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Company limited by Guarantee.
Registered in England no. 1937081.
Registered Charity no. 900439.
VAT registration no. 682 6209 22.
Member of the Law Centres Federation.

DROP-IN SESSIONS:

Benefits

Monday and Thursday	10.00 - 12.00
Tuesday	13.30 - 15.00
Appointments also available	

Housing

Wednesday	10.00 - 12.00
Appointments also available	

Immigration

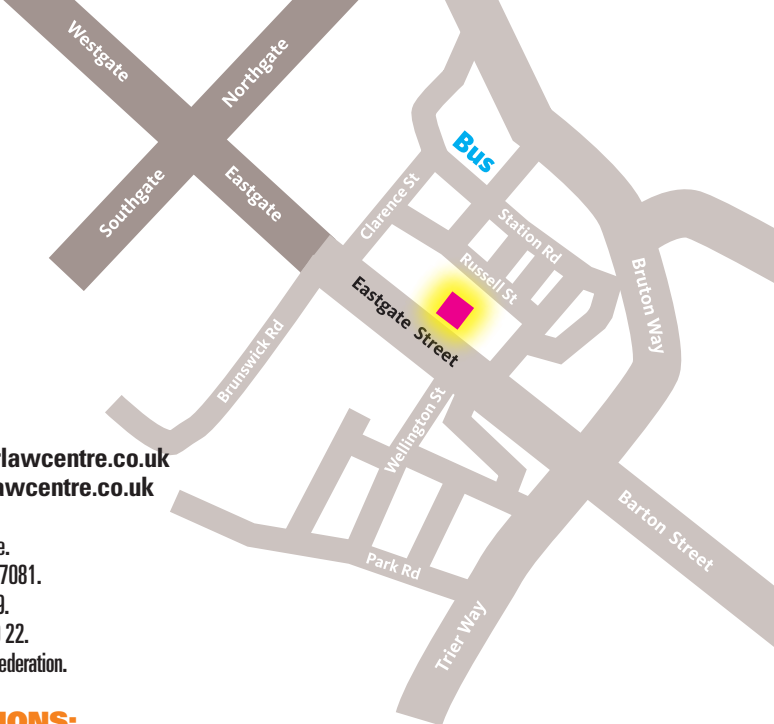
Monday	10.00 - 12.00
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Employment

By appointment only

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Staff	11/BC



Please telephone first with your enquiry:

423492



Afghani, Albanian, Algerian, American, Angolan, Argentinean, Armenian, Australian, Austrian, Bangladeshi, Barbados, Belarusian, Benin, Botswana, Brazilian, British, Brunei, Bulgarian, Burmese, Burundian, Canadian, Cape Verde, Chilean, Chinese, Colombian, Congolese, Croatian, Cuban, Danish, Dominican Republic, Dutch, Ecuadorian, Egyptian, English, Estonian, Ethiopian, Fijian, Filipino, French, Gambian, German, Ghanaian, Greek, Guinean, Guyanese, Hong Kong Chinese, Hungarian, Indian, Iranian, Iraqi, Irish, Israeli, Italian, Ivorian, Jamaican, Japanese, Jersey, Jordanian, Kenyan, Korean, Kosovan, Kurdish, Latvian, Lebanese, Liberian, Libyan, Lithuanian, Macau, Macedonian, Malagasy, Malawian, Malaysian, Malian, Maltese, Mauritanian, Mexican, Moldovan, Mongolian, Moroccan, Namibian, Nepalese, New Zealander, Nigerian, Norwegian, Pakistani, Palestinian, Panamanian, Paraguayan, Polish, Portuguese, Romanian, Roma, Russian, Rwandan, Saudi Arabian, Scottish, Senegalese, Serbian/Montenegrin, Seychelles, Sierra Leonean, Singaporean, Slovakian, Somali, South African, South Korean, Spanish, Sri Lankan, Stateless, Sudanese, Swedish, Swiss, Syrian, Taiwanese, Tanzanian, Thai, Togolese, Tongan, Trinidad/Tobago, Tunisian, Turkish, Turks + Caicos Islands, Ugandan, Ukrainian, Uzbekistani, Venezuelan, Vietnamese, Welsh, Windward Islander, Yugoslavian, Zaire, Zambian, Zimbabwese.

GLOUCESTER LAW CENTRE is a registered charity which has been providing free, confidential impartial legal advice to Gloucester residents for 27 years. We currently cover the areas of Housing, Welfare Benefits and Council Tax, Employment, Immigration, Nationality and Asylum.

In general, our advice is limited to those who live within the city boundaries but sometimes we can help residents of Gloucestershire. Our immigration and nationality service extends to the rest of the county for clients eligible for legal aid.

We offer basic, first level advice, as well as specialist advice and representation in courts and tribunals. Advice is offered at drop in sessions and by appointment. A number of our clients come to us by referral from other organisations.

Interpreting in Gujarati, Urdu, Hindi is offered by appointment. We can also arrange for interpreters in other languages if needed, and signing for those with hearing impairment.

Central to our work is maintaining and developing our community involvement with our users and potential users. Many organisations continue to use the Law Centre for specialist consultative support and we have continued to provide talks to groups about service areas and training sessions.

Chair's report



2011-2012

I am delighted once again to invite you to consider the annual report for Gloucester Law Centre.

We are proud to be an outstanding and unique organisation in Gloucestershire which has been providing free, independent high quality legal advice for 27 years as a registered charity.

We provide legal representation through all levels of courts and tribunals to those in need. Our employed barristers, solicitors and skilled, experienced advisors continue to provide an excellent service to all our clients in the areas of welfare benefits, immigration and nationality, housing for tenants and employment for employees. This year we have also started a limited family law advice service which has been very successful. Our client feedback forms show very high satisfaction levels with our work both on a personal and professional level.

This has been another challenging year for the Law Centre as the Legal Aid Bill passed through Parliament and became law largely unamended, meaning massive cuts to legal aid funding. This is a huge threat to the future of the Law Centre, and unless alternative sources of funding can be found we will have no alternative but to make a number of staff redundant and significantly reduce our services.

This is unfortunate as the current economic climate and the forthcoming changes to benefits have significantly increased the numbers of people

seeking legal advice, and have put pressures on the service. The coming year is going to be a difficult one for our client groups, particularly in

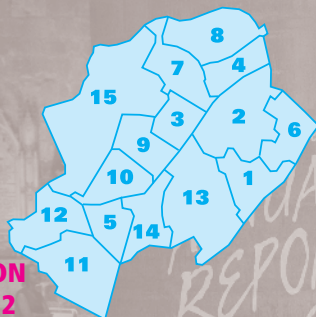
light of the massive benefits changes on the way, and the lack of advice on vital matters such as benefits and employment law from April can only make the situation worse. I would like to take this opportunity to give a special mention to all our volunteers. We have a brilliant set of volunteers, some of whom have been with us quite a short time and a number who have been with us for many years, and we simply would not be able to function without them. Some of our volunteers help to staff reception and perform admin tasks and we also have experienced law students who help with casework support. Some who have left us have moved on to full time employment.

A thank you must also go to the paid staff who through their diligence, patience, dedication and skills have produced excellent results again this year

I would like to sincerely thank our funders, our clients, my fellow trustees, and the dedicated staff and volunteers, who work as a team that I am proud to lead and has enabled us to ensure that Gloucester Law Centre continues to provide the best service possible to all the people we serve.

Chris Hill

Client statistics

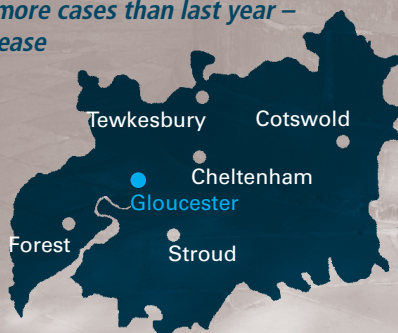


CASES WORKED ON 1/4/2011-31/3/2012

Housing	557
Asylum	148
Immigration	619
Welfare Benefits	846
Employment	567
Council Tax Debt	44
TOTAL	2784

N.B. Some clients will have more than one case.

*This is 101 more cases than last year –
a 3.6% increase*



NO. OF CLIENTS IN 2011-12 GENDER

Male	1297
Female	1478

WARDS

1 Abbey	81
2 Barnwood	128
3 Barton & Tredworth	707
4 Elmbridge	22
5 Grange	31
6 Hucclecote	52
7 Kingsholm & Wotton	166
8 Longlevens	43
9 Matson & Robinswood	234
10 Moreland	205
11 Podsmead	76
12 Quedgeley Fieldcourt	90
13 Quedgeley Severn Vale	37
14 Tuffley	67
15 Westgate	302
Not known	106
Outside City	70
Cheltenham	108
Cotswold	22
Forest of Dean	32
Stroud	80
Tewkesbury	60

Outside Gloucester including
Swindon and **Bristol** as we
took on cases for the Legal
Services Commission as some
solicitors closed

56

TOTAL 2775

AMOUNT GAINED

we achieved financial outcomes of **£1,689,782.4**
for clients in 2011-12, which included **£445,109.46**

in compensation and damages awarded in Employment Tribunal claims such as unfair dismissal and unlawful discrimination. The remaining amount includes additional benefit including backdated benefit awarded following appeals, compensation in housing cases and debt written off (for example overpayments incorrectly being pursued by benefit authorities).

SUMMARY OF ACCOUNTS

	<i>Unrestricted Fund</i> 2012 (£)	<i>Restricted Fund</i> 2012 (£)	<i>Total</i> 2012 (£)	2011 (£)
Income and Expenditure				
Incoming Resources				
Incoming resources from generated funds				
<i>Voluntary income</i>				
Miscellaneous income and fund-raising	3,511	—	3,511	6,485
Investment Income	112	—	112	100
Incoming resources from charitable activities				
LegalAid and legal fees	316,793	—	316,793	282,443
Grants and Contracts	242,467	42,000	284,467	256,355
Total Incoming Resources	562,882	42,000	604,882	545,383
Resources Expended				
Charitable activities	485,824	—	485,824	499,063
Governance Costs	5,805	—	5,805	5,775
Total Resources Expended	491,629	—	491,629	504,838
Net Incoming Resources				
Net Income for the year	71,253	42,000	113,253	40,545
Total funds at 1st April 2011	205,582	—	205,582	165,037
Total funds at 31st March 2012	276,835	42,000	318,835	205,582
BALANCE SHEET				
as at 31st March 2012	2012 (£)			2011 (£)
Tangible assets	—			
Current assets				
Debtors and prepayments	44,226			64,055
Cash at bank	290,289			152,646
	334,515			216,701
Current liabilities				
Creditors: amounts falling due within 12 months	-15,680			-11,119
Net current assets		318,835		205,582
Net assets		318,835		205,582
Unrestricted Funds				
General funds		145,835		80,582
Designated funds		131,000		125,000
		276,835		205,582
Restricted Funds		42,000		—
Total Funds		318,835		205,582

EMPLOYMENT

This has been a very busy year for the Employment Law Team. We have achieved some excellent results for our clients especially utilising the Equality Act 2010 which was implemented the following year, but have also suffered significant setbacks in funding, staff shortages and current and impending employment law legislation.

One of the Law Centre's two chief sources of funding came to an end in March 2012. The funding from the Equality and Human Rights Commission (EHRC) had meant that we could provide advice on discrimination work across Gloucestershire and in circumstances where a client's income was too high for assistance from the Legal Help scheme. The effect of that cut is that the Law Centre is no longer able to take on complex discrimination cases unless the client meets the strict financial criteria laid down by the Legal Services Commission who are currently our primary funder.

We have gained some excellent outcomes for clients, and as always, attempted to negotiate with employers and other bodies in order to prevent claims, thus minimising costs and workforce disruption for all parties. Not only have we succeeded in gaining large amounts of financial compensation, we have also assisted people to retain jobs, prevented dismissals, improved employer practices and passed on skills and expertise so that employees can better manage their work lives.

By far the greatest threat to enforcing employment and anti-discrimination rights comes in the form of the abolition

for all legal aid for employment cases from April 2013. Not only does this mean an end to employment and discrimination work at the Law Centre, but the impact on clients and potential claimants cannot be understated. Our clients represent some of the most vulnerable groups in society, including those with English as a secondary language, those with mental health problems and disabilities, people who have experienced serious harassment on grounds of their identity and people on low wages. What this will mean is that unrepresented litigants will be obliged to manage on their own or with the questionable assistance of 'consultants' offering "No-win, no fee" arrangements, ensuring that only 'winners' are taken on. The employment tribunals will also suffer being clogged up with hopeless cases and the knock-on effect will inevitably deter people from enforcing their rights.

CASE STUDIES

Miss M worked for a number of years in small retail environment. When she announced that she was pregnant, her hours were cut and another employee recruited to replace her. When she raised a formal complaint, she was accused of misconduct. She was forced to resign as a consequence. With our assistance, she brought proceedings in the Employment Tribunal and we were able to settle her claim for a significant amount; giving her financial security after her baby was born until she could find another job.

Miss D was just 18 at the time she was employed by a well-known local and national High Street chain. It was her first job after leaving school. She suffered serious sexual harassment by her

HOUSING

male manager who was almost three times her age, married and had good friends with other senior managers in the workplace. When Miss D complained, her complaint was not taken seriously and she finally had to leave her job because of how she was being treated. We brought proceedings under The Equality Act and settled the case shortly before the hearing for £10000 which was the figure from which we had not budged. Miss D resumed her studies after resigning but had she not done so and been obliged to seek alternative work, her compensation in the form of settlement would have been even higher.

Mr T worked at a utilities company via an agency. He suffers from a disability which is 'protected' by The Equality Act. He was provided with no assistance to accommodate his disability and dismissed for a reason related to the same. We brought proceedings for disability discrimination and settled the claim for £7000 and an undertaking for the respondent companies to provide such adjustments to the workplace.

Mrs H was employed in a care home. She was dismissed for alleged smoking although there was little evidence to support this. She also became pregnant around this time. We were not able to link her pregnancy to her dismissal (which would have of itself been unlawful) but her evidence that she did not smoke after her pregnancy was confirmed was accepted and the manner and fact of her dismissal were found to be unfair. She will receive compensation for loss of earnings and unlawful deduction from wages at a remedy hearing in due course.

Once again the Housing Law Unit has been extremely busy and has again seen an increase in the number of clients advised, which is up by 5% on last year.

We deal with a wide range of legal matters for tenants of both social housing and private rented properties, including possession and eviction matters, homelessness and evictions, disrepair, unlawful eviction and harassment, nuisance and anti-social behaviour, housing benefit, disrepair, succession and deposit disputes.

As we mentioned in last year's report, life is becoming more and more difficult for people who need affordable, secure housing for themselves and their families, and we believe that changes in housing benefit will cause further hardship. For example the change to housing benefit rules for social housing tenants, commonly known as the "bedroom tax", come into effect from April 2013, and will mean substantial cuts in housing benefit for tenants of working age who have one or more "spare" bedrooms in their properties. For those properties with one spare bedroom a 14% deduction in housing benefit will apply, and for those with two or more spare bedrooms the deduction will be 25%. It is worth remembering that this cut applies to all tenants, whether in work, unemployed or unable to work because of illness. We are very concerned about the effects of these cuts on clients who are already struggling to manage on very low incomes, with ever-increasing utility bills, transport and other costs. Many tenants will have no alternative but to seek to move to smaller properties, but given the acute shortage of affordable

housing already it is unclear where these properties will come from. Very few new homes at affordable rents are being built and there are already massive waiting lists for social housing in the County.

CASE STUDIES

1. Ms M contacted the Law Centre having received possession papers from her local authority landlord because she had rent arrears of over £1500. Ms M was a young woman with serious disabilities who was registered disabled and had moved into the property after a stay in supported accommodation. She believed that her support worker had made the necessary housing benefit claim for the new accommodation and had no idea that no claim had been made and that she was at serious risk of losing her home. We were able to assist her by obtaining medical evidence to support a backdated housing benefit claim which was successful. Backdated benefit was awarded which virtually cleared the arrears and we represented Ms M in the possession proceedings which were discontinued.

2. Mr R consulted us when his former landlord refused to return his deposit at the end of his tenancy. This is something which commonly happens in the private sector, which is why the law was amended several years ago to require landlords to register all deposits with a deposit protection scheme. These schemes have procedures to settle disputes about the return of deposits which protect the interests of both tenants and also landlords. On investigation we discovered that Mr R's landlord had failed to protect the deposit in compliance with

the law, and after we tried unsuccessfully to persuade him to return the money we assisted Mr R to take action against the landlord in the County Court. The landlord was ordered to repay the deposit to Mr R, together with a sum equivalent to twice the deposit as a penalty for the failure to protect the deposit as required.

3. Mr S was the Head of an IT department. He was made redundant and became a carer for his wife who was unable to work through ill-health. He had 2 children aged 6 and 8. He developed depression and found it difficult to deal with the pressure of mounting bills, looking for work and caring for his family. He had taken out borrowing from a 'new' mortgage lender some years previously, and was finding it extremely difficult to meet the large repayments and manage the household finances. He found some contract work and evening supermarket work, but the long hours took their toll. His mortgage lenders were very unpromising. They took the family to court for possession of the home. We were able to take on two different mortgage lenders separately and provide comprehensive advice on obtaining financial support to Mr S. The county court restructured his mortgage arrears repayments and he was signposted to a more permanent 'mortgage rescue' provider. With his financial pressures eased he is starting to recover from his other problems.

IMMIGRATION

There has been the usual plethora of rule changes in Immigration law over the past year. In particular, on 9th. July 2012, changes were enacted which are likely to have a profound effect on the clients who wish to sponsor a spouse from abroad. Until that date, it was only necessary to show that the spouse from abroad could be maintained and accommodated adequately in this country without any additional recourse to public funds. Subsequent case law had defined this requirement further, to mean that there must be at least the minimum income support level available to the applicant to live on – either through the sponsor's income or a third-party if necessary.

Under the new rules, however, there is a new stipulation that the sponsor must be able show that they have an income of at least £18,600 in order to meet the maintenance requirement. Furthermore, this income requirement increases by £2,400 for each child that may be applying at the same time as the spouse. The income available must be evidenced by bank statements and payslips confirming that the sponsor has held this salary for at least the six months leading up to the date of the application. If the sponsor does not earn sufficient income to meet this requirement, then it is possible to provide alternative evidence in the form of savings, but this is requires proof that the sponsor has savings of at least £16,000 plus whatever the shortfall in salary is, with a multiplier of 2.5. Third Party support is now not permissible, and so if there was a family relative who could help, it would be necessary to transfer such sums into the sponsor's account,

and this must be in there for at least the twelve months leading up to the date of application.

These changes also affected the period in which a successful spouse visa applicant will be granted Leave to Remain in this country, before being eligible for settlement. Instead of the previous 27 months that was issued, any new applicant since 9th. July will be issued with an initial 30 months stay, and there must then be an extension application, and a further 30 months grant before Indefinite Leave can be issued – in other words after a total of five years. As before, the spouse can work during this period, but is subject to public funds restrictions, and the same income requirement must be shown with the extension application.

Other changes include the scrapping of the fourteen-year long residence rule, for people without leave to remain, and replacing this with a twenty-year period, before a person can be granted Indefinite Leave on the basis of long residence

In addition, people who successfully make an application outside of the rules, who would previously have been granted three years Discretionary Leave - which could be extended at the end of that period, and indefinite Leave issued after a total of six years – will now only be issued Leave for a thirty month period, which will only lead to Indefinite Leave after three further extensions are granted, and Indefinite Leave will only be possible after a total of ten years. It also appears that there will be no recourse to most public funds during this period, which is a much more significant restriction than

the Discretionary Leave that was issued under the previous rules.

No doubt these, and other changes will cause some problems for our clients and potential future clients, and it is hoped that we will still be able to assist in such cases, despite the pending cuts to legal aid. Our Immigration team at the Law Centre remains unchanged at present, and has been boosted by the news that Alex Young, from the Administration Team, has recently passed his Level One OISC exams, which means that he can assist us in certain aspects of the work, current duties permitting. This will be extremely helpful so congratulations to Alex!

CASE STUDIES

Mr. A became resident in the UK through his marriage to a British Citizen, but he had three children in his home country, for whom he was responsible, and anxious to bring them over to join him in this country. He worked extremely hard, with two separate jobs, so that he was able to show that he could support these additional family members without recourse to public funds. However, the applications were refused by the Entry Clearance Officer, because it was not accepted that he had remained solely responsible for them, since living abroad, as is required within the rules.

He therefore came to the Law Centre for assistance, and we were able to assist with identifying and obtaining the evidence required to show that he had remained solely responsible for them in the sense that he was involved in all

of the key decisions in respect of their upkeep and welfare, if not the day to day care for them. In particular, we were able to obtain a Court document from his home country, which confirmed that he had Parental Responsibility for the children, as further evidence on his behalf, with the result that the Visa Officer's decision was overturned on appeal, and the children are now living with him in this country, where he continues to support them.

In another case, we were able to persuade the Home Office to alter their decision to grant our client Discretionary leave to Remain under the Case Resolution procedures for old asylum cases, when it appeared that he had been treated unfairly, because the delay in processing his case, which was through no fault of his own, meant that a new policy applied, whereas if the case had been dealt with in time, he would have had the benefit of being granted Indefinite Leave to Remain. This case was of great significance to our client, as, without Indefinite Leave, he could not access the Student Finance, which he required in order to obtain the qualifications, which he needed for his chosen career. However, after instigating Judicial Review proceedings against the UK Border Agency, they agreed to amend his status, and so our client is now able to progress his career as he wished to.

WELFARE BENEFITS

This year has seen a number of changes for the welfare benefits team. Tricia retired from the Law Centre early in the year, with Adrian and Barbara taking up her outstanding casework. The case-work loads increased as a result of this and through increased demand from city residents.

During the year there have been a number of changes in welfare benefit legislation that have impacted on residents of Gloucester including those in work, who are sick and those out of work.

Among these changes were:

- Part time workers with families required to increase their working hours to 24 per week to retain their entitlement to Working Tax Credits,
- An increase in the number of appeals for people on Employment and Support Allowance, who have failed the ATOS medical assessment. This has been marked by changes in the assessment criteria during the year.
- Contribution based Employment and Support Allowance ending after 365 days.
- Mortgage payment assistance lasting for 104 weeks for people claiming Job Seekers Allowance.
- Clients on long term Incapacity Benefit being reassessed for Employment & Support Allowance.
- Single parents requiring to claim Job Seekers Allowance when the youngest child reaches 7 years of age.

Our success at appeals remains high. We always encourage clients to attend the hearings and this has been shown to result in an increased success rate than if the cases are heard on the papers only.

The benefits team continue to work closely with partner agencies in the mental health teams, Gloucester City Homes, housing associations, Futures at Knightstone and a wide range of other local support agencies.

We have had strong support from volunteers who have supported us in numerous roles throughout the year.

CASE STUDIES

Mrs. H. came to see us because the City Council had advised her that she had to repay an overpayment of Housing and Council Tax Benefit totalling £6,500. This was because the Pension Service had wrongly calculated her capital for Pension Credit purposes and assumed that it was more than it actually was. Benefit regulations confirm that the local authority is bound by the decision regarding capital which the Pension Service make. When we challenged the Pension Service decision they insisted that Mrs. H. couldn't appeal against the decision they had made. After much toing and froing we eventually managed to persuade them that Mrs. H. did have a right of appeal. When we represented Mrs. H. at a tribunal the judge accepted our submission and instructed the Pension Service to revise their decision. As a consequence Mrs. H. was awarded arrears of Pension Credit of £550 and did not have to repay the Housing and Council Tax Benefit overpayment.

A client was referred to us, who was unable to cope due to mental health issues. They were caring for a partner with physical health problems as well as young children. The situation had become difficult due to mounting debt and the threat of homelessness. Benefits and further support was identified for the family.

Another client sought advice from us because their Contribution based Employment and Support allowance was stopping after 365 days. They had been placed in the work related activity group despite being wheelchair bound. We were able to successfully argue that the client could transfer to the support group and their contributions based benefit continued.



CURRENT STAFF

Benefits

Adrian Yelland
Anne Whitworth
Barbara Moran

Housing

Anne Whitworth
Charlie King

Employment

Janet Smith (adoption leave)
Gillian Manning (now left)
Alex Raeburn
Nikki Derrick (maternity leave)
Tamsin James
Saira Tufail-Anwar (maternity leave)

Immigration

Andy Puddicombe
Derick Sharkey
Parvinder Bhogal

Family

Sue Maunders

Administration

Mary Smith
Alex Young

Cleaner

Linda Murphy

CURRENT VOLUNTEERS

Administration

Linda Tait
Jenny Ma (now returned to Hong Kong)
Nicholas Lee
Anna Swoboda (now working)
Beryl Jones
Rachel Hossle
Pat Thomas
Hazel Clarke
Susan Pedley
Suzanne Burdett
Mark Berry (now left)
Tasnia Begum
Aaminah Motara

Fundraising Volunteer

Steve Waygood

Casework Support (legally trained)

Caroline Buffery
Noor Al-Koky
Abby Simmonds
Emily Griffiths (now working at solicitors)
Megan Jenkins
Kerrie Adams

Board of Trustees

Christopher Hill (Chair)
David Schermer (Company Secretary)
Nimo Jirde (Treasurer)
James Dale
Kay Mills
Stella Jensen
Saba Yousif

Council Observers

Councillor Jan Lugg
Councillor Fred Wood

Very efficient, very helpful and very understanding. The Judge was very impressed and pleased with the file as it made his job/ decision easier and quicker to decide. He was able to award me extra 12 points to gain ESA award. I am grateful for the help and understanding shown to me and for the efficient way the case has been conducted. Without the Law Centre I would probably be homeless now with my 5 children. The staff was so helpful and they listen to my problem without bias. It was a great service provided to us and was really very helpful throughout

the process. Thank you very much indeed. I personally had no other help. Advice was very helpful, clear and concise and staff very friendly. I think you do a brilliant job and always recommend you to people I know who need help. My experience and what I have observed, people go to the Law Centre because they feel lost in the system. Difficult to put into words how much I appreciate the help I received. . . .



Community
Legal Service



ACKNOWLEDGEMENTS

We would like to thank our funders

**Gloucester City Council
The Legal Services Commission
Gloucestershire County Council**

**Working with the Citizens Advice Bureau and the
Gloucestershire Legal Advice Network (GLAN),
we were awarded a Performance Reward Grant**

We would also like to thank:

Our grateful thanks to Dave Thorp of the Workshop for laying out and producing this annual report.
Thank you also to our clients who have made donations to the Law Centre during the past twelve months,
and once again we have relied heavily on the goodwill and support from members of our Board of Trustees and our volunteers.
Our services could not function properly without them, and we are extremely grateful for all their help, hard work and commitment.

