Walking for Justice

The London Legal Support Trust (LLST) was established in 2003 to provide additional funding for specialist legal advice agencies in London and the Home Counties. LLST primarily raises funds from lawyers, and is generously supported by City law firms, in-house departments and the judiciary as well as by expert witnesses. Its main source of income is the London Legal Walk, in May each year, although it also generates funding from similar events such as the London marathon, British 10K, and Walk the Thames amongst others (more information about how to get involved below), as well as some direct donations from firms and chambers. The funding raised has grown from £50,000 in 2004 to over £1,000,000.

London Legal Walk
12,000 people, the majority of them lawyers, walked to raise funds for free legal advice services in London and the south east on 22 May this year. The walk was supported by the whole of the legal profession; the most senior judges and QCs walked side by side with law students, corporate lawyers, in-house lawyers from multinational companies and government departments, high street solicitors and front-line case-workers. They raised funds to enable Law Centres, local Citizens Advice and other advice agencies to continue to help vulnerable people access legal advice. The London Legal Walk’s main sponsor in 2017 was the Law Society, although other organisations, both large and small, sponsored aspects of the event.

Supporters
Following this year’s walk, Sir Terence Etherton, the Master of the Rolls said: “We walked to raise funds for free legal advice charities supported by the London Legal Support Trust. The need for these charities has grown over the past few years while resources for their work have diminished. That makes the funds raised by the London Legal Walk more important than ever.”
On his retirement as President of the Supreme Court, Lord Neuberger said: “Taking part in the London Legal Walk was one of my most enjoyable and worthwhile duties, and the five walks in which I participated (as well as the three walks as Master of the Rolls) will remain among my very happy memories in my post-judicial life.” “[The walk’s] success can be measured not only in the very large amounts of money it has raised for an extremely worthwhile and important cause, but also in terms of the sense of community and social responsibility it has helped engender among professional, student, and academic lawyers - not to mention judges. And of course, it has spawned legal walks in many other cities and towns.”

**Why we walk**

The legal advice centres supported help people including families facing homelessness, older people requiring community care, trafficked women and children, people with disabilities, refugees, people who are facing employment problems and those with mental health issues.

In recent years, cuts in civil legal aid and council grants have made it more difficult to access free legal advice in the capital. There are fewer firms in the high street with legal aid contracts, some not-for-profit centres have closed and others have had to severely reduce casework staff. In 2012-13 there were 870 not-for-profit legal aid providers in England and Wales. However, legal aid was targeted for austerity cuts, removing whole areas of law from scope (eg. employment and immigration) and severely restricting the types of case which could be taken on in the areas of social welfare law that remained. This had a devastating impact. According to Ministry of Justice Statistics, by 2013-14 there were just 95 not-for-profit legal aid advice providers - a fall of 90%. The impact of legal aid cuts, combined with local government spending cuts and other funding changes, has been estimated to take over some £100 million annually out of the advice economy in England and Wales. The impact is disproportionately serious in London due to higher levels of deprivation. The funding that LLST raises for agencies is ‘unrestricted’ in charity accounting terms, which means they can use it to support their core costs across all activities (even those aspects which can be difficult to fundraise for), rather than being restricted to a particular project. It can also be used to ensure that legal aid cases are fully funded, as legal aid rarely covers all aspects of a case, even when the subject area is in scope and the client qualifies in relation to their means.

**Practical support**

As well as making grants to agencies three times a year, LLST works closely with the agencies providing free and pro bono legal services through its Centres of Excellence scheme. This project aims to assist agencies make the best use of the funding they have and identify where there may be threats to their sustainability, providing practical support. Using this year’s walk funds, LLST has already agreed to fund a billing co-ordinator in one Law Centre to improve cash flow. This is a pilot project, which it is hoped will be rolled out to others. LLST was also able to respond to the Grenfell Tower crisis immediately, paying for outreach staff and equipment for the Law Centre and C.A.B. to start work with those affected straight away.

**Who gets helped?**

LLST knows that free legal advice services change people’s lives, providing them with expert help to reduce debt, poverty and homelessness, and combat discrimination and injustice. The lawyers in the agencies supported by LLST often work with vulnerable clients such as young people. Walk funds contribute to lawyers being able to take cases such as this, involving a young person whose had fled her home country owing to her father’s politics. May (not her real name) had limited knowledge of his involvement but had been detained and tortured as a result. Her asylum claim and related appeal in the UK were refused on the basis that her knowledge was vague and no objective evidence existed. May was in a precarious situation with very little hope, and was abused by men taking advantage of her vulnerability. Unsurprisingly, her mental health started to deteriorate.

The agency could discover very little public information about the country in question, political demonstrations or unrest. Happily they could find a country expert who was able to provide an opinion. The expert revealed human rights organisations were not allowed into the country, even as observers, which explained the lack of much other information. Through her own expertise, she was able to confirm the existence of the political demonstrations and the likely fate of those involved, which May had referred to.

A fresh claim for asylum was submitted on the basis of the expert’s opinion, and eventually May was granted refugee status in the UK. She is now in University. Her lawyer said; ‘The evidence was key, and worth its weight in gold. Without the expert opinion this would not have been possible.’

Another example of who benefits from the funds raised by the London Legal Walk concerns a young person we will call Richard (not his real name). He was referred to a Law Centre by the Children’s Commissioner. At the time he and his mother were in Nigeria, having been removed there following their applications to remain in the UK being refused and all appeal rights exhausted. At the point that Richard was removed he was 5 years old. Richard’s mother had been a psychiatric in-patient for a significant period of time, and he had been in foster care, there

http://www.londonlegalsupporttrust.org.uk/grants/
were signs he had been neglected in his mother's care but there had been no assessment of what would be in his best interests since he was 10 months old. Judicial Review proceedings were brought against the Home Office for unlawful removal of Richard and his mother to Nigeria given the failure to consider Richard's best interests. On Richard's return to the UK the Law Centre represented him in making an asylum application. Although Richard did have long residence in the UK, and significant compassionate factors, the lawyer felt strongly that if he were returned to Nigeria with his mother, he would be at risk of child-specific persecution. This was because his mother's mental health meant that she was unable to parent him adequately alone, and to safeguard his best interests. There are very limited child protection services in Nigeria, and child trafficking is a significant problem. Without the safeguards in place in the UK (child protection services, involvement of the local community and Richard's school who were aware of the family's situation) there was a real risk that Richard's mother would subject him to physical and emotional abuse, would not support his education or development and there would be no safety net available to him in the form of child protection services. He was likely to become a street child and be at risk of trafficking and exploitation.

The lawyer was able to obtain significant expert evidence in relation to Richard's needs, his mother's health and parenting difficulties, and the support that they both needed to live safely together. Expert reports were obtained from: a paediatrician (to comment on Richard's learning difficulties and developmental delay and the factors that contributed to this); an independent social worker providing a 'voice of the child' report; a psychiatric report in relation to Richard's mother's health and her ability to parent him and keep him safe; and an educational psychologist to comment on whether Richard's mother had any learning disabilities, and if so, the effect of these upon her ability to protect and parent him.

The lawyer said: “This evidence was crucial to setting out Richard's specific needs and vulnerabilities. Further, it was essential to demonstrating that Richard's mother was unable to parent him adequately or keep him safe if removed from her community in the UK and returned to Nigeria. This was because of her own mental health problems, and the fact that without community support her mental health deteriorated to the point at which she was unable to keep Richard safe, and in fact was likely to abuse him physically and emotionally as a result of her inability to manage her own feelings. As a result of the evidence submitted in support of his case, Richard has been recognised as a refugee, and now has permission to remain in the UK.”

Many housing cases dealt with by the not-for-profit agencies crucially depend on expert evidence, for example in this case where Jane (not her real name) was renting a property in the private sector. Her landlord issued a claim for possession based on rent arrears.
How to get involved
The next London Legal Walk will take place on Monday, 21 May 2018. The walk starts and ends in Carey Street, WC2A - behind the Royal Courts of Justice. Walkers can set off anytime between 4.30 and 7pm. There are two routes to choose from, one through St James’ Park and an alternative river route, (which can be better for people with hay fever). Both routes are 10 km long and return to a street party in Carey Street, which gets better each year!

Legal walks don’t just take place in London. Katharine Russell, Volunteer & Services Officer at Possability People, a Brighton-based charity working with people with disabilities, commented; "Many thanks, this is fantastic news (£681.25 raised in the Brighton Legal Walk) and will make a real difference to our service. Thank you for continuing to arrange such an inclusive and worthwhile event. We look forward to next year!" You can find out about other events on the LLST’s website www.londonlegalsupporttrust.org.uk/our-events.

LLST also raises funds through other events. For example, Walk the Thames is a fantastic event for keen runners and walkers, taking place on 28 October 2017. The walk is a half marathon or full marathon (your choice). Again all funds raised will help vulnerable people access justice. The walk starts at 8.30am at Norton Rose Fulbright’s offices and the first half marathon ends in Putney. If you aren’t an early riser you can join in at Putney for the second half of the marathon at 12:30pm. The full marathon and second half marathon end in Hampton Court. The full marathon takes approx. 8-9 hours to walk. There are plenty of pubs and cafes along the way where groups stop for lunch!

If you are more of an arm-chair type, perhaps a quiz is more your style? The Great Legal Quiz will be taking place on 8 November 2017. The questions are like a pub quiz, not legal but it’s called the Great Legal Quiz because all money raised goes to front line legal advice charities. LLST will supply the questions, and posters for you to use to advertise your quiz night in a local pub, your office, the charity where you volunteer, or just at home.

Benefits appeal cases frequently require expert evidence, and yet all first tier benefits appeals are out of scope of legal aid, so cases such as Christopher’s (not his real name) can only be funded through other sources, such as the London Legal walk. Christopher was claiming Employment and Support Allowance (ESA) because of his health problems. His benefit was stopped as his condition was reassessed and he was found fit for work. This seemed most unlikely as he was 56 years old and engaging with a treatment service for his drug use. The treatment service referred him to a psychiatrist to investigate whether he had any undiagnosed mental health conditions. Despite numerous incidents throughout his life that indicated this presence of an underlying mental health condition this was the first time professional help had been made available to him. The psychiatrist diagnosed Christopher as having symptoms of psychosis; auditory hallucinations, paranoia and social anxiety. This diagnosis not only allowed Christopher to access further support for his health conditions, but at his lawyer’s request, the psychiatrist also prepared a report for Christopher’s ESA appeal. This explained the nature of his mental health conditions, and how they affected his day to day life. The appeal tribunal was provided with a copy of the report in advance of the scheduled hearing. As a direct result, the tribunal made a decision on the papers alone, sparing Christopher the ordeal of a hearing. The decision specifically stated that “In reaching its decision the tribunal placed particular reliance upon the evidence of his consultant psychiatrist”. The evidence led to recognition that Christopher was not in fact fit to work. He was awarded £2,440 in backdated payments, and became entitled to £109.65 per week. For the first time, Christopher was given an opportunity to access support for his health conditions and to find ways of mitigating their impact on his life.

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If you are a keen baker, whether sweet or savoury, perhaps you would like to get involved with the Great Legal Bake in 2018. It was a huge success in 2017 with over 250 teams baking for justice nationally and raising over £33,000. LLST would love to hear from you if you are interested in getting involved in any way during 2017 and 2018, please do email signups@llst.org.uk. All the funds you raise will make a real difference in the lives of people facing legal problems and ensure they do not have to do so alone.