



**Greater
Manchester
Law Centre**

Annual Report 2020-2021

Fighting for our Rights after Covid



Fighting together for free access to justice

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October 2021: Eight of the GMLC staff team meeting Afzal Khan, Labour MP for Gorton, the constituency in which GMLC is based. We talked about the housing crisis, why Section 21 is such a problem, the end of the Universal Credit uplift and campaigning around better rights for those suffering from Long Covid.

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March 2021: Arwa examines her Zero Covid placard at our Day of Action with the Zero Covid campaign outside Crowcroft Park next to GMLC's offices in Levenshulme.

Chair's report

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In opening this report of the last twelve months, I wish to say a huge thank you to our staff and volunteers for the outstanding achievements of the last twelve months. The Covid health pandemic has exposed the fragility of the support available for our community. Greater Manchester Law Centre is proud to offer support to those in most need whilst campaigning to expose and change the policies of Government that have contributed to the distress in the first place.

Welfare Benefits

The Department of Work and Pensions' own figures reveal that the number of people reliant on welfare benefits doubled during the pandemic to over 5 million. The £20 uplift to Universal Credit and Working Tax Credit announced in March 2020 provided critical support to families. A quarter of these claimants receive less than £92 a week. The removal of the £20 uplift cuts their benefit by almost 25%.

The decade-long policy of austerity includes a deliberate and calculated policy of the Government to reduce claims on social security and benefits by making the system more difficult to understand and navigate. Claims are ruled out on technicalities and appeals drag on with people losing hope that there is any support available from a diminished welfare system. The advice and support provided by GMLC staff and volunteers provides a lifeline. We have long recognised that we can only ever reach a tiny proportion of those in need, and just as important is the need to continue campaigning to build the pressure for policy change.

The importance of the work we do in supporting benefit claimants cannot be understated. Every victory helps keep someone warm and fed. Since we started our advice services our staff and volunteers have helped clients secure over £3.5M of wrongly refused benefits. This repatriation of cash is spent locally and has a direct and positive impact on the local GM economy. Ensuring citizens can access the payments that they are entitled to reduces the burden on local charities and services and benefits everyone, including non-claimants.

Employment Advice

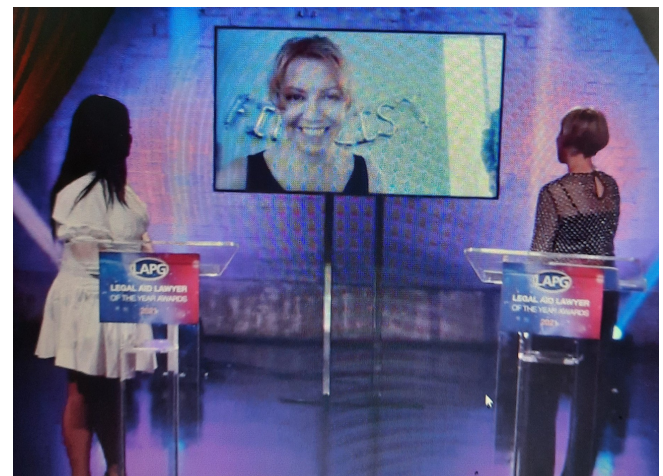
The uncertain economic climate has seen an alarming increase in sharp employment practices. The best way to protect working conditions is via a workplace trade union and we are talking with trade unions about some joined up campaigns. Unfortunately, not everyone that needs employment advice is a member of a union. We have provided employment advice clinics for some time and we have enhanced this service this year by extending our staff team to include an experienced employment law advisor, massively increasing our capacity to give one-off advice. Prevention remains better than cure and we are in discussion with local authorities about establishment of 'good employment zones' where employers are encouraged to sign up to best practice charters.

Housing Advice

The majority of our housing casework continues to be homelessness cases. Local authorities have been turning people away without a decision or making poor decisions around statutory duty. We have been fortunate to extend our housing team this year as well and we aim to use the opportunity and additional capacity to extend our legal campaigning and strategic litigation.

As deaths amongst the homeless population rise, homelessness is increasingly becoming a campaign for a right to life. The right to life includes the right to access a roof over your head. Additional accommodation for the homeless was found at the height of the pandemic and then reversed. We need to continue to campaign to get our political leaders to change the direction of policy.

A major achievement of our housing advice work this year included a High Court victory, which resulted in a Government U-turn and protected 4,000 migrants being evicted from accommodation at the height of the pandemic. Our housing solicitor Kathy Cosgrove played a key role in the High Court victory. It has been quite a year for Kathy, as she was then nominated and won the Housing Legal Aid Lawyer of the Year. Kathy has done a fantastic job developing and leading our housing advice work and the award is thoroughly deserved.



Campaigning & Partnerships

To extend the reach of our campaigning work, we have this year been able to secure additional funding to employ a Campaigns and Communications Officer to give a wider audience to the work that we are doing. We have also continued to develop links with other advice organisations that share our approach and ambition. A partnership with North Lancashire CAB has enabled us to employ a Community Navigator and Front of House Coordinator and we are working on the creation of a pioneering digital project which we hope will improve client access to advice services across Greater Manchester and beyond.



To help upskill and empower other campaigns and community activists in GM, we have organised free online events and community information sessions. These events aim to help raise awareness and build stronger relationships with other services in Greater Manchester. Over 40 organisations have been involved in these events, bringing together hundreds of community activists, staff and volunteers. The feedback has been hugely positive with 100% of attendees who gave feedback stating that they would recommend the event in the future.

More to Come

Collectively we have achieved a huge amount in the last five years. Every member, volunteer and member of staff has made a contribution to our achievements. Thank you to everyone who has played a part, you have shown that you are not willing to stand by and silently watch the attacks on our communities. We need to continue to take our message to a wider audience. There is a huge amount of work still to be done to achieve our vision of a fairer society. Thank you for helping fight for free access to justice.

- Andy Walsh, Greater Manchester Law Centre Chair

GMLC in numbers

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756 cases undertaken
(up from 450 last year)

177
employment cases

£637k in gains for our benefits clients since April 2021 with a total £3.5m since we opened in 2016.

Pro bono and volunteer-run until January 2021.

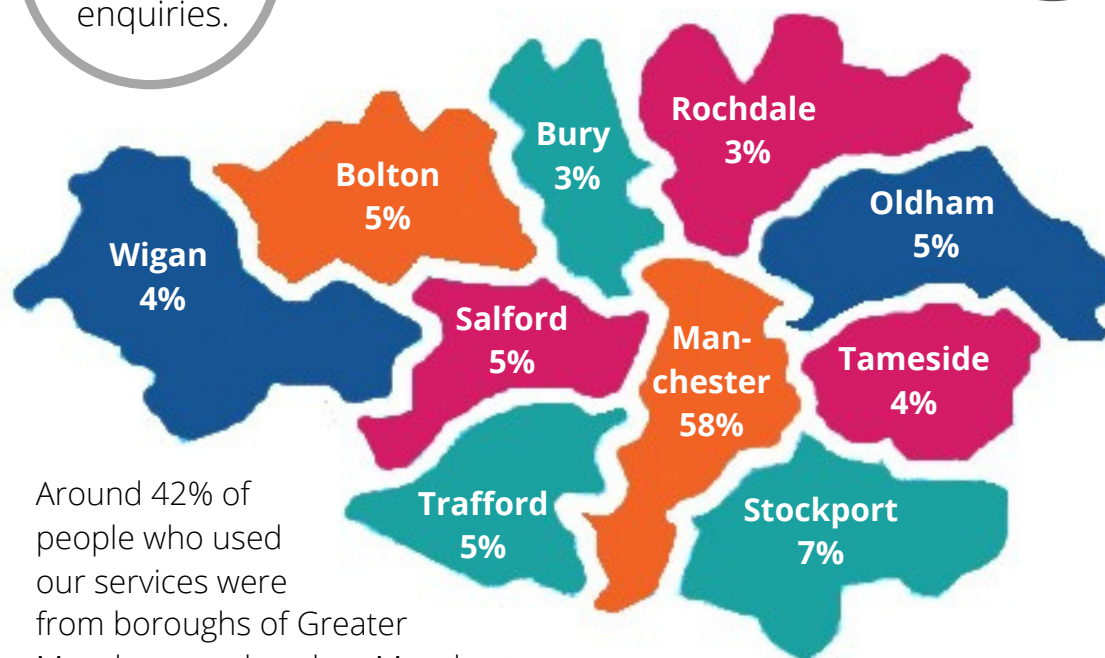
319
benefits cases

230
housing cases

Plus a further 200+ initial enquiries.

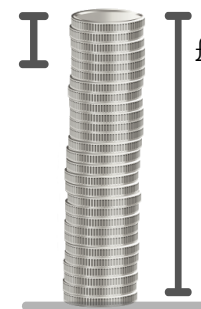
30
public law challenges

Including a case that protected 4000+ asylum seekers from eviction from November 2020 - June 2021.



Around 42% of people who used our services were from boroughs of Greater Manchester other than Manchester.

£637k from Mar 20 - Apr 21



£3.5m since 2016

Welfare Benefits case studies

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Homelessness and the benefits system: gatekeeping left Bugs £8,000 down

Bugs approached us while he was homeless and stuck in temporary accommodation through the A Bed Every Night scheme. He had severe mental health difficulties which had been dismissed on his Work Capability Assessment (WCA) because he wasn't engaged with the health services – as most homeless people aren't! GMLC helped him to appeal a year-old WCA decision. It was a success! Nearly £8,000 in arrears payments are helping him resolve his homelessness.

Bad advice cut off Maria's access to public funds after her husband died

GMLC were contacted by a tenant, Maria*, who was struggling to pay her rent after her housing benefit was stopped. After some investigation, it emerged that she had been misadvised on how to manage her immigration status after her European Economic Area (EEA) national husband had passed away. We spotted the mistake with her immigration status: Manchester City Council weren't treating her as an EEA family member but as a third country national. After a quick negotiation with the council, we got her housing benefit back into payment.

Over-complicated systems set Steven back by thousands

Steven had his Employment and Support Allowance (ESA) suspended as he hadn't understood the capital rules. He had been given incorrect advice as to what information he had to supply and his ESA had remained suspended for about 18 months before it came to our attention. We identified the problem and helped him to gather what he actually needed to provide – but that left Jobcentre Plus a huge job to calculate what he owed them and, in turn, what they owed him. During the Covid staffing restrictions, this was unlikely to get sorted without a bit of pressure, so one of our volunteers escalated a complaint about the delay and the hardship it was causing Steven, and he received £11k in arrears payments, amounting to an annual gain of £21k.



December 2020: pictures from our Day of Action against Universal Credit, conducted on Zoom from the depths of the Covid second wave.

Housing case studies

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Fighting Covid evictions: Graham lost his job but kept his home

Graham fell behind in his rent in March 2020 when he lost his job in catering and was unable to find a new job due to the pandemic. He had lived in the property 10 years and had never had any problems paying his rent before. Graham suffered from depression and became extremely anxious, especially when his mum had to enter a care home. After a few weeks he contacted his landlord and explained he was without income but had made a claim for Universal Credit (UC). The landlord served a Section 21 (s21) Notice, but told Graham this was just a formality and agreed by text to reduce Graham's rent and review the situation when lockdown ended. When the s21 Notice expired, he issued proceedings. The landlord was claiming arrears of over £5,000, and denied that any agreement had been made to reduce the rent. GMLC were instructed to defend the proceedings. We disputed the rent arrears, the validity of the s21 Notice and counterclaimed for the landlord's failure to comply with tenancy deposit protection requirements. After the first hearing, the landlord offered to drop the possession proceedings. Following negotiation, Graham was offered a new 12 month tenancy at the property at a rent equal to his UC housing payments, and with confirmation that all arrears had been waived.

Terminally ill and homeless? Lucy's immigration status nearly leaves her on the streets

Lucy was referred in late 2020 by her palliative care worker. She was from Eastern Europe and had worked in the UK for several years until she was diagnosed with Stage 4 cancer. By the time of her treatment, her condition was terminal, but surgery and chemotherapy were recommended improve her quality of life. Lucy had been living with her partner but her relationship had broken down and the partner was not willing to allow her to return following surgery. When Lucy was ready to leave hospital, she made a homelessness application to the Council. They refused assistance because Lucy had been granted only Pre-Settled Status under the EU Settlement Scheme, and the Council's housing department had decided that she was not eligible for homelessness assistance. Lucy was facing street homelessness and, without suitable accommodation, her chemotherapy could not begin. We applied for an urgent review of the decision and accommodation pending review. This enabled Lucy to be discharged to suitable temporary accommodation and start her treatment. Lucy's review was successful and they accepted that she was eligible for homelessness assistance and social housing. Lucy was offered stable accommodation and was supported until she passed away at home several months later.

Strategic litigation

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Across 2020-2021, our Housing and Public Law team mounted a significant challenge to the Home Office's asylum eviction policies during the Covid pandemic. The cases of QBB and PA/MA helped to keep more than 4000 destitute failed asylum seekers in their homes during the pandemic.

In March 2020, as the country entered its first Covid-19 lockdown, the government took welcome steps to ensure that no-one was forced to sleep rough during the pandemic. Local Authorities were instructed to bring "everyone in" and possession claims were stayed. From March to September 2020, they delayed evictions of destitute refused asylum seekers who could no longer access asylum support.

However, by September 2020, the Home Office decided it was time to return to business as usual. Refused asylum seekers who did not qualify under the usual criteria had to either agree to leave the UK or face the fact that their support would be withdrawn. GMLC acted for three of the first people to be notified that their asylum support would be stopped: PA, MA and QBB.

PA and MA appealed to the Asylum Support Tribunal, arguing that pandemic was not over as we were entering the second wave. Whilst the Home Office considered they could return safely to their country of origin, they believed they would be killed. As a result, they would not voluntarily agree to leave and they argued that their eviction would create a risk to public health, as they would need to move between accommodation, endangering others as well as themselves. They argued that they should continue to be accommodated to protect the human rights of the most vulnerable communities and the wider public at large. The Judge decided that, as PA and MA had been living in areas subject to the highest ('Tier 3') restrictions at the time, the Home Office's decision to evict would have constituted a breach of human rights.

In the interim, QBB had also received an eviction decision. He had also appealed to the Asylum Tribunal. Despite his age (mid-60s), HIV status and the fact that his sexuality remained a serious crime in his home country, a Judge had decided he had no chance of success in appealing against his eviction and dismissed his appeal without a hearing. QBB had no further right of appeal except to issue an application for Judicial Review, which he did - not only to protect himself, but others in his position too.

At the beginning of November 2020, the court made the order which prevented the Home Office from evicting an estimated 4000-6000 people, and the Home Office withdrew its evictions policy temporarily.

But in April 2021, the Home Office announced a new policy to begin evictions of destitute refused asylum seekers again. QBB, PA, MA and KMI (represented by Deighton Pierce Glynn) challenged this new policy on the same grounds they had challenged the last: there was no reason to believe it would be any safer now to evict asylum seekers onto the streets than it had been the autumn before - lockdown measures were still in place and Covid case numbers were high.

The end of this case was messy. At a hearing at the end of April, the High Court decided to discharge the order that had been in force since November (enabling the Home Office to start evicting again). It was on the second day of the final hearing on 6 May when the Home Office ran into trouble. The Judge had questioned the lawfulness of the government's decision-making and wanted to know what powers the Home Secretary had thought she had been exercising when she had agreed to accommodate people outside the usual criteria back in March 2020. The Home Office's legal team suggested that the point could be overlooked, but the Judge disagreed and put the order preventing further evictions swiftly back into place. Such was the reluctance of the Home Office to clarify or provide further disclosure of the Home Secretary's decision-making, they agreed to amend their policy to agree that no evictions would take place until the end of June 2021, and the case settled without a final hearing.

QBB, PA and MA succeeded in preventing the eviction of thousands of people during lockdown. Expert evidence before the court suggested that had these individuals not been accommodated and been forced to sleep rough or sofasurf, their risk of contracting the virus and passing it on to others would have been between three and five times greater. However, public health wasn't a priority for the Home Office. The refrain throughout was that refused asylum seekers should "go home".

There is no convincing evidence that forcing asylum seekers into destitution convinces them to leave the UK, but the government considered the price of their Hostile Environment policies both worth paying - and above the scrutiny of Parliament or the courts. At the end of the litigation, when pushed to explain her decision-making, the Home Secretary claimed she was acting under the Royal Prerogative.



BRIDGE ST
WEST

No loading
at any time

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1

CROWN COURT
MAGISTRATES COURT
DEANS GATE
LEFT BANK
HARDMAN BOULEVARD
NCP SPRINGFIELDS

PRIVATE LAND
PUBLIC ACCESS IS WITH
PERMISSION OF THE
LANDOWNER UNDER
SECTION 31 OF THE
HIGHWAYS ACT 1980.
NO PUBLIC RIGHT OF WAY IS
GRANTED OVER THE LAND.

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Manchester Civil Justice Centre



Employment case studies

Nowhere to go for advice: Joanne is unfairly dismissed during the pandemic

Joanne was made redundant during Covid from a job she had held for 12 years. She appealed against her redundancy but her appeal was unsuccessful. Joanne felt she had been unfairly dismissed and that she may struggle to get a new job, as she was in her 50s. Joanne started the 'early conciliation' process through Acas, but she was unsure about how to negotiate, what to expect from the process, and what the likely outcome of her case would be.

Joanne called GMLC. After speaking to our employment solicitor, Michael, Joanne felt a lot more confident about her rights and how to negotiate what she wanted using the Acas process. Based on Michael's advice, Joanne got what she asked for. Even though we could not offer representation Joanne felt more reassurance and empowered by her one-off advice appointment.

Shirley has to go off sick because of Long Covid: but is it discrimination?

Shirley had been working in a supermarket when she caught Covid near the start of the pandemic. She recovered and went back to work, only to catch it again. She felt that the health and safety measures taken at work were subordinated to some customers' desire not to wear masks or follow social distancing rules, and this may have led to her catching the virus twice. After this second infection, Shirley developed symptoms of Long Covid and had to take time off work claiming Statutory Sick Pay (SSP) because her Long Covid symptoms were long-term and debilitating and prevented her from doing her job. Eventually, her employer suggested that she take a voluntary "employment break", which Pauline was concerned may have been discriminatory on the basis of her health condition. Unfortunately, Long Covid is not yet formally recognised as a disability, so GMLC wasn't able to give a clear-cut answer on the discrimination grounds, but we advised her on her options. Shirley took the employment break.

Soon afterwards, with her permission, our Campaigns Officer called Shirley to ask if she wanted to help us campaign for better rights for Long Covid sufferers. Shirley's story became the centrepiece of GMLC's well-shared research project highlighting the issues of Long Covid's effect on workers, poor health and safety in the workplace, and the need for better disability rights and benefits.



Campaigns

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Greater Manchester Law Centre began in 2014 as a campaign for free access to justice, and we continue to campaign today. Though legal solutions are crucial to help many people overcome the barriers that have been placed in their lives, in many cases the law is simply not sufficient to deliver justice for the people who come to see us. With our Campaigns Officer and a team of dedicated campaign volunteers, we fight for changes to law and policy, particularly in the areas of housing, welfare rights, employment rights, and access to justice.

Income Maximisation

This year, our welfare rights campaigning has focused on the failures of the Universal Credit system and on resisting benefit cuts. We have held actions to support Unite the Community's Day of Action against Universal Credit, written campaign articles on the need to retain the £20 uplift (which was extended, though unfortunately dropped in October), and attended demonstrations commemorating historic fights for welfare rights.



Better Employment Rights

We launched our Better Employment Rights campaign this year alongside our employment service. Immediately we began to work with groups in need of advice on their employment rights, from care workers in Care and Support Workers Organise (CASWO) on mandatory vaccinations, to workers with Long Covid struggling with discrimination and dismissal due to their illness. We produced guidance and survey and case study-based research into Long Covid and work that has been shared widely in Long Covid support groups. We have also been working with Trades Union Council branches and our union branch affiliates to encourage membership and participation in union activity, including by joint activity and events, and producing guidance on our website for union reps.

Housing campaigns

We spent this year campaigning against evictions, especially evictions using 'mandatory grounds', which are affecting many people who have built up rent arrears during the pandemic. We have worked with Bolton TUC, Greater Manchester Tenants Union and ACORN to discuss and jointly campaign against evictions, spoken to politicians and fed into strategy meetings, and drafted legislation that could be used to minimise the impact of Covid arrears. We have also recently begun a campaign on deaths in temporary accommodation, seeking to push decision-makers to put policies in place to stop preventable deaths and fully investigate any that take place.



Access to Justice

Promoting and fighting for free access to justice continues to be a main part of our campaigning. This year, our campaign volunteers have written articles in local media such as The Meteor and the Manchester Law Society Messenger, and we continue to publish resources on access to justice on our website and amplify reports on the subject in our social media.

Zero Covid Campaign and Kill the Bill

At the start of 2021, we signed up to support the Zero Covid campaign, holding an action in March and sharing our updated Covid Survival Guide. The Zero Covid campaign has been working to ensure better health and safety at work, and campaigning for a strategy to reduce the risk of Covid.

We also worked with the Kill the Bill campaign in Manchester to oppose the Police Crime Sentencing and Courts Bill currently in Parliament, an attack on protest rights and the freedoms of minority communities. We trained Legal Observers, made explainer resources and encouraged people to write to their MP to oppose the Bill.



Our volunteers

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By the community, for the community. Volunteers remain the lifeblood of the Law Centre. From our enquiry line, benefit advice and employment services to our campaigns and management committee, we are supported by our team of amazing volunteers.



Ajibike Babalola, Triage/Enquiry Volunteer

I am very happy and most grateful for getting the opportunity to volunteer at a place like GMLC. As I build up my experience in the legal aid sector in England, I hope to be able to qualify as a solicitor here in the near future. What I find most enjoyable has to be the people I work with and the continuous training we get. I get to exchange so many emails with different people, most of whom I haven't met before, but the interaction often makes me feel like I know them. Such loving and welcoming people, and I felt at home right from the first day."

Anita Leaker, Welfare Benefits Form-filling Volunteer

I am a Solicitor who, until I retired in 2019, specialised in criminal defence work. Law Centres were pivotal in my decision to qualify as a lawyer. It always was my intention to become a Law Centre volunteer after retirement. I found the GMLC site online, applied to volunteer and was delighted that my application was accepted. I was trained to deal with phone enquiries and subsequently to help clients complete various applications for welfare benefits. I consider Law Centres a vital missing link in the democratic legal process. It is a privilege to be involved.



정희종 (Hoejong Jeong), Campaign Volunteer Lead for Access to Justice

As a law student, I strongly feel that campaigning for access to justice with the GMLC is a fundamental way to achieve an accessible legal system for a fair and equal society. GMLC has ignited my passion to help others.

Accounts

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GMLC continues to thrive and develop. Over the last year we have increased the range and reach of our services across Greater Manchester. We have grown our resources, taken on additional staff and successfully bid for funding from several sources.

We managed to derive a surplus, driven by a number of large grant donations in the year that allowed us to double our income, although this also funded a significant increase in staff and on-going overheads that will need to be managed going forward.

We continue to benefit from the generosity of our supporters and funders and will look to continue to look at developing our supporter and subscription base.

Figures at a glance

	31/03/2019	31/03/2020	31/03/2021
Cash at Bank	£125,945	£154,307	£242,642
Regular Donors	61	71	83
Employees	7	7	11
Income	217k	214k	443k
Expenditure	225k	213k	327k
Reserves/Carry Forward	100k	101k	217k

Thank you

Principal funders

AB Charitable Trust, Access to Justice Foundation, Community Justice Fund, Forever Manchester, Law Centres Network, Legal Education Foundation, Manchester Metropolitan University, Manchester Well-being Fund, Ministry Of Justice, Oak Foundation, Sustainability Health Environment Development, Three Guineas Trust, University of Manchester, We Love Manchester

Board Members

John Nicholson (chair until 24/11/20) Andrew Walsh (chair from 24/11/20), Norma Turner (Treasurer), Denise McDowell (Company Secretary), Aisha Khan (Vice Chair), Sukhdeep Singh, Giles Elliot, Kevin Allsop, Craig Holmes, Ben Clay (from 24/11/20), Ciara Bartlam (from 24/11/20), Lamin Touray (from 24/11/20)

Patrons

(Pictured left-right) Robert Lizar, Dawn Edge, Lord Bach, Maxine Peak, John Nicholson, John Hendy QC, Michael Mansfield QC, Erinma Bell MBE DL

Supporting organisations

ACORN Manchester, Bolton TUC, Bristol Law Centre, Citizens Advice North Lancashire, Freedom from Torture, Greater Manchester Immigration Aid Unit, Greater Manchester Poverty Action, Greater Manchester Jain Centre, Greater Manchester Tenants Union, Greater Manchester Welfare Rights Advisers Group, Green & Black Cross, Irwin Mitchell Solicitors, Kenworthy's Chambers, Manchester Mind, Manchester TUC, North West Trades Union Congress, Refugee Action, Safety 4 Sisters, Unison Manchester Community and Mental Health branch, Unison Probation and Cafcass (North West), Unite Greater Manchester Social Action Branch North West 389, Unite NW/55 Fujitsu North West Branch, Unite the Union Greater Manchester Community Branch, Young Legal Aid Lawyers

