

The Baring Foundation

Law and social change e-news

7 July 2021

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This issue's highlight



Two exciting new Baring Foundation funding opportunities

We have just launched two separate streams of new funding for our Strengthening Civil Society Programme:

1. Up to £150,000 of flexible funding over 3 years for **expert legal 'hub' organisations** designed to help them scale up their activities to enable them to work with more civil society organisations to create long-term social change.
2. Up to £50,000 of flexible funding over 18 months for **organisations undertaking legal action to address racial injustice in the criminal justice system.**

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Campaigns, cases and news



Challenge to a ban on post-natal maternity ward visits: Birthrights

Birthrights, in collaboration with a local couple, recently instructed lawyers to send a letter before action to Betsi Cadwaladr over its exclusion of partners from the postnatal ward. The letter asked the Health Board to explain why this action was proportionate when people are allowed to go to a pub or a restaurant or socialise indoors in Wales.

The Board have since changed their visiting restrictions to allow partners to see their other halves and newborn babies for one hour a day, which Birthrights still believe is a significant and unjustified restriction. Lawyers have written again to Betsi Cadwaladr asking to see the risk assessment underpinning the Board's decision.

[FIND OUT MORE HERE](#)



Raising community awareness of judicial review: Central England Law Centre

The **Strategic Public Law Clinic (SPLC)** (a joint initiative between the Central England Law Centre and Warwick Law School) has been running a project to raise awareness of the relevance of judicial review in the local community. Its focus has been on addressing common misconceptions, explaining where to find the right kind of specialist help and illustrating how it can be used to tackle everyday experiences of unlawful decision-making.

As a first step to strengthening partnerships and sharing knowledge, community organisations were invited to an online event. Significant common issues, such as refusals of help under the Children Act to migrant families, were raised by different organisations across the event's breakout groups. This has provided a focus for further, rights-based, partnership working, tackling systemic issues which will make a difference.

FIND OUT MORE





Super-complaint on police failure to deal with domestic abuse reported by their own officers: Centre for Women's Justice

Centre for Women's Justice have submitted a second police super-complaint about failures by police forces in their response to reports of domestic abuse by their own officers. Analysis of accounts by numerous women who reported abuse by police officer partners (many of the women being police officers themselves) revealed repeat patterns. These included concerns about cover-ups by colleagues of abusers and victimisation of victims, including some female police officers being themselves investigated and dismissed. We recommended that all such investigations should be carried out by a different force, not the force that employs the abuser.

As a result of wide-spread media attention, around 150 women have now approached CWJ reporting similar experiences and CWJ have set up a chatroom peer support group for them. Several forces have already begun reviewing their policies and introducing training for officers on the issues arising in these cases, whilst the super-complaint is still under investigation by the College of Policing.

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Successes for the new Scottish Just Law Centre on disability and Trans rights: JustRight Scotland

JustRight Scotland established the **Scottish Just Law Centre (SJLC)** last year, in partnership with Inclusion Scotland and Scottish Trans. Its aim is to help people legally challenge discriminatory policies and practices of public bodies and service providers, with a view to improving things for them and other affected people who share their protected characteristic.

SJLC are proving the law can be effective tool for social change without needing to resort to litigation. Recent successes include challenging:

- a university to reinstate extra exam time for students with disabilities
- the Home Office over its failure to use the correct identity of Trans applicants to the EU settlement scheme
- a local authority over its failure to provide important welfare information in an accessible format for someone with visual impairment.

READ MORE ABOUT THESE CASES





High Court victory in challenge to wide injunctions on stopping: London Gypsies and Travellers

A High Court ruling published in May 2021 harshly criticises the use of wide injunctions as a blanket ban against Gypsies and Travellers who have nowhere to stop. Wide injunctions against “persons unknown” have been used by local authorities for the past six years to prevent Gypsies and Travellers from stopping on public land, despite councils not making any adequate provision of sites and stopping places.

London Gypsies and Travellers together with **Friends, Families and Travellers** and the **National Federation of Gypsy Liaison Groups** acted as interveners with legal representation from Garden Court Chambers and Community Law Partnership.

The landmark judgment in the case of London Borough of Barking and Dagenham and Others v Persons Unknown also recognises the enshrined right to travel of Romany Gypsies and Irish Travellers. However, some of the local authorities involved in the case are pursuing an appeal.

READ MORE ABOUT THE CASE





New coalition launches Action Plan on maternity discrimination: Maternity Action

Alongside the TUC, the Fawcett Society, Pregnant then Screwed and many others, **Maternity Action** is urging the government to act immediately to give stronger legal protection to pregnant women and new mums at work, particularly as we edge towards the end of the furlough scheme.

The Action Plan asks the government to immediately strengthen redundancy protection for pregnant women and new mothers, completely reform the failed Shared Parental Leave policy and overhaul health and safety protections.

The changes are long overdue. It's been 5 years since the Government-commissioned research by the Equality & Human Rights Commission (EHRC, 2016) found disturbingly high levels of pregnancy and maternity discrimination in British workplaces, and two years since the government promised a Taskforce on the issue.

FIND OUT MORE



Focus on human rights



COVID-19 vaccines & human rights – and other useful resources from BIHR

The **British Institute of Human Rights** have a lot of useful resources and support for organisations looking to develop rights-based approaches to their work; recently:

- **A guide to COVID-19 vaccines and human rights.** BIHR have increasingly been asked to provide human rights support around the use of vaccines, and in particular some worrying practices emerging which involve coercing or restraining people with mental capacity issues to have vaccines, including people with learning disabilities, autism, mental health issues, and people with dementia or brain injuries.
- **A new easy read guide to accessible information** which has been produced with the Accessible Information Campaign Group, a group of self-advocates from around the country working together to challenge the lack of accessible information produced by government.
- **Their response to the human rights impacts of the proposed reforms to the Mental Health Act.**

They also run **Communities of Practice** for different groups – which include popular Lunch & Learn sessions once a month.



What will incorporation of the UNCRC mean for children and children's legal action in Scotland? Clan Childlaw

The rights set out in the United Nations Children's Rights Convention (UNCRC) are due to have legal force in Scotland later this year thanks to a long campaign which culminated in a **Bill being passed** unanimously by the Scottish Parliament in March.

Janet Cormack of Clan Childlaw, Scotland, gives a brief overview in a blog for the Baring Foundation of the Bill, and what its provisions could mean for children's legal action, public interest litigation, and for policy development and delivery in Scotland.

READ JANET'S BLOG





Human rights and tackling poverty: Just Fair & partners

A new project called 'Building a Human Rights Bridge out of Poverty' is bringing together lived and learnt experience of those working on poverty and human rights across the four nations of the UK. The aim is to establish connections, gain new skills, grow confidence and developing understanding of the interconnected issues of poverty and human rights working up to engage in the **ICESCR** review process in 2022.

Learning and knowledge from events has been captured in a report telling 'The Story so Far', with links to videos from the events, cartoons that evolved in sessions and a workshop notebook.

Partners include: **Amnesty International UK, ATD Fourth World, the Human Rights Centre of the University of Essex, RAPAR, Thrive Teeside, Bevan Foundation, the Social Rights Alliance** and other community partners.

READ THE STORY SO FAR



Training and resources



Online welfare rights training: Child Poverty Action Group

CPAG have released a digital version of its online training programme, which includes course listings right through to March 2022, in a convenient booklet format.

The programme contains courses on a variety of subjects, from Universal Credit and PIP, to Benefits for EEA Migrants and beyond.

[VIEW THE PROGRAMME HERE](#)





New report shows how hard it is for survivors of trafficking and slavery to get legal advice: ATLEU

ATLEU's new report **Access to legal advice and representation for survivors of modern slavery** shows that survivors of trafficking and slavery face significant barriers to accessing legal advice, despite this being key to their recovery and securing their rights, immigration status and protection from re-trafficking.

The research identified the following two barriers for survivors of trafficking accessing good quality legal advice in England:

- A lack of clarity amongst many practitioners about what legal aid survivors are entitled to receive, especially for immigration related cases; and
- How the current legal aid funding structure discourages lawyers from taking on complex trafficking cases and seriously limits the time they can spend on the case work.

FIND OUT MORE HERE



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Charity No: 258583 Company No: 950696

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