

## **Collaborative Plan Case Studies 2023/2024**

The following case studies from 2023 -2024 highlight some of the access to justice work carried out by Collaborative Plan firms. Names may have been removed or changed to maintain confidentiality.

### **DISCRIMINATION**

#### **Ex-professional sport person facing a racial discrimination**

- Ex-professional sport person, A R faced significant racial discrimination at Y Club, which led to his career ending prematurely.
- In 2020, A spoke out about the racism they and others had suffered. They later appeared before a parliamentary committee to discuss their experience. In 2022, they were the main witness in the disciplinary proceedings brought by the relevant regulator against the Club and other individuals. Charges against most of the defendants were upheld and the Club admitted to institutional racism.
- Our firm is proud to have assisted this person with pro bono legal advice relating to the ECB proceedings and advise in relation to media attacks against them. We are honoured to have worked for such a brave person who has made such an enormous difference in cricket and beyond.

### **CRIMINAL JUSTICE**

#### **Assisting convicted individual following new analysis of DNA evidence**

- Having spent nearly two decades fighting to clear his name, A M had his conviction overturned following new analysis of DNA evidence.
- In 2004, A M was convicted of rape, despite the absence of any forensic evidence linking him to the attack and notable discrepancies with the descriptions provided by eyewitnesses.
- Commissioned by APPEAL, the charity and law practice that fights miscarriages of justice, analysis of DNA samples taken from the victim and her clothing at the time revealed the presence of unknown male DNA.
- Mr A M spent more than 17 years in prison following his conviction, even though he was eligible for release after nearly six and half years. Our firm is proud to support APPEAL on a pro bono basis

## **MIGRANT RIGHTS**

### **Family reunion**

- We helped two Somali brothers apply for visas to be reunited with their sister after 9 years apart. Their sister was a 24-year-old refugee who had been living in the United Kingdom since 2017, having fled persecution at the hands of Islamic militant organisation, Al-Shabaab. Al-Shabaab had accused the sister of prostituting herself to AMISON troops, threatened to take action against her, kidnapped and later shot and killed her mother and the twins that her mother was pregnant with at the time, as well as her father, who was wheelchair-bound.
- She suffered a mixture of physical and psychological trauma, which were a result of (i) a childhood FGM procedure which was poorly performed, and which left her with permanent urination and menstruation difficulties, (ii) gunshot wounds following a bomb blast targeting her, which left N A with long-standing nerve and limb injuries, (iii) the grief from the loss of her parents to the Al-Shabaab attacks and (iv) a sense of helplessness at being unable to do much for her two remaining family members who have been fending for themselves in Kenya for several years.
- Her goal has been to bring her brothers to the UK to live with her, as they've been separated for nearly 9 years. The siblings have however maintained a close bond, and speak and text each other daily, and we understand that the two brothers consider N A to be a mother figure, having now lost their parents.
- Her brothers' initial visa application was rejected but our firm came onboard in January 2022 and prepared witness statements for her, her brother, a charity director, and obtained a psychiatric report for her. The compelling witness and expert evidence, together with skeletal and oral submissions by counsel ultimately resulted in a successful appeal against the Home Office's decision on 24 February 2023.
- After nearly 9 years, the two boys are now reunited with their sister, and are quickly settling into life in their new home

### **Exceptional case funding and family reunion applications for asylum**

- In 2021 our team of lawyers volunteered to prepare an Exceptional Cases Funding (legal aid) application for a mother and her four young children from a Bidūn family from Kuwait. The Exceptional Cases Funding was successfully granted in July 2021, but our partner charity, RLS, was unable to find a legal aid immigration lawyer to take on the case and asked if our volunteer team would work with them to prepare the full family reunion EC application.
- The team worked hard over many months to prepare the application, including carrying out multiple interviews with each family member, drafting witness statements, and preparing the legal arguments, which was submitted to the Home Office in March 2022.
- After no response from the Home Office for 14 months, the team prepared chaser letters to send to the Home Office detailing the urgent need for review of the case.
- After over 2 years since the ECF application was successful and 18 months since the family reunion EC application was submitted, the team were thrilled to hear that the Home Office decided to grant family reunion to the mother and her children so that they could be reunited with their husband/father after over 3 years apart.

(As Bidūns, the family were not afforded the same rights in Kuwait as Kuwaiti citizens - for example, they were not entitled to have a passport or any other identification documentation, and could not attend school, or have access to state healthcare; the husband/father fled Kuwait in 2015 following severe mistreatment in detention after participating in protests against the Kuwaiti government for their treatment of Bidūns, and the mother and children fled Kuwait in 2017 and stayed in Greece, where they lived in appalling conditions before travelling to France in 2019.)

### **Accommodating children who are asylum seekers in hotels**

- The case was about the Home Office's practice of accommodating lone child asylum seekers in hotels without local authority support. Over the past two years, some 5,400 children were accommodated in this way - hundreds of whom have gone missing. As of July 2023, 154 children were still missing (many of whom are suspected to have been trafficked or involved in criminal exploitation).
- As a result of the action brought by our charity client, the High Court has declared that the systematic and routine use of this kind of hotel accommodation is unlawful and has put in place directions for the correction of the unlawful practice.

### **Exceptional case funding**

- Together with Bail for Immigration Detainees (BID UK) we help obtain exceptional case funding legal aid for immigration detainees facing deportation so that they can have access to specialist legal advice to prepare for, and be represented during, their appeal hearing against deportation by the Home Office.
- This is end-to-end casework.

### **Assisting individual with statelessness applications**

- Our lawyers assisted a client by collating the necessary documents, drafting legal arguments, and filing a statelessness application with the Home Office. Our client was born in Iran; his father was from Afghanistan and his mother from Iran. Because Iranian nationality is passed only through the father, he was not recognised as Iranian by the Government there. Instead, he was classified as an Afghan refugee (despite never living in Afghanistan).
- As a refugee in Iran, our client could not attend higher education or move freely in Iran. He fled abuse and maltreatment to start a new life in the UK where he has been since 2011. When he arrived, he made a number of failed asylum applications in the UK.
- Left without a passport he was stuck in the UK. He did not have access to the basic rights many of us take for granted such as opening a bank account, driving a car or getting a job.
- As a result of our work, he was recently given indefinite leave to remain. On learning the news, he said the following:  
*"I cannot thank you and the whole team who worked on my application enough. This will change my life forever. I will be grateful to you and the whole team forever."*

### **Helping single mother to apply for leave to remain in the UK**

- Our client is a 26-year-old single mother who has now been granted leave to remain

in the UK for an initial period of 30 months, which means that she no longer has the threat of deportation hanging over her.

- She was brought to the UK when she was seven years old to escape abuse in Sierra Leone. She was never supported to regularise her immigration status and lost her right to any financial support from the government when she turned 18.
- She was rejected from catering college after she left school because she didn't have the required immigration status to get a funded place. She has not been able to claim benefits, housing allowance or get a job due to her lack of status in the UK. This has left her struggling financially to support herself and her son, who is now eight years old.
- Her whole family are here in the UK and have leave to remain. The threat of being removed to Sierra Leone, which she remembers little of and has no contacts there, was very frightening for her.
- The case outcome means that our client will now be able to pursue her ambitions of becoming a chef and earn her own living to support herself and her son. Her son is also eligible to apply and the team are currently working on his application on the basis that he has lived here for more than 7 years and it is in his best interests to remain in the UK.
- Together with assistance from immigration lawyers at KiND, the team prepared our client's application for leave to remain, which involved submitting supporting evidence that she had been present in the UK for over half her life, as well as highlighting how settled she is here and her lack of connection with Sierra Leone.

#### **Relocation of Afghan citizen who worked with the British military**

- In November last year, after two lengthy appeals, the MOD accepted our Afghan pro bono client on the Afghan Relocations and
- Assistance Policy programme and offered to relocate him, his wife and his three children to the UK. In January, he and his family were safely evacuated from Afghanistan to Pakistan where they completed all the necessary interviews with the embassy, medical checkups and enrolment of biometrics etc.
- This week, we have found out the incredible news that he and his family finally received their visa and have been successfully relocated to the UK, touching down at Stansted Airport late Wednesday night.
- We extend our warmest congratulations to PSL Counsel Paola Bahari who has been supporting our client since the takeover of
- Kabul by the Taliban in August 2021. This has been very challenging work and Paola's perseverance and ingenuity have been instrumental in the success of the appeal and getting our client and his family to the UK where they can start a new life.

## **JUDICIAL REVIEW: SOCIAL HOUSING AND COMMUNITY CARE**

### **Assisting parents of a young child with life-limiting neuro degenerative condition to get a house meeting the family's needs**

- In 2021 a team of lawyers volunteered to assist the parents of a young child with life-limiting neuro degenerative disease and severe scoliosis (Child X) to obtain suitable social housing for their family. Child X was scheduled to have an operation but doctors were concerned that they would be unable to discharge Child X because the family's existing housing could not accommodate the additional supplies and equipment required to care for Child X following the operation.
- Over two years (during which the operation was repeatedly delayed due to medical licensing issues and backlogs from COVID), the team worked together with the family's doctors and hospice nurses to demand that the council provide suitable housing to Child X's family.
- Although the family was moved into the highest priority banding, the council continued to insist that no suitable properties were available.
- Child X had the operation in summer of 2023 and was discharged into hospice care. The team contacted legal aid charity LawStop and together initiated a judicial review of the council's inaction.
- This prompted the council to explore alternative ways of meeting the family's housing needs, requesting the cooperation of neighbouring councils and, finally, agreeing to provide the family with two adjacent properties. The family moved into their new homes in late 2023 and were delighted and relieved to be able to live together again.

## **SOCIAL WELFARE LAW**

### **Appealed a decision of the UK Department of Work and Pensions**

- Working with Zacchaeus 2000 Trust (Z2K), our volunteers successfully appealed a decision of the UK Department of Work and Pensions that a client suffering with physical and mental conditions was not entitled to any Personal Independence Payment (either at the standard or enhanced rate).
- As a result of the appeal, the client was awarded the enhanced rate for both "daily living" and "mobility" components of the PIP welfare payments scheme.
- The award was also backdated to the time when the original decision was made, and the client will receive regular payments going forward. The client and her mother (who was her full-time caregiver) expressed their gratitude for the effort that was put into achieve the result noting how supported they felt at what was a very challenging time for them all.

## **CHARITY AND INTELLECTUAL PROPERTY LAW**

### **Pro bono assistance to form charity supporting former Afghan interpreters in British Army**

- Pro bono assistance to form a charity, Sulha Alliance, supporting former Afghan interpreters who worked alongside British forces in Afghanistan and their families, to rebuild their lives in the UK.
- Locally Engaged Civilians (LECs), particularly interpreters, continue to be a priority target for the Taliban, and Sulha Alliance saw a surge in the number of LECs attempting to flee Afghanistan following the Taliban takeover.
- They were operating more as an informal organisation rather than a charity, so we helped them formalise their structure and constitution and we helped them to apply for registration with the Charity Commission, which is never straightforward.
- Our lawyers have been able to continue supporting Sulha Alliance as the organisation grows, with our Employment team advising the charity as they looked to start hiring employees. The charity is also supporting beneficiaries that have not yet reached the UK, having connected with over 2,000 LECs that remain in Afghanistan or have been moved into Pakistan and continue to campaign for their relocation to safety in the UK.

## **UKRAINE-RELATED ADVICE**

### **Legal advice to Ukrainian citizens**

- Together with Asylum Aid we provided legal advice to Ukrainian citizens (or citizens of a third country who had a long-term visa for Ukraine at the time of the invasion) and their family members currently located in the United Kingdom.
- Our volunteers advised on the Ukrainian Visa Extension scheme, asylum applications, and family reunion. This was end-to-end casework.

## **OTHER**

### **Windrush Compensation Scheme**

- Our team secured compensation for a client under the Windrush Compensation Scheme. Our client travelled to the UK legally from Jamaica as a child with his family in the 1960s. He moved to London as an adult and was employed there until he was injured and forced to retire. Around the time of leaving his job, he was also evicted from his home without notice. When he applied for housing assistance from the council, he was refused on the basis that he could not prove he was lawfully in the UK.
- As a result of this, he fell into homelessness for nearly 10 years and also had difficulties claiming benefits he was entitled to. These experiences have had a profound effect on his life, of which the compensation is only some recognition.