

## News, cases and campaigns



### Baring Foundation funding update

In July, we were pleased to award nearly £800,000 in grants, the majority towards helping civil society organisations manage the impact of COVID-19 on their beneficiaries and on their organisations. **Details of organisations receiving grants can be found [here](#).**

*Supporting legal action related to Covid-19 – still open!*

We are holding a further round of this fund – with a deadline of **Midday on Thursday 22nd October. (PLEASE NOTE THIS DATE HAS BEEN BROUGHT FORWARD)**

This fund supports legal action in all its forms – empowering, persuading, challenging – that seeks to protect vulnerable

individuals and communities from the impact of Covid-19 and the response to the pandemic from public authorities, businesses, and communities. It is open to all registered charities, including current grantholders.

Organisations can apply for up to £40,000 for one year if they have relevant and demonstrable legal expertise in the areas they work in and an annual income of less than £5m.

FIND OUT MORE



## The Unlawful State: Stories from a Pandemic

openDemocracy is continuing its series on unlawful public decision-making and how civil society organisations are using the law to tackle it – this time, with a focus on how the pandemic and COVID-related policies are impacting on vulnerable individuals and communities.

Baring Foundation grantholder, **Birthrights**, is featured in the **first story** which looks at the ways in which women's rights in pregnancy and childbirth have been compromised during lockdown and what they are doing in response.

In a second story, **Freedom of Torture**, explain how they and other groups are trying to protect people in the asylum system from further erosion of their rights during the pandemic.

READ MORE



## **Clan Childlaw: New legislation in Scotland creates legal duties to support brothers and sisters in care**

Last week the Scottish Parliament passed new legislation which will force local authorities to take steps to help children in their care stay in touch with brothers and sisters.

Children who have been living together at home are often separated when they are taken into care due to a shortage of places they can be cared for together. For years, these vitally important relationships have been overlooked by services and decision-makers. Clan Childlaw has long campaigned for change and firmly believes the new law will make a big difference in driving change in practice.

The legislation also creates a duty on children's hearings (the lay panels in Scotland who make decisions on children's care and protection) to consider children's sibling contact and to ensure that siblings who wish to have the opportunity to take part in children's hearings making decisions about their siblings. This issue was the subject of Clan's client 'ABC's' case before the UK Supreme Court

recently, and although he lost his appeal, the case has directly led to legislation and practice being changed.

In other news: The Scottish Government **has introduced a Bill in the Scottish Parliament to incorporate the United Nations Convention on the Rights of the Child (UNCRC) into the law** in Scotland.

FIND OUT MORE



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## Home Office scrapping 'visa streaming' algorithm, in response to legal action by JCWI and Foxglove

Since 2015, the Home Office had used an algorithm with a traffic-light system to grade every entry visa application to the UK, which discriminated by nationality, and had a major impact on the outcome of visa applications. The Joint Council for the Welfare of Immigrants (JCWI) and tech-justice group, Foxglove, started legal action asking the court to declare the algorithm unlawful. In early August, the Home Office announced its suspension pending a redesign of the process.

This is the first successful court challenge to an algorithmic decision-making process.

This **case was featured in openDemocracy's Unlawful State series**, sponsored by the Foundation, which includes an interview with Cori Crider of Foxglove.

READ MORE



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## Unlock: Government responds to Supreme Court ruling with plans to change criminal records disclosure regime

In July, the Government agreed to comply fully with the Supreme Court's ruling on in the case of P and Others v SSHD & SSJ (the ruling on the filtering system and the disclosure of criminal records).



The changes will benefit many who have had minor childhood offences disclosed when seeking employment or entering education or training for example.

Unlock, which intervened in the case, have produced this **helpful flowchart and guide** to help people understand what the changes might mean for them.

FIND OUT MORE ABOUT THE DECISION



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## Training and resources



### **Birthrights: tool for maternity services during the pandemic**

During the pandemic, Birthrights developed a tool help maternity service leaders to make human rights compliant decisions. Anecdotal accounts indicated that healthcare professionals were not always aware of their obligation to consider how temporary changes to maternity services might affect the rights of pregnant women/birthing people and their families. Birthrights was keen to support decision makers to balance the requirement to control the spread of the virus and the rights of individuals to a private and family life, and to ensure that any changes were a proportionate response to the pandemic.

Birthrights has presented the tool to the Global Respectful Maternity Care Council at their request, and the tool has been sent out by NHS England to all members of the Maternity Transformation Programme. Birthrights hopes to see the tool being used to aid decisions to escalate or de-escalate restrictions in maternity services over the next few months.

FIND OUT MORE



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## Migrant Rights Project: asylum guide app for frontline advisers

The **Migrants' Law Project (MLP)** has developed an app that aims to support people working with asylum seekers to understand where their client is in the asylum system, and how they can best assist the client at this point, both with their application and other areas of life.

The app is a desktop app, and is targeted at advisers/supporters who are not accredited to give immigration/asylum legal advice and/or have limited knowledge of the complex immigration/asylum legal system.

The MLP are keen both to get the app out there to organisations working with asylum seekers - even where it is not a group's core area of work - and to speak with other organisations offering second tier support about how they can use our learning to put together apps of their own for key areas of work.

VIEW THE APP



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## Public Interest Law Centre: research reveals human cost of NRPF

The Public Interest Law Centre, along with the Institute of Community Research and Development at the University of Wolverhampton, Project 17, ASIRT and Migrants' Rights Network, has published a **report** into the support provided by English local authorities to people with no recourse to public funds (NRPF) during

the Covid-19 pandemic.

The key research findings were as follows:

- There was a lack of information available for people with NRPF on how to access support during the pandemic
- People with NRPF who contracted Covid-19 were particularly likely to die or become seriously ill
- People with NRPF struggled to access food and shelter during the pandemic, with local-authority 'gatekeeping' continuing to be a major issue

Their research indicates that while some local authorities are trying to respond in a way that respects people's rights and dignity, others do not want to continue to support people with NRPF, with a number planning to resort to so-called 'voluntary returns' or 'reconnection'. In the view of many of our research participants, only an urgent end to the NRPF system can adequately address the problems that have been highlighted by COVID-19.

DOWNLOAD THE REPORT



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## Child Poverty Action Group: Online training courses for advisers

Child Poverty Action Group (CPAG) recently launched a programme of **online training courses** to help advisers stay informed and up-to-date during the current public health crisis.

A wide variety of courses are already available, ranging from Benefits for EEA Nationals to Universal Credit Problem Areas. All of CPAG's online training has been developed from the ground up and optimised for remote delivery.

The courses are delivered via a mixture of live Zoom sessions, which maintain the interactivity of a real classroom setting, and exercises and activities participants can access at a convenient time on CPAG's eLearning platform.

FIND OUT MORE



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## Child Poverty Action Group: Universal credit – what you need to know (6th

edition)

Learn what you need to know about Universal Credit with the fully updated edition of CPAG's bestselling, easy-to-follow guide.

It includes all the latest rules, including its introduction and how people will be migrated from the old means-tested benefits, how to work out the amount of benefit, how to calculate earnings, the 'two-child limit', the work-related requirements and sanctions.

There is specific information for particular groups of people, such as lone parents and people with a disability, and the book contains dozens of examples illustrating how the rules apply in practice and plenty of tactical guidance on what to do if things go wrong.

**Due out Autumn 2020.**

PRE-ORDER A COPY



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## Making Rights Real Scotland: community conversation

**Making Rights Real** is a new grassroots human rights organisation in Scotland established following successful housing rights work in Leith.

Making Rights Real is hosting an online event on **17 September (10am-12)** along with the Scottish Human Rights Commission and Participation and Participation and the Practice of Rights. The event is for people living in Scotland who may be experiencing human rights concerns and want to use the power of human rights.

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