds. The discretionary grounds are breach of

contract and breaches of state management (such as redevelopment grounds, special accommodation grounds and under-occupation grounds).

*Essential reading for all housing workers.*

## 'Suspended Possession' Orders

Robert Latham from Doughty Street Chambers has provided guidance on the use of Form N28. He advises that as a result of the Court of Appeal decision in *Harlow DC v Hall* (2006) EWCA Civ 156 (28th February 2006), the current court form N28 introduced in March 2002 should not be used. *'The effect of the judgment is that any tenant against whom a suspended possession order has been made since March 2002 and is still in occupation will now be a 'tolerated trespasser'. Practitioners should make an application under s.85(2) to specify a new date of possession which is to be postponed upon specified conditions relating to the payment of the current rent and instalments towards the arrears.'*

Gareth Mitchell at Pierce Glynn writing in *New Law Journal* in May said that *'county courts should now know to avoid using the January 2002 version of the form N28 in secure tenancy cases following an emergency briefing by the HMCS on 17th March'*.

The article provides two examples of the wording for postponed possession orders. Orders drafted using the wording in the second example provides more advantages for the tenant. This reads:

### Postponed possession with termination on application

- \* The defendant shall give the claimant possession of (the premises).
- \* The date on which the defendant is required to give up possession be postponed to a date to be fixed on application by the claimant; no such application to be made unless the defendant fails to comply with the payment conditions.

Further guidance about the appropriate wording of postponed possession orders (the term 'suspended possession orders' is to be abandoned) may come from the Court of Appeal

later this year when it considers two appeals against N28 possession orders made in Bristol county court. The author recommends *'until then, practitioners should review past files and their advice to former secure tenants against whom Harlow DC v Hall type order have been made, while ensuring that, in future, all possession orders are drafted to avoid the pitfalls'*.

The Housing Law Practitioners Association (HLPAs) has asked housing workers to report any development on its discussion forums accessible on: [hlpa.org.uk](http://hlpa.org.uk).

## Rent Arrears Protocol

The Civil Justice Council has recently published their post-consultancy summary of responses to their consultation paper published last June. Copies of the report can be downloaded from the CJC website at: [civiljusticecouncil.gov.uk](http://civiljusticecouncil.gov.uk). On approval by the Civil Procedure Rule Committee, the Pre Action Protocol will then come into effect either in October 2006 or in April 2007.

## Social Housing Regulations

The Government has issued new amending regulations to restrict the right to council housing and homelessness assistance in England for people from abroad. The regulations came into force on 20th April and are designed to *'ensure that nationals from the EEC who do not have the right to reside in the UK are not eligible for assistance. This will close the loophole arising from a recent Appeal Court ruling (London Borough of Brent v Abdi and Ismail) which found that the applicants, who were economically inactive EEC nationals, were subject to immigration control as they did not have the right to reside in the UK under European law.'*

## Gypsy/Traveller Sites Tenancy Agreements

Chris Johnson from the Travellers Advice Team at the Community Law Partnership in Birmingham has published a good practice guide on licence agreements. Chris argues that as all Local Authorities are public bodies they are accordingly required by the Human Rights Act 1998 to act compatibly with the Convention. He quotes the Connors case (*Connors v UK*),

where the European Court held that it was incompatible under Article 8 to evict a Traveller family on 28 days notice because the Council had failed to establish proper justification. Chris believes that Local Authorities are obliged to include security of tenure in any new licence agreement. This policy was adopted by Oxfordshire County Council in July 2005. Their agreements bring in security of tenure as well as making clear the council's repairing obligations and bringing in a right to succession.

The Travellers Advice Team are interested in hearing about any eviction cases. Visit their site at: [gypsy-traveller.org/law/tat](http://gypsy-traveller.org/law/tat). Or call 0121 685 8595.

Travellers' Time has published a Planning Guide for Gypsies and Travellers. Visit: [travellerstimes.org.uk](http://travellerstimes.org.uk) for further information.

## CRE Report

The Commission for Racial Equality has recently published their inquiry, '*Common Ground on equality, good race relations and sites for Gypsies and Irish Travellers*'. In the first appendix of the report is a list of recommendations. There are 86 in all, aimed at government, local authorities, the police, parish councils, inspectorates, other organisations and the voluntary sector. For the voluntary sector, they recommend that independent funding bodies should consider the importance of including Gypsies and Irish Travellers in initiatives to promote equality and social integration when allocating funds and that voluntary organisations should make Gypsies and Irish Travellers part of their mainstream work, nationally and locally.

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## Employment News

### Employing people with Criminal Records

The LCF has received some queries recently from Law Centre about applying to the CRB (Criminal Records Bureau) for the disclosure of criminal records. Following members concerns, the LCF is investigating the issue and hope to issue some specific guidance soon.

In the meantime, new guidance has been issued by the Chartered Institute of Personnel and Development on the employment of workers with criminal records. The CIPD encourages employers to make objective assessments, to adopt an open mind and to focus on merit and ability to do the job.

The guidance describes the three different levels of checks as outlined in the Policy Act 1997: Basic Disclosure, Standard Disclosure and Enhanced Disclosure.

*Basic Disclosure* is issued to individuals who will be able to choose to show it to employers. These have not yet been issued.

*Standard Disclosure* is available for posts or purposes which are exceptions to the ROA (Rehabilitation of Offenders Act). Groups include those involved regularly with children, young people, the elderly, sick or disabled, administration of the law and other sensitive areas.

*Enhanced Disclosure* is available for those applying for positions involving regular care for, training, supervising or being in sole charge of young people.

The guidance says that blanket exclusion policies should be avoided. It outlines some of the issues to consider. These include:

- \* An examination of circumstances leading up to an offence.
- \* Repeat offences.
- \* The length of time since the offence(s) took place.
- \* The nature of the job, workplace environment, exposure to money, property and vulnerable people.
- \* The extent of job supervision.
- \* An individual's attempt to 'go straight'.

The London Voluntary Services Council has also published guidance on developing a policy for safeguarding children and vulnerable adults. The paper offers good practice guidance including drawing up protection policies.

The Government introduced a Safeguarding Vulnerable Groups Bill in the House of Lords in February. This seeks to introduce a Vetting and

Barring Scheme. It will focus on the types of work which give greatest potential for abuse, which can be determined by type, frequency and context of the contact, and particularly whether the type of contact puts the adult in a position of trust. Implementation of the new scheme will begin in 2007, but the bulk of the systems required to support the vetting and barring scheme will be put in place in 2008.

Some useful websites: [crb.gov.uk](http://crb.gov.uk), [cipd.co.uk](http://cipd.co.uk), [lvsc.org.uk](http://lvsc.org.uk), and [everychildmatters.gov.uk](http://everychildmatters.gov.uk). Sandy Adirondack has also updated her Voluntary Sector Legal Handbook. The updates on are on her website: [sandy-a.co.uk](http://sandy-a.co.uk). Legal Update 616 published on 1st May 2006.

## Age Discrimination

The final draft of the Employment Equality (Age) Regulations 2006 was published in March. The draft regulations protect job applicants, employees, contract workers and directors from discrimination during the recruitment, training, and employment on the grounds of age. Employers can claim that the treatment is objectively justified. This requires showing that it is a proportionate means of achieving a legitimate business aim.

A legal default retirement age of 65 is specified. Compulsory retirement at or over 65 will be permitted as long as the dismissal is fair. The regulations introduce a new right to request not to retire. Employees wishing to continue working must make a written request three to six months before the intended retirement date where the date is on or after 1st April 2007.

The upper age limit for bringing an unfair dismissal claim is to be removed together with the taper down compensation rule for those over 64. Retirement will be a new and 'potentially' fair ground for dismissal. With regard to redundancy dismissals, 'Last in, first out' selection criteria will probably be indirectly discriminatory against younger workers and would have to be objectively justified by the employers.

These are just some of the highlights. The TUC has produced a briefing on the Regulations. In their conclusion they say, *'the uncertainty surrounding the validity under EU law of the many exclusions in the Age Regulations will inevitably lead to a number of test cases, and a*

*delay of some years before the scope of the law in this area is established.'*

## Rutherford appeal dismissed

This month, the House of Lords dismissed Mr Rutherford's appeal in *Rutherford v DT* - a case that began in a Law Centre several years ago. Mr Rutherford was over 65 and wanted to claim unfair dismissal, but was prevented by ERA 1996 s109 (the upper qualifying age). The hundreds of claims brought by the over-65s, which were stayed by tribunals will now be dismissed.

## Sexual Orientation

The DTI's Women and Equality Unit published a consultation in March on *outlawing discrimination in the provision of goods and services*. The Equality Act 2006 includes a power that allows the Government to prohibit discrimination on the grounds of sexual orientation and the Government hope that their proposals will take effect from October 2006. The consultation ends on 5th June. Website: [dti.gov.uk/publications](http://dti.gov.uk/publications).

Stonewall has published a second edition of *guidelines for employers on the Employment Equality (Sexual Orientation) Regulations*. The guide includes useful information on recruiting and selecting fairly, tackling workplace bullying and harassment, managing performance, etc. It also includes advice on service delivery, details of legislation and sample policies and a diversity checklist. The guidance is at: [stonewall.org.uk](http://stonewall.org.uk).

## Sex Discrimination

The EOC has published statistics showing that there has been a quarter of a million ET cases of sex discrimination and 67,000 related to equal pay in the 30 years since the Sex Discrimination and Equal Pay Acts came into force, with record numbers filed over the last 5 years. The EOC is calling for a new approach to deal with these cases including private and voluntary sector employers having to take active steps to promote sex equality. *'Prevention is always better than cure, and when it delivers business benefits too, it should be considered as an approach.'* EOC say, *'While there will always be a need for some legal redress for individuals, an approach that reduces the number of cases needed in the first place would bring benefits to both employers and employees... The average*

*cost of legal advice and representation for individuals is £4,400, while employers spend an average of £5,800 on legal costs for their defence, not including staff time. Many individuals are put off from taking cases, resulting in discrimination going unchecked. An EOC investigation found that seven in ten pregnant women treated unfairly by the employer suffer in silence and do not take any further action.'*

The EOC have found that minority women are more vulnerable to sex discrimination.

## Race Discrimination Success

**Croydon and Sutton Law Centre** recently assisted Mr Shujaat Husain in a Remedy Hearing following a finding by the Employment Tribunal that the Chief Constable of Kent had racially discriminated against him. The Ashford Employment Tribunal ordered that the Chief Constable pay Mr Husain £65,000 in damages, including £25,000 for inquiry for feelings, £4,000 in aggravated damages and £5000 exemplary damages.

The tribunal also recommended that the chief constable apologise to Mr Husain and formulate an action plan with assistance from the Commission for Racial Equality *'with the aim of preventing any repetition of shortcomings relating to the recruitment process which occurred in this case.'*

The tribunal found that the chief constable had racially discriminated against him in respect of:

- 1) Rejection of his job application in April 2000.
- 2) Depiction of him as a criminal who should be arrested and criminally prosecuted.
- 3) Perfunctory investigations made into his background by the Chief Constable.
- 4) Contamination of his application for employment with another police force.

This was a very serious case of race discrimination as is demonstrated by the award of exemplary damages, which superior court authority states should only be awarded for *'arbitrary and outrageous use of executive power'*.

Mr. Husain acted as a litigant in person advised and assisted by the Law Centre under the Legal Help scheme in relation to the award. For more details and a copy of the judgement please contact Lisa Connerty at the Law Centre.

## Success at Work

The DTI has published, *'Success at Work - Protecting vulnerable workers, supporting good employers'*. The Government's proposals include identifying ways to simplify employment law by reviewing discrimination law, redundancy payments and dispute resolution procedures, as well as reducing compliance burdens for small businesses. A *'vulnerable' worker* is defined as someone *'working in an environment where the risk of being denied employment rights is high and who does not have the capacity or means to protect themselves from abuse. Both factors need to be present.'* The paper proposes to pilot new partnership approaches to help vulnerable people. *'The pilots bring together the agencies best placed to reach and help the vulnerable, tackling workplace problems in a concerted effort to improve the position of vulnerable workers in specific areas of the labour market'*.

There is a section on ensuring workers are aware of their rights, which mention the advice sector, saying, *'We recognise that some sections of the community can find information and advice service inaccessible. We are looking at how we can best deliver information about employment rights to these communities so that it meets their needs'*.

The DTI say that they will be targeting enforcement of the national minimum wage. It is being trailed this year in the **hairdressing sector**. Awareness raising is to be followed by an enforcement drive, encouraging workers paid below the minimum wage to come forward, and with Her Majesties Revenue and Customs (HMRC) minimum wage compliance officers visiting employers they suspect of non-compliance. From April 2006, repeat offenders were subject to criminal prosecution.

## Gangmaster Licensing

The Gangmaster Licensing (Exclusion) Regulations and the Gangmaster (Appeals) Regulations were laid before parliament in March. Applications from the Gangmasters

Licensing Authority for most licenses began on 6th April. Licenses must be held by anyone supplying labourers to work in agriculture or food processing and packaging.

It is expected that it will become an offence for gangmaster to operate without a license from 1st October and that it will become an offence to use an unlicensed gangmaster from 1st December 2006.

## Equality News

### Equalities Review under scrutiny

The Government set up an independent review team headed by Trevor Phillips to investigate the causes of discrimination and inequality in society. The team has now published their interim report which aims to provide practical recommendations on key policy issues. It is also charged with providing information to help modernise all equality legislations, towards creating a Single Equality Act and the development of the new Commission for Equality and Human Rights.

The LCF attended a consultation meeting in May where many expressed their concern about the report. The Greater London Authority has published a response saying specifically that the report's analysis and proposals:

- \* Fail to outline a course for tackling inequality and discrimination.
- \* Represent an inadequate and narrow approach to inequality.
- \* Omit important areas of inequality from its consideration and elevates the significance of factors such as personal 'choice' and culture above discrimination in creating patterns of inequality.
- \* Makes prior assumptions about costs and limited resources that set equality up as a drain rather than a gain and hold potential implications for both public service provision and resources directly for statutory equality bodies.
- \* Fail to draw the balanced and comprehensive picture necessary to inform proposals for a Single Equality Act, and make practical recommendations and inform new equality legislation and institutions.

The GLA and others believe that the report is fundamental flawed and does not meet the remit set for the Equalities Review. It is said to undermine the steps forward in acknowledging structural inequality and discrimination.

The Review Team has asked for responses by 5th June. The LCF is drawing up a response to the consultation, which is being led by the SORBAEE Project Steering Group. **If you would like to feed into the LCF's response, contact Savita, SORBAEE project Manager at the LCF. Telephone: 0207 121 3320 or email: Savita@lawcentres.org.uk.**

The website address for further information is: [theequalitiesreview.org.uk](http://theequalitiesreview.org.uk).

In parallel with this Review, the Department of Trade and Industry's Discrimination Law Review is taking forward the development of a '*simpler, fairer legal framework*'. A Green Paper is expected this summer.

### Law Centres' Employment Email Group

The SORBAEE (Sexual Orientation, Religion or Belief and Age Employment Equality) Project Steering Group have requested that the LCF set up an email list so that Law Centre employment workers can share good practice and news on equality cases, and ask for each other's help on difficult cases. This list is a temporary measure, as the LCF's new website which is being launched later this year, will have an email bulletin board on employment issues. People who have responded to requests for information made by the SORBAEE Project or attended the project launches should be automatically put on this list.

The list became operational on 9th May. If you have not received an introductory email by then and would like to be included please email Savita at [Savita@lawcentres.org.uk](mailto:Savita@lawcentres.org.uk)

The SORBAEE Project held two launches at the end of March, one in London and the other in Manchester. In the first SORBAEE Newsletter, it was reported that both events were well attended with around 20 people at each launch.

## 'Ethnic Penalties'

The Department of Work and Pensions has published a report which measures national and local labour market circumstances of ethnic minority populations and '*ethnic penalties*' - the inequalities between people of the same age, qualifications and other characteristics. Ethnic minority groups born in the UK on average gained higher qualifications than their overseas-born parents. An '*ethnic penalty*' remains when comparing the labour market outcomes of different ethnic minorities who have the same age, qualifications and a range of family characteristics. This penalty means greater unemployment for Indian, Pakistani, Bangladeshi and Caribbean men, and even more so for those born in the UK.

Disadvantage was evident in all types of area and the report said that there was still a need for policies to address discrimination. They recommend that policies should focus on particular populations throughout Britain rather than only target areas. The report can be downloaded from: [dwp.gov.uk/asd/asd5/rrs-index.asp](http://dwp.gov.uk/asd/asd5/rrs-index.asp).

## Gender Quality Duty

The Women's Resource Centre has published their response to the EOC consultation on the draft Code of Practice. Their response looks at systematic discrimination and institutional sexism and recommends that the Code includes an analysis of both. It talks of an integrated approach to equality. '*Intersectionality is the recognition that different equalities categories intersect with each other. People have multiple identities, which impacts upon their experiences of discrimination.*' The response lists many recommendations for change, covering procurement, gender impact assessments, implementation and sanctions, gender training and resourcing.

The Gender Duty is due to come into force in April 2007. It places a positive duty on public sector employers to actively promote equality in employment practices and the delivery of goods and services.

## Department for Communities and Local Government

The DCLG is a new Department created by the Prime Minister this May. The Department is headed by Ruth Kelly MP and among its many tasks, it will be the sponsoring department for the Commission for Equality and Human Rights. The Department's remit is to promote community cohesion and equality, as well as having responsibility for housing, urban regeneration, planning and local government. The Women and Equality Unit is being moved from the DTI to the DCLG and the Department will be responsible for equality policy on race, faith, gender and sexual orientation. Policies on disability and age equality will however, remain with the Department for Work and Pensions.

Ruth Kelly has also been appointed Cabinet Minister for Women, supported by a paid Parliamentary Secretary for Women and Equality. Hilary Armstrong MP has been appointed as the Cabinet Minister for Social Exclusion, based in the Cabinet Office and will be responsible for the voluntary and community sector. (see also page 26)

## Disability Rights

### Expansion of Disability work

On the 1st of December 2005 an agreement was signed between the Law Centres Federation and the Disability Rights Commission worth an estimated £1.4 million for the Law Centres Federation to provide a case work service on a regional basis through Law Centres and provide a higher national and local profile particularly in relation to Part III of the Disability Discrimination Act.

The project is currently set to run until September 2007 with a possibility of continuation subject to funding. The strength of this project's timeline is the overlap with the establishment of the Commission for Equalities and Human Rights in October 2007. This 'pilot' created between LCF and the DRC should leave a strong legacy and a benchmark for the new commission to live up to.

The overall aims of the Disability Rights Project are to provide a casework service while promoting the awareness of disability rights law

specifically disseminating information pertaining to Part III of the DDA (goods and services).

The promotion of the Social Model of Disability has to be at the forefront of all the work carried out within the disability field. People on the whole need to realise their part in the making of an inclusive society, which is why the development aspect of the Disability Rights workers roles is paramount, by offering training to organisations and detailing 'reasonable adjustments'. Often organisations don't realise how little they actually have to do to make a significant change.

Approximately one in five of the adult population (10 million people) has a disability or suffers from a long term illness. In the 10 years since the Disability Discrimination Act has been in affect, the Law Centres Federation estimate that only a couple of hundred Part III cases have been brought to tribunals.

A team of highly experienced Disability Rights Workers have been recruited in Law Centres across England with the Project Worker at LCF to provide development support, coordinate the evaluation of the project and work on ensuring continuation of funding. The Disability Rights Workers are suitably located to continue work at a regional level. In partnership with Disability Rights Commission's Helpline and the Conciliation Service they will deliver a highly successful national service ultimately aimed at influencing local and national social policy on disability issues.

We would greatly appreciate any support Law Centres feel they can give throughout the duration of this project. All Law Centres are therefore encouraged to put forward any Part III cases they receive to the regional Disability Rights Workers.

Disability Rights Workers are operating from the following Law Centres. Contact details are:

### Avon & Bristol

Angela Truell 0117 924 8662

### Camden

Jennifer Ball 020 7284 6525  
jennifer@cclc.org.uk

### Chesterfield

Tony Ashwell 01246 550 674  
clc@chesterfieldlawcentre.org.uk

### Coventry

Tim Astley 024 7625 3174  
tim.astley@covlaw.org.uk

### Disability Law Service

Jocelyn Murphy 020 77919800  
joce@dls.org.uk

### Gateshead

Norman McDermott 01914408586  
info@glclaw.org

### Kirklees

Nina Stansfield 01924 868 146  
nstansfield@kirkleeslc.org.uk

### Leicester

Gillian Carpenter 0116 242 1166

### Luton

Baljinder Judge 01582 481 000  
bjudge@lutonlawcentre.org.uk

### Newcastle

0191 230 4777  
Angela Hamilton  
angelahamilton@newcastlelawcentre.co.uk

### Rochdale

Michael Fenton 01706 657 766

### Sheffield

0114 273 1888  
Sohagi Patel and Carl Beresford  
sohagi@slc.org.uk & carl@slc.org.uk

### South West London

Bibiana Martial 020 7585 0716  
bmartial@battersealawcentre.fsnet.co.uk

### Trafford

Heather-Anne Smith 0161 872 3669  
Heather.smith@traffordlawcentre.org.uk

Busayo Akinyemi

LCF Disability Rights Project Worker  
020 7121 3323

## Definitions of Disability

The Government has published new guidance about the definitions of disability in the Disability Discrimination Act. The Government says that the guidance is primarily designed for adjudicating bodies which determine cases brought under the Act but that it is 'also likely to be of value to a range of people and organisations as an explanation of how the definition operates.'

This revised guidance was issued by the Department for Work and Pensions on 29th March and revokes all previous guidances. It came into force on 1st May 2006.

## DRC Formal Investigation

The DRC has just started their first formal investigation into public sector fitness standards. The twelve month investigation will look into how training, qualifying and working practices within the teaching, nursing and social work professions may be posing challenges to the entry and progress of disabled people.

By focusing the formal investigation on regulated occupations within the public sector, the DRC will be able to use the Disability Equality Duty to add weight to its recommendations. The DED comes into effect on 5th December 2006 and will have a major impact on providers of health, education and social care services. These professions will have to show how they are proactively promoting equality for disabled people.

The investigation has three elements:

- \* An analysis of the legislative and regulative frameworks and associated legal cases.
- \* An investigation of how decisions are made about whether people are considered fit to train and work in teaching, nursing and social work.
- \* Research on the issue of non-disclosure of impairments and long-term health conditions.

## Deaf and Hard of Hearing People

On 1st May, RNID published the results of a survey to mark Deaf Awareness Week. They found that only 63% of deaf and hard of hearing people of working age were in employment, compared to 75% of the national work force. Over half of those surveyed cited '*attitude of employers*' as one of the main barriers preventing them from finding employment. Respondents also felt isolated at work and many found it difficult to communicate with their work colleagues. 75% felt that the situation would be improved if their employer provided Deaf Awareness Training to their staff.

RNID's Employment Training and Skills Service supports deaf and hard of hearing job seekers and employees with all aspects of employment. It also works closely with employers to ensure people are treated equally in the workplace.

They also provide Deaf Awareness Training to any business and offers advice on how to overcome barriers. Visit: [rnid.org.uk](http://rnid.org.uk) for further information.

## Incapacity Benefits and Work

New regulations came into force on 10th April permitting people to undertake some part-time, paid work while continuing to receive incapacity benefits. The regulations create a new category of permitted work. This will enable people who are exempt from personal capability assessments to work for up to 16 hours a week for less than £81.00 a week.

Further details are in the Social Security (Incapacity for Work) Amendment Regulation 2006 (SI.No.757/2006).

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## Education News

### Education and Inspection Bill

The Children's Legal Centre has published an article on the proposals in the Bill that are most likely to impact on children. Some of the issues highlighted were:

- \* The imposition of a new duty on local authorities to make arrangements to establish the identities of all children in their area who are of compulsory school age, and not registered pupils at a school, and not receiving suitable education in some other way.
- \* The imposition of a duty on local authorities to provide free home and school transport for an '*eligible child*'. Enforcement of the duty however will be difficult as there are no powers included in the Bill. The only option would be an application for judicial review or a complaint to the Local Government Ombudsman.
- \* The introduction of a new defence to parents when they are prosecuted for the failure of a child to attend school because the school is not within walking distance and the authority have failed to provide transport.

- \* The extension of a school's power to impose a '*disciplinary penalty*' when the a child is off school premises and when the child is not under the lawful control or charge of a member of the school staff. This could lead to the unjust imposition of penalties where the circumstances are unclear. The author quotes Article 8 of the ECHR which gives children the same right to privacy and family life as adults.
  - \* The power to discipline children has a statutory footing. Penalties can be imposed providing they are not in breach of a statutory requirement or prohibition and it is reasonable in all the circumstances. A reasonable penalty should be a *proportionate punishment* in the circumstances of the case and any special circumstances relating to the pupil such as age, special educational needs or religious requirements. Again the Bill does not provide for a means to challenge a proposed disciplinary penalty.
  - \* The Bill gives schools the power to impose *out of school hours detentions* on pupils. This could include Saturdays and Sundays. The article draws attention again to Article 8 and the child's and parents' right to privacy and family life.
  - \* Clause 80 confers on schools the right to use '*such force as is reasonable in the circumstances*' to prevent a pupil doing or continuing to do something which amounts to a criminal offence; is causing injury to, or damage to the property of any person, or is prejudicing the maintenance of good order and discipline in the school. Force may be used against children under 10 years old when the behaviour falls into one of three categories.
  - \* Members of staff are legally entitled to seize, retain or dispose of pupil's belongings as a disciplinary penalty.
  - \* Clause 87 imposes a new duty on schools to provide suitable full-time education to fixed-term excluded pupils. However there is no indication of any additional resources will be provided to schools. Clause 88 covers the duty of a local authority to educate permanently excluded pupils. The Bill however, does not include any provision for the enforcement of the duty. Pupils left without suitable education would have to make an application for judicial review or submit a complaint to the Local Government Ombudsman.
  - \* Parents under Clause 90 are to have a duty to *keep excluded children out of public places during normal school hours*. If a parent fails to fulfill this duty they commit an offence. Unless they can show reasonable justification for the failure, they will be subject to a level 3 fine. This appears to be unworkable. The wide definition of public place means that parents would have only two alternatives: to keep children at home and remain there with them, or accompany them at all times when in public. This restriction on liberty could amount to a breach of child's human rights.
  - \* Clause 91 requires a head teacher to serve a notice on the parent when excluding a child for a fixed-term or permanently. If notices are not given in the correct form, parental responsibility under Clause 90 may be not be implemented.
  - \* Clause 94 gives the *police powers to remove excluded children found in public places* to designated premises - usually to the supervision of the local social services department. The author comments that this is the first step to treating school exclusions as part of the criminal justice system. There may be issues of breaches of young people's right of freedom of expression, and their right not to be subjected to inhumane or degrading treatment.
- The Bill overall proposes a substantial increase in the powers of schools and authorities to penalise pupils and parents. However it does not contain effective remedies for the pupils and parents if those powers are misused.

## Welfare Rights News

### Review of the need for welfare rights advice

A report commissioned by the National Association of Welfare Rights Advisors found that there is a continuing strong demand for *'effective, accurate and authoritative non-governmental welfare rights advice services'*. Potential claimants continue to face multiple barriers to take-up, including the complexity of the benefits system, reluctance to divulge sensitive information, lack of awareness to entitlements and wariness of the claiming process itself. Mental health users are more likely to find the complexity of the tax and benefits system overwhelming and certain minority groups, such as older women of South Asian origin show less awareness of their entitlements than others. In such cases, clients may be those least likely to make use of traditional services. *'This may be due to awareness issues and/or lack of contact with the arms of the state that might put them in touch, or health difficulties that make the environment (crowded waiting rooms, queues) of the services are unsuited to their needs.'*

The paper says that the increasing use of welfare rights advice services in primary care has developed partly as a response to the importance of delivering services which will engage *'hard to reach'* groups. The research they say broadly indicates that they have met with some success. The most successful services tended to be ones where other health workers were fully supportive of the initiatives and the welfare rights advisors became an integral part of the health unit, with other health care staff aware of appropriate clients to refer on to them.

This is an interesting report and full of useful statistics and a long list of all the literature referred to in the study.

The Benefits of Welfare Rights Advice: A Review of the Literature by Jay Wiggan and Colin Talbot was published in April 2006.

### Jobseekers Mandatory Activity

This new programme is being rolled across England, Scotland and Wales. It is aimed at people aged 25 and over who have been

unemployed and receiving benefit continuously for six months. It will be piloted in 10 Jobcentre Plus districts for a two year period. Claimants will receive a three-day intensive work-focused course and will leave with an action plan. They will continue to have fortnightly interviews with Jobcentre Plus advisers to build on the action plan and job search skills.

### Independent Living Funds

The Government has increased the financial help for some severely disabled people wishing to live independently in the community. The maximum weekly payment from the Independent Living (1993) Fund will increase from £420 per week to £455 per week and from the Independent Living (Extension) Fund from £715 per week to £785 per week.

Further information on the Fund's website: [ilf.org.uk](http://ilf.org.uk).

### Debt Relief Orders

The Government has proposed a new type of bankruptcy aimed at people who are less than £15,000 in debt, and have less than £300 in assets and less than £50 per month available income after they have met all their essential expenditure. Like bankruptcy, people will be discharged within a year and, with a few exceptions, any remaining debts will be written off. It is intended that the debt relief order will be much cheaper than bankruptcy.

Citizens Advice have been lobbying the government to place the new remedy onto the statute books as soon as possible. This follows their recent research showing that more people are sinking deeper into debt and condemning them to a lifetime of poverty.

#### Law Centres Federation London Unit

We had a small surplus in the ChangeUp Budget and have invested in some equipment that Law Centres can borrow, if you want to do a presentation at AGM's, training etc.

Items are:

**Data Projector**

**Laptop**

**Portable Hearing Loop**

You would need to collect & return if you want to borrow them.

## Shorts

### Office of the Third Sector

The Cabinet Office is now responsible for social enterprise and the voluntary and community sector, having taken over these functions from the Active Communities Directorate in the Home Office and the DTI.

The Office of the Third Sector will be led by the new voluntary sector Minister, **Ed Miliband** who will be co-ordinating the Government's approach. In March, the House of Commons Committee of Public Accounts published their 32nd Report on *Working with the Voluntary Sector*. Some of the recommendations included the setting up a centre of expertise in voluntary sector funding, work to promote the concept of a lead funder and the consolidation of funding streams. It also recommended that Departments should provide longer term funding arrangements and that monitoring should be proportionate to the level of funding. The Treasury has set up an **Office of Charity and Third Sector Finance** earlier this year to act as a policy and strategy network within the Department. (Also see *Treasury Guidelines on page 27*)

On 15th May, the Treasury and the Cabinet Office launched the *Third Sector Review* looking at the role of the third sector in social and economic regeneration. They have organised a series of consultation events in June and July across the county. Details of the events are on the NCVO website: [ncvo-vol.org.uk/policy](http://ncvo-vol.org.uk/policy). For bookings you need to email: [vcs.rsvp@hm-treasury.gsi.gov.uk](mailto:vcs.rsvp@hm-treasury.gsi.gov.uk).

### Social Exclusion

The Cabinet Office also took charge of the Social Exclusion Unit which was previously located in the Office of the Deputy Prime Minister. Hilary Armstrong MP is the newly appointed cabinet level Minister for social exclusion. Two other Ministers with responsibilities for social exclusion are the Secretary of State for Communities and Local Government, Ruth Kelly MP and the Under Secretary of State at the Department for Constitutional Affairs, Vera Baird MP.

## Local Government

A White Paper on local government reform is expected in the summer followed by the Lyons Report some six months later. The White Paper will be a drive towards neighbourhood governance and strengthening city-regional collaboration. Sir Michael Lyons is leading the Inquiry into Local Government. He believes that increased devolution will provide a more efficient system, better meeting the needs of local people and the nation as a whole. His role is to advise on finance, and in particular the balance of funding, where almost 80% of funding comes directly from the Treasury. Tony Travers from the LSE has been lobbying for radical change and said recently, *'Whitehall must scale back the use the targets and regulation currently used to oversee all aspects of local government provision. Virtually no one believes that the present regime of mass targets and overlapping regulators can be retained for much longer.'* There is likely to be lively debate during the coming months. NCVO are conducting a consultation on the issues we face. It can be found at: [ncvo-consult.org.uk/survey](http://ncvo-consult.org.uk/survey).

## Dignity Guardians

The Care Service Minister announced this new group at an *Action on Elder Abuse* Conference in March. It will include representatives from Help the Aged, Age Concern and Action on Elder Abuse and Which ?. The council will report to the Minister ahead of a national consultation to changes to the National Minimum Standards in care homes and the publication of the second phase of the Older People's National Service Framework. The National Minimum Standards are likely to be out for consultation in June.

The report published by Action on Elder Abuse found that almost a third of adult victims are abused in their own homes and 20% abused by a carer, partner or family member. Out of 639 reports of abuse received, 188 cases took place in residential care homes.

## Mergers

The National Council for Voluntary Organisations (NCVO) has published a **Model for Mergers**. It is one of a series of models covering the different ways voluntary and community organisations can work together. It

outlines how organisations handle the merger process and describes good practice in key areas. It describes *full mergers* and a *group structure*. In a *group structure*, a parent organisation governs a group of subsidiary organisations which retain their own legal identities.

The guidance gives an example of a group structure. *'This is where Organisation A becomes a holding company for Organisation B. This structure can be used to maintain the services Organisation B provides while protecting Organisation A from any associated risks arising from Organisation B by creating a "firewall" between the organisations. There may be some transfer of senior staff, assets or project, but Organisation B continues to operate as a separate legal body, albeit one controlled by the trustees of Organisation A. The relationship may continue indefinitely or may be an interim stage prior to full merger.'*

The paper usefully includes information about the process and about the issues to be considered, including TUPE (Transfer of Undertakings Regulations).

The Model was written by James Sinclair Taylor, head of the Charity Unit at Russell-Cooke Solicitors. Another guide has also been published by ACEVO on *Managing Mergers* (£15.00).

The NCVO website is: [ncvo-vol.org.uk/collaborativeworkingunit](http://ncvo-vol.org.uk/collaborativeworkingunit). ACEVO is at: [acevo.org.uk](http://acevo.org.uk).

## Procurement Directives

The Public Law Project has prepared basic guidance on how the European procurement directives work for voluntary sector organisations tendering for contracts with local authorities.

The guide provides background to the tendering process rules, the EU directive and regulations and which contracts these apply to and what rules apply. It also covers how to challenge a procurement decision, key issues and the system works in practice.

The report updates readers on the Public Contracts Regulations 2006 that came into force on 31st January and implement the new EU Public Sector Directive.

## Identity Cards

The Identity Cards Bill received Royal Assent on the 1st April and created a new *Identity and Passport Service*, bringing together the Home Office Identity Cards Programme and the UK Passport Service. The IPS is to work closely with the Home Office's Immigration and Nationality Directorate, UK Visas and the Foreign and Commonwealth Office to operate the National Identity Scheme. The National Identity Scheme includes the establishment of a National Identity Register. By the end of next year, the IPS want to have completed their roll out of the new ePassport, which will contain facial biometrics stored on the chip. They expect to issue ID cards from 2008/09. The website for IPS is: [ips.gov.uk](http://ips.gov.uk).

## Funding News

### Treasury Guidelines

In May, the Treasury published guidance, **'Improving financial relationships with the third sector: Guidance to funders and purchasers'**, setting out best practice for public bodies to follow. This includes Government Departments, non-departmental public bodies and local authorities. The guidance covers grants, grant-in-aid, procurement and written agreements such as service level agreements. The paper urges funders not to apply standard lengths for contracts and to plan for longer term funding. *'Longer-term planning and funding arrangements can represent better value for money... by providing greater financial stability'*. It also covers the timing of payments, for example, *'Payments in advance of expenditure to third sector organisations should be made on the basis of need and therefore can and should, where appropriate and necessary, be made to achieve better value for money'*. There is a chapter on full cost recovery. It says that all third sector organisations should always aim to recover the full cost of delivering services for public sector bodies, including overhead costs (and irrecoverable VAT costs). Included at the end of the guidance is a checklist of the costs that are likely to be incurred in providing services.

The guidance is essential reading. Visit the Treasury's website: [hm-treasury.gov.uk](http://hm-treasury.gov.uk).

## Futurebuilders

Since the 1st May all applications to Futurebuilders must be made online using their website: [Futurebuilders-england.org.uk](http://Futurebuilders-england.org.uk). Applications can be made at any time. It is rumored that there is an underspend on the fund and that some of the £90 million set aside for Futurebuilders beyond 2007, may be allocated to another body to administer. However, Richard Gutch the chief executive has said that he *'fully expected'* Futurebuilders to allocate all it's existing £125 million by the middle of next year and to receive further funding beyond that. Critics of the fund have suggested that its slowness in allocating funds has been due to strict criteria for potential applicants. Others have said that as nearly all of their money is allocated through loans, the fund's ability to build capacity of small VCS organisation is limited.

## Capacitybuilders

In April, the Government launched Capacitybuilders, *'a new agency which will work in partnership with government and other bodies to help voluntary and community organisations work more effectively.'* The first task of Capacitybuilders is to manage the £70 million Change Up programme designed to build capacity and infrastructure framework for the voluntary and community sector. The Home Office has committed £150 million over an initial four year period to this initiative.

In addition to the commitments already made to support the Continuation Fund and the national hubs during 2006/07, there will be a number of new grant programmes aimed at ensuring that frontline organisations and marginalised groups are able to strengthen themselves. Emerging ideas for these new programmes were shared with Capacitybuilders' stakeholders at the launch - along with a timetable for rolling out these programmes over the year.

Capacitybuilders is based in Birmingham and has a website: [capacitybuilders.org.uk](http://capacitybuilders.org.uk) where you can find further information. They have also published a leaflet *'Fit for Growth'* setting out their strategy for 2006.

## Public Law legal advice and training

The Public Law Project and NACVS (National Association of Councils for Voluntary Service) have received funding from the Big Lottery to provide specialist legal advice & training on public law for voluntary and community organisations

During the life of the project around 500 representatives of local groups will be given practical training on public law principles, the role of Compact agreements and the CRE Codes of Practice. They will be given tactical advice and information about lobbying and the media as well as being advised what action they can take if unfair or illegal decisions have been made against them.

The project will employ a lawyer at the Public Law Project to staff an advice line for three four-hour sessions each week. The lawyer will also be able to take up a number of cases directly on behalf of local groups and, if necessary, represent them in mediation or in court.

### Training

The project will provide free training to equip the voluntary sector with the skills to negotiate effectively with public bodies on issues such as challenging funding cuts, failures to consult on policy changes, and local authority decisions concerning the provision of services.

For further information about the training programme, please contact Terry Perkins, the project's training officer, at NACVS. Tel: (0114) 278 6636 x 163 or email: [terry@NACVS.org.uk](mailto:terry@NACVS.org.uk)

### Advice

The advice line provides free detailed legal advice to voluntary organisations on disputes involving public bodies' decisions and failures. PLP's lawyers will also take on particular cases to resolve disputes through complaints procedures, the Ombudsman schemes or court proceedings.

The advice line is available on (020) 7697 2193 at the following times:

Mondays	2.00 p.m. to 5.00 p.m.
Tuesdays	10.00 a.m. to 1.00 p.m.
Wednesdays	2.00 p.m. to 5.00 p.m.
Thursdays	10.00 a.m. to 1.00 p.m.

## Briefing Papers

Quarterly briefing papers will be published containing general information on public law remedies and updates on cases involved in this project. Papers will be available from [www.publiclawproject.org.uk](http://www.publiclawproject.org.uk). If you would like to join the mailing list for the briefings, please email:

[h.jones@publiclawproject.org.uk](mailto:h.jones@publiclawproject.org.uk)

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## Conferences

**Employment Law Conference** taking place on *29th June* in London. Organised by the Directory of Social Change. Workshops include Restructuring and Redundancy and Mergers: The Employment Issues as well as the new TUPE regulations. For Law Centres with a turnover below £500,000 the fee is £140.00. You can book courses on line at [dsc.org.uk](http://dsc.org.uk) or by calling 08450 77 77 07.

**Employment Issues Relevant to the Voluntary Sector and Trade Unions** A *free* conference organised by the Employed Lawyers Association and taking place on *26th June* in London. Information on 01895 256972 or via email@ [ela@elaweb.org.uk](mailto:ela@elaweb.org.uk).

**Network Event** organised by members of the Black Lawyers Directory and sponsored by. It is sponsored by Wragge & Co LLP and takes place in Birmingham on *13th July* at 6.00. Visit their website for more information on these and on joining the Group: [onlineBLD.com](http://onlineBLD.com).

**Benefit Delivery in the 21st Century** Child Poverty Action Group conference taking place on *7th September* on the London Voluntary Resource Centre. Information at: [cpag.org.uk](http://cpag.org.uk).

**Pro Bono Week** this year takes place between *5th and 9th June* and is being launched at the Law Society in London on 5th June. There are events in Manchester (5th June), Harrogate, North Yorkshire, Cardiff, Nottingham, Newcastle, Leicester, Bristol and Dewsbury.

**Bury Law Centre** is launching their new pro bono clinic on *7th June*. The Bar, the College of Law and various city firms are also holding events. Information and contact details are available at: [probonouk.net](http://probonouk.net) or from: [lawworks.org.uk](http://lawworks.org.uk).

## Training

**LSC Public Funding and Billing Procedures.** Training Seminar for Law Centre Workers. The Seminar covers all aspects of LSC public funded work including: Controlled work; Overview of the Scheme; Licensed Work; Certificates; Overview of the Scheme; Maximising profits costs; Merits and Means tests for controlled work and Licensed work; Applications for certificates addressing the general funding code; Criteria for investigative help and full representation; Costs benefits test; Devolving powers; Emergency certificates; Offer of certificates and issue of certificates; Payments on account; Revocation and discharge of certificates; Time limits for billing; Assessed Bills and Taxed Bills. It takes place on Tuesday, *6th June* at the Birmingham Voluntary Service Council, 138 Digbeth, Birmingham B5 6DR 10.30 a.m. to 4.30 p.m. Cost: £50 per attendee.

Trainer: **Kam Chahal**, Senior Solicitor, specialising in Family and Mental Health Law at Harehills and Chapeltown Law Centre. Kam has worked at the Law Centre for 17 years and has extensive experience of undertaking public funding work.

**Training on Sexual Orientation, Religion or Belief and Age Employment Equality.** The London Discrimination Unit is providing this *free* training on behalf of the Law Centres Federation, in association with Cloisters Chambers. The training will be at an intermediate level and is suitable for any caseworker who advises on employment issues. The course carries 5 CPD points. The course taking place in Sheffield is now booked up, but there are places left for Manchester on the *6th June* and for Bristol on *27th June*. Please contact Savita as soon as possible to reserve your place. Her email address is [savita@lawcentres.org.uk](mailto:savita@lawcentres.org.uk).

**Gypsy and Traveller Accommodation Law** An introductory training course organised by Shelter and taking place on *18th and 19th July* in London and on *11th and 12th December* in Manchester. The London course costs £520 plus VAT and the Manchester course costs £220 plus VAT. This is one of many course provided by Shelter including ones on Tackling Antisocial Behaviour and Harassment, Performance

## Networking..

Management and Domestic Violence and Housing. Information is on their website: [shelter.org.uk/training](http://shelter.org.uk/training).

**Education Law - A Practical Introduction** New course offered by the Central Law Training and taking at place four venues in the country during September. £190 plus VAT for all Law Centres. Please quote reference number: FSS 2422 when you book. Information about all course at: [clt.co.uk](http://clt.co.uk) or call 0121 355 0900.

**Welfare Benefits and Adviser Skills** Training provided by Lasa Training. New courses include Disability Living Allowance and Mental Health and Overview of the Right to Reside. For Law Centres with less than 10 staff, a one-day course costs £85.00, over 10, costs £120.00. Visit: [rightsnet.org.uk/training](http://rightsnet.org.uk/training) for more information.

Free training for advisers who work in refugee community organisations The training '**Advocacy in Action: Taking our case work further**' is offered by the Evelyn Oldfield Unit and takes place at the Resource Centre in London. This is a four day course and has the support of Garden Court chambers and the Local Government Ombudsman Service. Further information on: [evelynoldfield.co.uk](http://evelynoldfield.co.uk).

**HLP Meeting** taking place on *19th July* on Disability and Housing. Meetings take place between 7.00 and 9.00 at a central London venue. For information on joining contact Chandra on 020 7505 4693 or email: [Chandra\\_Rao@shelter.org.uk](mailto:Chandra_Rao@shelter.org.uk).

**Immigration, Asylum and Housing Rights: Update** One of many courses provided by Shelter This one takes place in London on *7th June* and *6th September* and on *27th July* in York. £140 plus VAT for Law Centres or £110 plus VAT for the York course.

**Lottery Grants for Charities** Workshops throughout the country organised by the Directory of Social Change. For Law Centres with a turnover below £500,000 the fee is £140.00. You can book courses on line at [dsc.org.uk](http://dsc.org.uk) or by calling 08450 77 77 07.

**Management Course** The Centre for Strategy and Communications has two new courses: Managing Change on *8th and 9th June* (£375.00 plus VAT) and Handling People Problems on

*30th May* (£185.00 plus VAT). Information about these and other courses are on their website: [the-centre.co.uk](http://the-centre.co.uk).

**Strategic Management: Planning and Implementation** Half day course at CASS Business School (Centre for Charity Effectiveness) in London. £95.00. Information on 020 7040 8781. The Centre also offers part-time postgraduate degrees in Voluntary Sector Management.

**Community Development** The Federation for Community Development Learning has published a series of Resource Packs designed to complement the NOCN Community Development Work Programme. Visit: [fcdl.org.uk](http://fcdl.org.uk) for further information or call: 0114 273 9391.

**Advice Studies BA (Hons)** Distance Learning course provided by Staffordshire University. The University is recruiting now for their next intake. Courses start in September and February each year. Information at: [staffs.ac.uk/courses/gateway/advice\\_studies](http://staffs.ac.uk/courses/gateway/advice_studies).

## Books

**Asylum Support: A Practitioners' Guide to the EU Reception Directive** New publication from Justice. The guide aims to help advisers to interpret the new rules and asylum support regulations and assist with challenges where domestic provisions appear to fall short of community law standards. £17.00. Information at: [justice.org.uk](http://justice.org.uk) or on 020 7329 5100.

**JCWI Immigration, Nationality and Refugee Handbook 2006** £57.90 inc. VAT for JCWI members. An order form can be downloaded from their website: [jcw.org.uk](http://jcw.org.uk).

**Human Rights: Who Needs Them?** By Frances Butler and published in IPPR £9.95 plus p&p. Visit: [ippr.org](http://ippr.org) for further information.

**Working with Young People: Legal Responsibility and Liability** New edition of a legal guide by Carolyn Hamilton from the Children's Legal Centre. £24.95 plus p&p. Visit: [childrenslegalcentre.com](http://childrenslegalcentre.com) Tel: 01206 872466.

**Child Care Law** A booklet providing an introduction to the main legal provisions for the care of children. This 5th edition is published for £9.95 by BAAF. Visit: [baaf.org.uk](http://baaf.org.uk).

**Age Discrimination: An analysis of the Employment Equality (Age) Regulations 2006** by Daniel Barnett and Kate Palka. Second edition published in May. Notes are updated free of charge throughout the year by email. Sample pages can be downloaded from: [danielbarnett.co.uk/age](http://danielbarnett.co.uk/age). Cost £135 plus VAT.

**Guide to Housing Benefit and Council Tax Benefit 2006-07** Published this June, an updated guide to the new rules covering all the changes brought about by the Civil Partnerships Act 2004. £22.00 plus £1.75 p&p. **Antisocial behaviour - young people, families and communities: A Good Practice Guide** also published by Shelter this year. It cost £12.50 plus £1.75 p&p. Further information at: [shelter.org.uk](http://shelter.org.uk).

**Shelter Legal - Shelter's housing law information system** Shelter plans to introduce an online service this summer. Subscribers will have 24 hour access to homelessness and housing law, a search function, a 'What's New' feature highlighting legislative changes, and case law references. Subscription is by user licence. The type of licence depends on the number of users required with each user having access for one year. The cost for up to five users is £132.19 p.a. inc VAT. Shelter say that this can help LSC contract holders to comply with the requirement to have access to current relevant legal reference materials (D4.4 SQM).

Information at: [shelter.org.uk/publications](http://shelter.org.uk/publications) or call Andy Denner on 020 7505 2043 or email: [andy\\_denner@shelter.org.uk](mailto:andy_denner@shelter.org.uk).

**Guides to Local Trusts** New editions of the regional guides published by the Directory of Social Change. £29.95 plus p&p. Information on their website: [dsc.org.uk](http://dsc.org.uk).

**The Good Guide to Sustainable Funding** New publication from NCVO costing £12.50. Information about this and other NCVO publication at: [ncvo-vol.org.uk](http://ncvo-vol.org.uk).

**DVD/Video** Barnsley Television has produced a 25 minutes video about the legal obstacles facing asylum seekers when they seek asylum in the UK. The film is based on an interview with a solicitor who specialises in asylum. The film is accompanied by 50 page learning pack. Visit: [barnsleytv.co.uk](http://barnsleytv.co.uk) for further information.

## Leaflets

**Employing Older Workers and Age and the Workplace: Putting the Employment Equality (Age) Regulations 2006 into practice** Two new guidances from ACAS. ACAS has also updated its advisory booklet on recruitment and induction and their advice leaflet on the internet and email policies

### **Code of Practice for Victims of Crime**

Published by the Home Office, the guide sets out the services that can be expected from all the criminal justice agencies. The Code was launched on 3rd April. It includes information about making complaints. Visit the Home Office site for further information: [homeoffice.gov.uk/crime-victims](http://homeoffice.gov.uk/crime-victims).

### **Choosing the right social care service for you**

This is a new advice booklet published by the Commission for Social Care Inspection and is designed to help people choose the best care services for their personal needs. CSCI have also launched a new website designed to give the public better information on choosing care and lists registered care providers and inspection reports. Visit: [csci.org.uk](http://csci.org.uk) for copies.

**Immigration Advice** Law Centre (Northern Ireland) has published an expanded version of its multilingual booklet signposting sources of immigration advice. The new languages, added to reflect the needs of new immigrant populations in Northern Ireland are: Bulgarian, Hungarian, Lithuanian, Polish and Tetum (a language of East Timor). Another 15 languages are also included. Information at: [lawcentreni.org](http://lawcentreni.org).

## Reports

**A Points-Based System: Making Migration Work for Britain** Home Office publication published in March. The Paper introduces the proposed five Tier framework for applicants and sponsorship for all applicants in Tiers 2 to 5. The proposals are to be phased in and tested prior to implementation.

### **Annual Report of the Certification Monitor**

The Monitor is Sarah Woodhouse who prepares the Report for Parliament each year under the s.111 of the Nationality Immigration and Asylum Act 2002. The Report covers issues of legal representation, the use of correct procedures

and the quality of information and makes 23 recommendations to Government.

## **UNHCR Quality Initiative Project Key Observations and Recommendations**

UNHCR have been monitoring how the UK Home Office makes decisions on asylum claims. Their findings cover the period September 2005 to February 2006. They report, *'It remains clear however that serious problems remain both in the quality of individual decisions and the context in which they are made'* 15 recommendations follow. UNHCR's website address is: [unhcr.org.uk](http://unhcr.org.uk).

**'Count Me In'** A national census of mental health inpatients was published in December. It shows that black people are significantly more likely than other to be admitted to hospital, detained, and to access mental health services through criminal justice system than through other routes. Once in hospital black people are more likely to be subject to seclusion and restraint. Further details can be found at: [healthcarecommission.org.uk](http://healthcarecommission.org.uk).

**The persistence of poverty across generations** In April, the Joseph Rowntree Foundation published research showing that people who grow up poor, suffer continual poverty into middle age. The research found that this trend was worsening. Their results *'suggest, on balance, that income itself is not the main cause and that broader teenage disadvantage is the main driver of the persistence of poverty across the generations....'* The policy recommendation must be to intervene to address the consequences of these disadvantages and to weaken their development in subsequent generations.

## **Vision for services for children and young people affected by domestic violence**

Guidance published by the Local Government Association. Every Child Matters and the 2004 Children Act have set out the vision for children's services for the next decade. Safety and Justice and the Domestic Violence, Crime and Victims Act 2004, offer positive improvement in responses to domestic violence across government. Vision for services for children and young people affected by domestic violence offers a pathway for services for children experiencing domestic violence which connects the two.

**Alternative Dispute Resolution** The ADR project based at the Advice Services Alliance has published Update No.18 on recent developments. It includes news of the DCA's new national family mediation helpline which was launched on 11th May. The helpline number is 0845 60 26 627. Copies can be found at: [ADRnow.org.uk](http://ADRnow.org.uk).

The Advice Services Alliance has published notes from their conference, **'Advice Uncovered: the real value of what we do'** which took place on 24th March. This includes speeches by Brian Harvey\*, the Acting Chief Executive of the Legal Services Commission and Richard Jenner, the Director of ASA. Workshop notes are also included covering the Big Lottery Fund, Preferred Suppliers, the Regulation of legal services, Local Government funding, and Disability Discrimination led by Steve Hynes from the LCF. The notes are on the ASA website under 'What's New' at: [asauk.org.uk](http://asauk.org.uk).

\* **Stop Press:** The LSC has just announced that **Clare Dodgson**, the Chief Executive of the LSC will leave on 30th June. The post is to be advertised on 4th June.

## **Consultation Papers**

**Code of Practice for the Mental Capacity Act 2005** Published by the Department of Health, the Code provides guidance and information for those working with or caring for those who cannot make decision for themselves, or who have a limited capacity to do so without assistance. The consultation ends on 2nd June and the paper can be found at: [dh.gov.uk/consultations](http://dh.gov.uk/consultations) or [dca.gov.uk/capacity](http://dca.gov.uk/capacity).

The new Act is due to come into effect around April 2007.

**Law Society Regulation Board Strategy Consultation** by the Law Society in March Responses are requested by 24th June.

**Reform of the Legal Services Commission's Applications and Appeals Procedures** Consultation Paper published in May. Responses are requested by 28th July with a view to implementing the changes in October 2006.

- \* Replace Costs Committees and Funding Review Committees with single independent adjudicators/assessors who are properly organised on to specialist lists and who are specifically trained to deal with the type of appeals listed before them (ensuring for instance that a housing appeal is listed before a specialist housing lawyer).
- \* Remove the general right of attendance at appeals to discourage reliance on 'getting it right before the committee' and refocus the attention on ensuring accuracy and detail in the original application/claim for costs.

If you have views on this, please let Lynn know at the LCF. Adam Griffith at Advice Services Alliance is also preparing a response on behalf of all the networks.

### ACAS Policy Discussion Paper

A discussion paper published in April looks at the role of ACAS. They believe that to avoid legal dependency, the system should focus more on employment relations solutions in the workplace. *'This means re-examining the key role of Acas' individual conciliation, and how best this can be carried out. It also means targeting more resources on dispute prevention approaches in the workplace, including ADR and mediation services, and developing a wider framework for the provision of good practice advice and information.'* Visit: [acas.org.uk](http://acas.org.uk) for further information.

## Jobs

### Law Centres Federation

#### London Research / Policy Officer

This role is based in the London Unit of the Law Centres Federation (LCF), the coordinating body for Law Centres.

You will promote equal rights and access to justice by ensuring the LCF's London Unit inputs into policy affecting legal advice services in London. You need a legal and / or a research background and the ability to provide information and policy advice to Law Centres in London. Ref: RP06.

Contact WDAD response for an application form quoting the appropriate reference on 020 7025 3566 or email: [lcf@wdad.co.uk](mailto:lcf@wdad.co.uk)

Application deadline: *19th June 2006*

Salary: £18,356 (£30,594 pro rata)

21 hours / 3 days a week

### Young Person's Development Worker

This role is based in the London Unit of the Law Centres Federation, the coordinating body for Law Centres. Championing increased access to legal services for young people, you will lead the London Unit's efforts to develop and support Youth Access Law Centre Services across London. This calls for significant experience of strategic planning / development in a voluntary sector setting and a sound understanding of advice services for young people. Ref: DW06.

Application deadline: *19th June 2006*

Salary: £30,594.

Contact WDAD response for an application form quoting the appropriate reference on 020 7025 3566 or email: [lcf@wdad.co.uk](mailto:lcf@wdad.co.uk)

*The Law Centres Federation is an equal opportunities employer and welcomes applications from all sections of the community.*

### Advertising a Job ?

Contact Ward Diamond who will be happy help and will give you a special rate as a member of the LCF

Telephone number: 020 7025 3500

### Avon & Bristol Law Centre®

#### Immigration Legal Advice Worker/Solicitor

Experience in immigration law and ability to work under a LSC contract essential - Level 2 accreditation preferred but would consider experienced Level 1 with willingness to qualify to Level 2.

Application deadline: *Friday 23rd June.*

Salary: £28,218 p.a. (full time)

Full time (35 hours per week) or part time (28 hours per week) by agreement.

Contact Rosemary Evelyn on 0117 924 8662  
[mail@ablc.demon.co.uk](mailto:mail@ablc.demon.co.uk).

## Gloucester Law Centre®

### 3 Solicitors/Caseworkers

3 Solicitors/Caseworkers are required in one or more of the following areas of law: Immigration and Nationality, Housing, Employment. All posts will be on a fixed-term basis until 3st March 2007, but with the possibility of being extended, funding permitting. Successful applicants will be required to meet the Community Legal Service's self-supervising standards. Immigration Solicitors/Caseworkers must be accredited to Level 2.

Application deadline: Monday 12th June 2006

Salary: £25437 to £31653, depending upon experience.

Contact Gloucester Law Centre for an application pack on 01452 423492 or email: admin@gloucesterlawcentre.co.uk.

## Devon Law Centre®

### Homelessness Prevention Advocate

To provide a specialist representation service preventing eviction in the Plymouth area.

Application deadline: Midday, Thursday 8th June

Salary: £21,994 p.a. (Pt 35 pro rata) - 28 hours per week.

3 year fixed term contract.

### Legal Advice and Support Worker (Older People)

To advise and represent older people living in Devon. Particular emphasis on Community Care services and related matters. Legal qualifications desirable.

Application deadline: Midday, Thursday 8th June.

Salary: £28,221 p.a. (Pt 36) - 35 hours per week.

Fixed term contract to: 12th March 2009

*The Centre strives to be an equal opportunities employer.*

## Stockport Law Centre®

### Immigration Solicitor / Caseworker

Stockport Law Centre requires an experienced Immigration Caseworker. Working in a flexible friendly environment under an LSC contract, you should have a minimum of Level 2 accreditation for immigration work and meet the LSC's Supervisor Standard. Duties will include maintaining and developing an existing caseload.

Application deadline: Noon, 16th June

Salary: Up to £29,012 plus pension.

*Stockport Law Centre is an equal opportunities employer committed to the support and development of staff.*

Contact Stockport Law Centre for an application pack on

0161 476 6336 or visit their website at

<http://www.stockportlawcentre.org.uk>

## Lambeth Law Centre®

### Specialist Welfare Rights & Money Advice Caseworker

You must have in-depth knowledge, and experience of over two years, of all aspects of Social Security Law and Money Advice. You need experience of advising and representing clients at Tribunal, the Commissioners and in the County Court. You will be responsible for your own caseload and be required to work to standards of our SQM not for profit contract. You must meet the requirement to act either as Quality Mark Supervisor in Welfare Benefits or Debt Categories.

Application deadline: 14th June 2006

Salary: £32,106 (point 38 inclusive of LW)

*Lambeth Law Centre is an equal opportunities employer.*

Contact Lambeth Law Centre for an application pack on

020 7737 9780 or admin@lambethlawcentre.org

## Paddington Law Centre®

### Welfare Rights Adviser

Friendly, hardworking Law Centre seeks a Welfare Rights Adviser with at least 2 years' experience of advising and representing clients up to the level of Commissioners' Hearings. The successful applicant will have experience of working under LSC contracts.

Application deadline: 14th June 2006

Salary: £25,422 + 10% pension contribution. 4 day week, total 30 hours per week. Interview date: 21st June.

Contact : David Beadle at Paddington Law Centre on 020 8960 3155 or email: dbeadle@paddingtonlawcentre.org.uk

### LCF Staff

Noeleen Adams, London Unit Manager, Victor Adetiba, Finance Worker (P/T), Busayo Akinyemi, Disability Rights Project Worker, Lynn Evans, Policy Manager, Steve Hynes, Director, Metin Kemal, Regional Development Manager, Savita Narian, SORBAEE Project Manager, Minaxi Panchal, London Training and Organisational Development, Stella Russell, Regional Development, Emma Reimer, Administrator. Members of staff can be contacted by email by using their first name followed by @lawcentres.org.uk

**Please let us know if you have news about your Law Centre:**

**Staff Changes • New Initiatives • New Funding • Case Successes • Meetings and AGMs**

The Law Centres Federation is funded by the Association of London Government, the Legal Services Commission and The Community Fund. We are also grateful to Cloisters Chambers and for donations from our supporters.

A special thanks to our supporters of our Annual Conference last year: Irwin Mitchell, The Independent Lawyer, Legal Action Group, One Pump Court and May, Brown, Rowe & Maw Solicitors