



# CLS London



Happy New Year and welcome to the first edition of *CLS London* in 2006. In this issue we are pleased to report on two of our big projects. The first is our work providing advice for those at risk of being evicted from their homes and the second, aiding resettlement of prisoners. We also have a supplier profile article on Oliver Fisher solicitors with a case study demonstrating the work they are doing for legal aid and how it makes a difference to those that are most vulnerable.

I hope you enjoy reading this issue of *CLS London*. We have included a reader survey at the end. Please take the time to fill it in to help us shape future editions.

**Melanie Johnson**  
Planning & Partnership Manager

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## Community Legal Service Direct - Just Call

**At just over one year old, the Community Legal Service Direct telephone service has revolutionised the way we look at legal advice provision.**

The telephone line received its 300,000th call in June of this year and regularly receives over 35,000 calls per month.

In the London Region alone, 4090 cases (2007 debt, 630 education, 162 employment, 123 housing and 1168 welfare benefits) have been undertaken by the Community Legal Service Direct Phone service in the period 01 July 2004 - 31 July 2005.

The highest number of completed cases in London came from Lambeth with 210 completed cases, followed closely by the Newham with 208.

London Region mirrors the national trends with regard to the type of legal advice accessed by telephone. Debt is

the most common form of advice requested, with welfare benefits coming second.

Callers to 0845 345 4 345 pay no more than the cost of a local rate call for a specialist casework service, delivered entirely by telephone and correspondence. Specialist advice is available to eligible clients in debt, education, employment, housing and welfare benefits.

Callers can also find a local legal adviser, order legal information leaflets and listen to recorded messages about common legal problems.

The service is delivered by 15 agencies, including solicitors, advice agencies and a commercial call centre provider.



**Right:**  
Community Legal Service Direct delivering quality advice to clients over the telephone

## \*\*\*NEWSFLASH\*\*\*

Increasing Capacity:

Funding for Housing Possession Court Duty Schemes... see page 2.

## Don't Get Evicted, Get Advice!

People living in London who are facing eviction from their home are now more likely to keep it thanks to an expansion of housing possession court duty schemes funded by the Legal Services Commission.

Following the success of 13 pilot schemes in 2002, new schemes have been established in Barnet, Bromley, Clerkenwell, Croydon, Edmonton, Ilford, Kingston, Shoreditch, Wandsworth and West London County Courts. It is anticipated that these schemes will have helped, in total, approximately 2000 vulnerable Londoners by the end of March 2006.

The schemes provide last minute, and often vital advice, assistance and representation to people at risk of losing their homes and prevent social exclusion.

Fiona Mogre of Islington Law Centre, who leads the scheme at Clerkenwell County Court said, "The advice and representation we give can make the difference between whether or not people have a home to go to when they leave the court. We are really pleased at the success of the scheme, which involves a number of solicitors from other agencies working together to prevent homelessness. The scheme helps people who are facing extremely difficult circumstances."

Melanie Johnson, Legal Services Commission Planning and Partnership Manager, said: "These schemes are really valuable and we are pleased to be funding them in London. Ideally people would obtain legal advice before coming to court but

unfortunately this is often not the case. People faced with losing their homes are among the most vulnerable in our society and that is why these schemes are so important."

The majority of housing possession court duty schemes are operated by a number of advice agencies with one taking the lead. The lead agency organises the rota and supervision of advice-giving, liaises with the Court, administers the payments and collates the monitoring statistics.

Following the hearing, an advice letter is sent to each client seen under the scheme, confirming what happened and the outcome of the hearing. Additionally, those clients who need further help, such as with debt, welfare benefits, or further housing advice can make appointments with the advice agency or can be provided with appropriate referral information.

For more information about Housing Possession Court Duty Schemes in London, please contact Pat Ng on 020 7759 1818 or email [pat.ng@legalservices.gov.uk](mailto:pat.ng@legalservices.gov.uk)

"Housing Possession Court Duty Schemes fill the void left by the court's inability to provide legal advice. They are therefore a welcome and invaluable resource that provides professional assistance to those in need. Litigation can be a minefield for our users, for whom we can only give limited assistance. By working together and providing mutual support we maximise our ability to ensure that the public can also obtain justice through a comprehensive legal system and advice network"

**Moira McVeigh**  
**Clerkenwell County Court**  
**Manager**



**Left:**  
Fiona Mogre of Islington Law Centre providing valuable advice to clients at Clerkenwell County Court.

## Turkish Website - Click for Advice

Getting legal advice on-line has never been easier for London's Turkish speaking community thanks to a innovative new website [www.turkishcommunitylondon.co.uk](http://www.turkishcommunitylondon.co.uk)

Established in Lewisham, the Turkish Community Project developed the website because it identified that Turkish speaking residents were not gaining access to advice and information services. It was found that many Turkish people had difficulty in accessing advice because of language difficulties, not knowing where to go, and concern over social stigma.

The Turkish Website succeeds in bringing online advice to the Turkish speaking community. It enables people to access legal advice and information in Employment, Health, Housing, Immigration, and Welfare Benefits. The website also contains information on Turkish culture and there is an interactive element offering one-to-one email advice.

For further details about this project, please contact Selina Wagstaff on 020 7759 1845 or email [selina.wagstaff@legalservices.co.uk](mailto:selina.wagstaff@legalservices.co.uk)

## Croydon Family Justice Centre

December saw the launch of Europe's first Family Justice Centre in Croydon where different civil, criminal and social care agencies have come together under one roof to give help and advice to victims of domestic violence and their families. It is based on a successful model employed in San Diego.

The Centre aims to reduce the number of domestic violence murders and serious incidents; reduce abuse of children and the elderly; end homelessness caused by domestic violence; increase options available to victims and provide culturally sensitive services.

Victims of abuse in Croydon will have access to a unique collaboration of resources including legal and medical services, police officers, probation officers, doctors, counsellors, advocates, social workers, housing providers, benefit advice, education providers, children's services, and adult education groups, all from a centralised location.

Councillor Mark Watson, cabinet member for equalities and community partnerships in Croydon, said: "Domestic violence has devastating consequences for victims and causes horrendous suffering to them and their families. The Family Justice Centre will bring all the services they need together under one roof, removing all the barriers which could prevent them from seeking help."

The legal advice service works using a rota system to ensure that there is a solicitor, able to provide publicly funded advice, onsite at all times from one of six local firms. This legal advice service is very important to clients because it enables them to receive immediate advice without the need for further referrals. The presence of an onsite solicitor should also lead to a reduction in repeat applications to court and contribute to earlier problem resolution.

If you have any further questions about this scheme, please contact Victoria Pitt on 020 7759 1823 or email [victoria.pitt@legalservices.gov.uk](mailto:victoria.pitt@legalservices.gov.uk).

## Advice for London's Prisoners - A Legal Services Commission initiative

Under a new initiative funded by the Legal Services Commission, prisoners in seven London Prisons are now able to access legal advice and information from specialist advisers, to aid their resettlement on release.

The Legal Services Commission London Office has worked in partnership with Government Office for London, advice agencies, the Prison Service and Prison Resettlement Teams to identify key problems faced by prisoners leading to release.

The Planning and Partnership Team found that all of London's prisons are busy, local prisons that have a high turnover of largely remand and short-term prisoners. Those on remand and serving short sentences are the most in need of advice, particularly around issues related to housing, benefits and debt. The team also found a clear gap is in the advice and support available to young offenders who are over 18 years old.

These schemes are part of the Legal Services Commission's programme of increasing capacity within the Community Legal Service, helping more people to gain access to quality advice and assistance across London. This working will aid prisoners' resettlement on release and reduce the risks of re-offending.

The project is being rolled out at HMP's Holloway, Wandsworth, Wormwood Scrubs, Brixton, Pentonville, Bronzefield and Feltham Young Offenders Institute. Prisoners in these locations can now access regular advice sessions to help with social welfare law issues, including those relating to welfare benefits and debt. Where possible, the Legal Services Commission hopes to expand these new services to other London prisons and ultimately to prisoner's families.

For further information on the work to provide advice to prisoners, please contact Kate Rookyard on 020 7759 1844 or email [kate.rookyard@legalservices.gov.uk](mailto:kate.rookyard@legalservices.gov.uk)

## Supplier Profile: Oliver Fisher Solicitors

*Katrina Forrester speaks to Russell Conway (nominated for Legal Aid Lawyer of the year) about his practice and the challenges associated with running a Law Practice that provides private, public and corporate legal services.*

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### **How many employees does Oliver Fisher have and what Categories do you advise in?**

Oliver Fisher has 18 employees and we undertake publicly funded work in the categories of housing and family. Our caseload is fairly evenly split, 60% of our work is housing while 40% of our work are familycases. We are the only firm that undertakes Family Legal Aid work in Kensington and Chelsea.

Kensington and Chelsea has the largest private rental market in London. There is an abundance of large old buildings that have been converted to residential flats. Several were leased to private tenants on very low rent many years ago and landlords would like to repossess their properties and sell them or rent them at a higher rate. We are forever sorting out disputes between tenants and landlords. I acted for and won several cases for tenants that were being unlawfully victimised by one particular landlord (who was involved in several high profile tenancy disputes over the last ten years). He would often turn off water, smash windows; one lady even returned to her flat after being in hospital to find that the landlord had removed the staircase leading up to her flat.

I also successfully acted for a number of tenants that were living in buildings suffering from disrepair and managed by anti-social landlords. I, along with the tenants, lobbied Kensington and Chelsea to compulsory purchase the buildings. It was a long process and we had to threaten the Local Authority with Judicial Review, but we were successful and the Royal Borough of Kensington and Chelsea purchased the properties.

### **What current challenges are affecting advice delivery in these categories?**

Domestic violence cases are particularly challenging. A female client sought my advice to seek an injunction against her husband. The lady was self-employed and did not have any proof of income, which meant that I was unable to advise her under Legal Help. I referred her to a voluntary agency that assisted her to prepare an injunction against her husband. The injunction was not prepared ex parte (without providing the husband with prior notice of the injunction). She served the notice on him herself, he saw red and murdered her. For this reason I propose that Domestic Violence Cases are not means tested.

### **Your firm has dealt with many groundbreaking Landlord and Tenant Cases. Which is the most prominent, and what affect has this had on the law?**

Over the years we have dealt with many cases, most of which would have been impossible to deal with without Legal Aid. Last year we completed the case of Ghaidan v Godin-Mendoza in the House of Lords, which extended tenancy succession rights to gay couples and did more for Human Rights law in general than any other case since the Human Rights Act was assimilated into English Law in 1998.

### **Which is your busiest Legal Department?**

Our Family Department is very busy. We receive approximately 220 calls from clients per day; approximately half of those are matrimonial queries. Five people work in our Family Department and we are so busy we sometimes have to turn people away. We are expanding our team and a Legal Executive will join shortly.



"It is the aim of my firm to offer all our clients an unrivalled service in a friendly and approachable atmosphere with legal advice of a high order".

**Russell Conway, Managing Partner**

## Supplier Profile continued...

### **You were recently nominated for Legal Aid Lawyer of the Year, what does this nomination mean to you?**

It is always nice to be recognised. Legal Aid lawyers do a very difficult and stressful job for low remuneration and just to be nominated for an award meant a great deal to me. Having attended the awards ceremony on a couple of occasions now I can confirm that all present seemed to be joined by a common legal aid identity.

### **What are some of the most positive changes that the Legal Services Commission has introduced?**

The introduction of Tailored Fixed Fees has been really beneficial to my business. I am happy because I know how much money the business is generating per month and my Bank Manager is happy because there are no longer large variances in income. I would even go as far as to say that fixed fees should be introduced for Controlled Work as well.

### **How long have you been undertaking Legal Aid work?**

I have been practicing Legal Aid for 30 years. I find Legal Aid work very rewarding, it is satisfying knowing that when I retire I will be leaving a legacy. I will have had 30 successful court of appeal decisions, four of them made in the House of Lords. It would be impossible to do some of these cases without Legal Aid.

### **What's your advice to firms that wish to expand their Legal Aid practice?**

Being a Legal Aid Lawyer is a vocation rather than a means to make money. You must have the ability to keep up with constant change as the law is constantly evolving.

My advice to those that are looking to expand their practice is to utilise new technology. We have just piloted "digital dictation" software which is working very well. It enables fee earners to have their notes typed and reduces secretarial workload. This technology may prevent us from having to hire additional support staff with the expansion of our Family Department.

If your organisation would like to be profiled in the next edition of *CLS London*, please contact Katrina Forrester on 020 7759 1908 or email

[katrina.forrester@legalservices.gov.uk](mailto:katrina.forrester@legalservices.gov.uk)

## Oliver Fisher: Housing Case Study - Ghaidan v Godin-Mendoza

Mr Mendoza who had been living in a monogamous relationship with his partnership for thirty years, was evicted from his home when his partner died.

By law, when a protected tenant of a dwelling dies their surviving spouse, as long as they are living in the house, becomes a statutory tenant by succession. Marriage is not essential for this purpose. Facing homelessness Mr Mendoza sought advice from Mr Russell Conway from Oliver Fisher Solicitors.

The courts found in favour of Mr Mendoza confirming that he had rights to a succeeded his partner's statutory tenancy because:

- Under the Human Rights Act 1998 all individuals have a right to respect for a persons home and therefore have a right not to be discriminated against on the grounds of sexual orientation.
- Before the Human Rights Act 1998 (and before the judgement in this case) came into force the Rent Act 1977 provided a distinction between a heterosexual couple living together as husband and wife and a homosexual couple living together. The survivor of a heterosexual couple may become a statutory tenant by succession, the survivor of a homosexual could not.

This case is important because it resulted in succession to a protected tenancy for same sex couples resulted in the same rights as heterosexual couples and enabled the judiciary to insert words into statutes to make them Human Rights Convention compliant. This has ongoing ramifications as courts can now change statutes.

If you have a case in particular which could be used to promote the positive story of legal aid in *CLS London* and more widely, please contact Katrina Forrester on 020 7759 1908 or email [katrina.forrester@legalservices.gov.uk](mailto:katrina.forrester@legalservices.gov.uk)



## Contracting Team - Who's Who in Contracting

As part of our ongoing commitment to improve Customer Service and increase efficiency, we have undertaken a review of our Contracting Team structure.

The team has been split into geographic quadrants – North, South, East and West - and each area is now headed up by a Team Leader. We hope that service providers will find this increased number of contact points useful, especially while Aileen Lane, our Contracting Manager, is on maternity leave.

Account Managers will still take the lead on managing their allocated boroughs, however, to simplify procedures for our services providers, team members' responsibilities are no longer borough specific. Account Managers will now help

and advise services providers across the whole of the new geographic quadrants. Sharing knowledge within teams will enable the Commission to provide a more comprehensive service because all team members will be able to provide up-to- date and specific support to service providers.

Alongside the introduction of a new team structure, the Team Leaders have also looked at the strategic use of resources. In line with this, new responsibilities have been allocated to ensure that existing skill sets and experience are used to achieve the best results.

For more information about how the teams are divided and contact details, please see the table below.



**Left:**  
London Regional Office  
Contracting Team

Team	Name	Borough Responsibility	Telephone
<b>Contracting</b>	<b>Aileen Lane</b>	<b>London Region Contracting Manager</b>	<b>020 7759 1811</b>
<b>North</b>	<b>Jason Hill</b> Lisa Barker Nicky Watkins Stuart Hollands Sarah Davies	<b>Team Leader</b> Camden Islington Waltham Forest, Barnet and Enfield Haringey and Wandsworth	<b>020 7759 1889</b> 020 7759 1826 020 7759 1742 020 7759 1557 020 7759 1512
<b>West</b>	<b>Mike Ray</b> Alan Hunter Gail Frankland Matthew Wicks Carl Batty	<b>Team Leader</b> Hammersmith & Fulham and Kensington & Chelsea Westminster Ealing, Hillingdon and Brent Harrow and Hounslow	<b>020 7759 1830</b> 020 7759 1871 020 7759 1609 020 7759 1593 020 7759 1820
<b>East</b>	<b>Hannah Stevens</b> Alexia Thornberry Andy Hatrick Maria Kirwan Jennie Bristol	<b>Team Leader</b> Bexley, Greenwich and Hackney Barking & Dagenham, Havering and Redbridge City of London and Lewisham Newham and Tower Hamlets	<b>020 7759 1731</b> 020 7759 1874 020 7759 1872 020 7759 1860 020 7759 1599
<b>South</b>	<b>Elizabeth Long</b> Chantal Beedell Nick Stoker Kathy Thomas	<b>Team Leader</b> Lambeth and Merton Southwark and Bromley Croydon, Kingston, Sutton and Richmond	<b>020 7759 1869</b> 020 7759 1831 020 7759 1801 020 7759 1678

## Money Money Money... Funding Opportunities

### **Reaching Communities Now Open for Application (England)**

The Reaching Communities Programme is now open for bids. The Programme will run for three years and provides grants of between £10,000 and £500,000 for individual projects aimed at improving local communities and the lives of those in need. The type of activities that the programme will fund, include better access to training and development. The total amount of money available in 2006–07 is £100 million and the programme is open to registered charities, voluntary or community groups, statutory bodies, charitable or not-for-profit companies and social enterprises. Potential applicants need to submit an outline proposal plan to the Big Lottery Fund before submitting a full application.

[www.biglotteryfund.org.uk/programmes/reachingcommunities](http://www.biglotteryfund.org.uk/programmes/reachingcommunities)

### **Office of the Deputy Prime Minister Launches £9 Million Digital Challenge (England)**

The Office of the Deputy Prime Minister has announced the launch of a £9 million Digital Challenge. The aim of the Challenge is to create a world class exemplar of a "wired up community" bringing together the public, private and community sector in using technology to better meet the needs of local communities, including the most disadvantaged. The Challenge is open to Local Authority led partnership bids and will provide £7 million of funding to one national winner and £200,000 to regional winners. Initial proposals need to be returned to the Office of the Deputy Prime Minister by 28 April 2006.

[www.odpm.gov.uk/index.asp?id=1002882&PressNoticeID=2036](http://www.odpm.gov.uk/index.asp?id=1002882&PressNoticeID=2036)

### **Lloyds TSB Foundation Launches Grant Making Guidelines for 2006 (England & Wales)**

The Lloyds TSB Foundation is one of the largest Foundations in England and Wales. Since 1997 it has made grants in excess of £170 million. During 2006, the Lloyds TSB Foundation will make grants through two programmes - the Community Programme and a new Thematic Programme. The main focus of the Community Programme is to fund projects that support disabled and disadvantaged people. (Please see the Lloyds TSB Foundation website for its regional priorities.) The Thematic Programme will focus on supporting charities working with ex-prisoners, with a focus on their families and mental health issues

[www.lloydstsbfoundations.org.uk/guidelines2006.html](http://www.lloydstsbfoundations.org.uk/guidelines2006.html)

## Diary Dates

### **February**

15 - Tower Hamlets Community Legal Service Partnership

### **March**

06 - London Regional Providers Partnership Meeting

14 - Barking & Dagenham Community Legal Services Partnership meeting

Haringey Community Legal Service Partnership meeting

## CLS London Reader Survey

CLS London was launched in August 2004 by the London Region Planning and Partnership Team to help keep our partners up to date with our work and to share industry news.

We have prepared a survey so we can gain a better understanding of what our readers would like to see in future editions. Please take a few moments to complete this survey and help us shape the future of CLS London so it more directly meets your needs.

**1. Do you find CLS London a valuable communication from the Legal Service Commission and would you like it to continue? If so how often do you think the newsletter should be produced?**

**6. We are considering broadening the remit of the CLS London newsletter to cover all aspects of our work. If this happens, the newsletter would be easy to navigate with clearly defined sections. Would you see this as a positive move?**

**2. Please number our standard features (listed below) in order of interest (number 1 being the most interesting)**

Diary dates	_____
Current funding opportunities	_____
Team Contacts	_____
Case Study feature	_____
Supplier interview	_____
Articles	_____

**7. If you currently receive CLS London by post but would like to receive it by e-mail please add your e-mail address below.**

**3. Do you think that all of the above standard features should remain in the Newsletter? If not which ones could be removed?**

**8. Are there any other comments you would like to make to help us improve CLS London?**

**4. Are there any additional subjects you would like covered in each issue of CLS London?**

**9. Would you be prepared to contribute articles to future issues of CLS London? If so, which sections would you be able to contribute to?**

**5. Are there any special one off features you would like covered in CLS London?**

Please return completed surveys by **28 February 2006** year. If you would like to discuss your views on CLS London directly then please contact:

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[katrina.forrester@legalservices.gov.uk](mailto:katrina.forrester@legalservices.gov.uk)