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**The Baring  
Foundation**

**Law & Social Change e-  
newsletter**

9 March 2020

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## **This issue's highlight**



### **'Implementing successful litigation fund': three new grants**

This new pilot fund – running throughout this year – aims to support organisations to implement a court judgment with the potential to

We're excited to report that new grants have been awarded to:

### **London Gypsies and Travellers (LGT) after a victory in the Court of Appeal**

In early 2020, the **London Borough of Bromley lost its appeal** against the High Court's decision to refuse their application for an injunction banning Gypsies and Travellers from stopping in the Borough. The grant will support LGT's ongoing work to ensure councils in London comply with this ruling.

### **Medical Justice after successful litigation on the identification of torture survivors in immigration detention**

Medical Justice succeeded in **two challenges against the Home Office**. This grant will enable them to monitor how the Home Office now implements the Adults At Risk policy and raise awareness about failures to support victims of torture.

### **Family Rights Group after legal action on voluntary arrangements for children in care**

Family Rights Group intervened in a Supreme Court case against the London Borough of Hackney in a bid to receive clarity on whether section 20 of the Children Act, which allows social services to make arrangements for a child without a court order, is being correctly used. This grant will enable FRG to use the case outcomes to influence national policy and support affected families.

There are further deadlines for this fund later this year... and **some tips on applying here**.

FIND OUT MORE ABOUT THIS FUND



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## Campaigns and cases



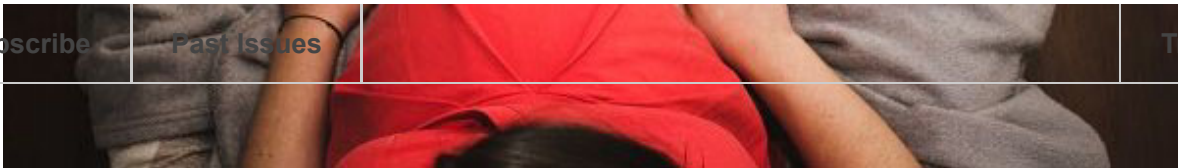


## Friends, Families and Travellers are challenging the Home Office on new proposals on trespass

New Home Office proposals which would either criminalise trespass or strengthen police powers in the Criminal Justice and Public Order Act would have a devastating impact on nomadic Gypsies and Travellers and wider implications for land access rights. FFT are currently busy **promoting engagement with the Home Office consultation** and ensuring the human rights impacts of these changes are fully considered.

FIND OUT MORE





## Birthrights' legal action to ensure publication of maternal mortality data

In November, Birthrights **challenged NHS England's** decision to delay publication of the **MBRRACE** ('Mothers and Babies: Reducing Risk through Audits and Confidential Enquiries across the UK') report into maternal mortality on the grounds that it is independent and impartial and vitally important to the prevention of more maternal deaths. As a result of the challenge, the report was published immediately after the election, allowing the maternity sector to learn from and act on the findings.

Previous MBRRACE reports had highlighted serious racial inequalities in maternal mortality and this year's report again revealed that black women are five times more likely to die as white women in pregnancy. For women of mixed ethnicity the risk is threefold and for Asian women it is double. Birthrights is currently working on plans to address these racial inequalities.

FIND OUT MORE ABOUT BIRTHRIGHTS





## Public Interest Law Centre wins important victory for survivors of domestic violence

The **High Court ruled** in February that the student finance regulations unlawfully discriminated against victims of domestic violence.

**PILC** represented a survivor of domestic violence who was left without immigration status after her ex-partner withheld her immigration documents. This gap in 'lawful residency' meant that she was barred from obtaining a student loan and forced to leave her studies.

The regulations have now been amended as a result of the ruling. The case is an important victory for migrant women who experience domestic violence and means those granted indefinite leave to remain are now eligible to receive a student loan straightaway.

PILC received a grant in March 2019 from the Baring Foundation **to develop legal action around the housing rights of domestic abuse survivors.**

MORE ABOUT THIS CASE



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## CAJ challenge to the Universal Credit hardship fund in Northern Ireland

The **Committee for the Administration of Justice (CAJ)** in Belfast has succeeded in getting the Department for Communities NI to re-assess the Universal Credit Contingency Fund for its impact on vulnerable groups.

The Fund was established to alleviate hardship caused through no fault of the claimant when they transitioned to Universal Credit and

importantly does not need to be repaid. However, the Department restricted access to the fund requiring claimants to take out an advance on their universal credit payment first, leaving many people deterred from applying and much of the available funding unspent.

The removal of this requirement should assist help to ensure that those who need the UCCF most are able to access it.

READ A LONGER ARTICLE



## Price and prejudice: when computers are making the decisions

The final story in openDemocracy's series on unlawful decision-making and civil society responses is about **automated decision-making by government departments**. The Joint Council for the Welfare of Immigrants and Foxglove are currently bringing litigation against the Home Office's automatic 'streaming' of visa applications - and there's a great interview with lawyer Cori Crider of Foxglove about it.

Previous stories cover:

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• **Failure to properly assess needs in adult social care**  
(featuring Mencap's legal team).

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- The **work of Project 17 using the provisions of the Children's Act** to get basic support for children of parents without recourse to public funds.
- Legal challenge taken by the Project for the Registration of Children as British Citizens (PRCBC) against the Home Office **fees for children who want to register their British citizenship.**
- The **parents & campaigners fighting for the SEN support** their children are entitled to.
- The **unlawful deportation of EU rough sleepers from the UK** (featuring the Public Interest Law Centre).

EXPLORE THE UNLAWFUL STATE SERIES



## Resources



**Migrants' Law Project podcast showing human rights law in action**

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This powerful podcast - 'It can be done' - looks at the 'refugee crisis' of 2015 and features the refugees, lawyers and others who came together to open up safe and legal routes to family reunion for those trapped in camps.

[LISTEN TO THE PODCAST](#)

## A toolkit for setting up Exceptional Case Funding pro bono projects

The **Public Law Project** has published **a toolkit** to assist law firms, universities and not-for-profit organisations to set up pro bono clinics to help individuals to apply for legal aid.

The Exceptional Case Funding (ECF) scheme is available for areas of law not usually within the scope of legal aid, but where an individual's rights under the European Convention on Human Rights would otherwise be breached.

The toolkit explains how ECF clinics can help people to access essential legal representation by assisting individuals to make ECF applications directly to the Legal Aid Agency.

[FIND THE TOOLKIT](#)



## FOR CAMPAIGNING & SOCIAL CHANGE

### A 101 GUIDE

This guide is for you if...

- You're not sure how the law operates
- You want to know what is possible
- You think the law could be useful but need help to get started
- Your organisation isn't yet equipped to use legal tools in campaigns

## A 101 guide to using the law

The Sheila McKechnie Foundation have produced a 101 Guide to Using the Law for campaigners interested in finding out more about using legal action in their work.

[READ THE GUIDE](#)



### Sustain Briefing: Right to Food and Universal Free School Meals

February 2020



**sustain**  
the alliance for better food and farming

# The right to food and children in the immigration system – new resources from Sustain

Sustain have a number of recent resources on the right to food – particularly how it affects children in the immigration system.

- A briefing paper on **free school meals and immigration policy** (written jointly with Project 17).
- A briefing paper on the **Right to Food and Universal Free School Meals**.
- A briefing on the **Right to food and No Recourse to Public Funds** with colleagues (joint paper with Coventry University's Centre for Agroecology, Water and Resilience and Project 17).



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