

## LEGAL AID – COLLECTING INFORMATION ON THOSE YOU CANNOT REFER TO A LAWYER - FOR NGOS

Alison Harvey 6 March 2013

It is one thing to say “I spent ages last week trying to find a lawyer for someone” and quite another to say “I spent 9 ½ hours and made 120 phone calls. I spoke to 50 lawyers, of which 40 had no capacity and 10 said it was not the type of case they deal with. Whatever initiatives are set up to help those who will not get legal aid from 1 April, they will be sticking plasters over gaping wounds unless they are also used to collect information about those not getting help. It needs to be simple or people will not do it. Here is a suggestion:

Record From: *[name of person/persons making record]*

Reference: *[A unique identifier than allows you to identify this case]*

Consent to record details appended.

Source of referral *[e.g. client herself phoned office, referred by local church group, etc.]*

Date of referral *[when you first were referred the case]*

Case type: *[e.g. domestic violence, EEA national – as much detail as you can manage but a little is better than nothing]*

History of legal representation if any  
Attempts made to get legal advice. *For each attempt record*

Date

Time spent

With whom you got in touch

Outcome *[if said could not help, record reason could not help]*

Current situation of client as of date *[record date]: [record situation of client]*

Provide any updates with dates.

See overleaf for an example

It is better to fill in some bits than none – if you cannot fill in all no worries.

Name Alison Smith

Case AMigrantorganisationAS16

Source of referral : Another detainee asked a visitor [Eileen] to see this person

Consent to record details appended.

*Request 6 April. AS met with this person on 13 April*

Foreign national ex-offender has served 18 month prison sentence. Was in UK as a spouse at time of conviction – leave was curtailed. Detained under immigration act powers. Faces deportation and wants lawyer to contest this. Has been given decision to deport and is appealing. Appeal deadline 17 April. Family life – not asylum case.

History of legal representation if any: had criminal lawyer, has never had immigration lawyer.

Attempts made to get legal advice. *For each attempt record*

Date 13 April 2013

Time spent 10 minutes (phone)

Asked BID to consider representing for bail hearig.

13 April With whom you got in touch

Outcome 13 April BID said try to get lawyer first. If fail come back to them

Date 14 April 2013

Time spent 5 minutes

Phoned Reps and co. (Portsmouth) to ask if they would take case.

No legal aid available. Could only take as private client.

Time spent seven minutes (took a long time to get through on phone)

Phoned Lawyers and co. to ask if they would take case.

No longer have legal aid contract. Could only take as private client.

Time spent 15 minutes

Phoned NGO Migration to ask if they know lawyers to whom to refer case pro bono

They said no. Lawyers with whom they are in touch are not doing detained cases because of disbursements.

Current situation of client as of date 19 April 2013: Fellow detainee has helped him lodge appeal pre 17 April. No legal rep. Efforts continuing

*Provide any updates with dates.*