



Annual Report 2006/7



Who we are and what we do

We are an independent, not-for-profit, solicitor-led legal advice agency. We have contracts from the Legal Services Commission (LSC) to provide specialist legal advice. We have 14 caseworkers, of whom three are qualified solicitors and two are trainee solicitors. Two of our solicitors are also registered social workers. We distribute grants as agents for a number of charities and from our own funds. We have also created and operate the West Midlands' only fund to assist destitute asylum-seekers.

We have four contracts from the Legal Services Commission to provide advice to those who qualify in the areas of debt, welfare benefits and community care. We meet the LSC's stringent Specialist Quality Mark for providing this advice, and are members of Advice UK. Our solicitors are members of the Law Society and our social workers are members of the General Social Care Council. We also have a licence from the Office of Fair Trading for debt-advice work.

We have experience of welfare benefits and debt advice stretching back over 15 years. We now also advise and assist clients in other areas of social welfare law. Last year we saw 1,615 clients in all areas of work and undertook more than 4,500 hours of casework.

Our face-to-face casework is carried out both at our offices near Birmingham city centre (accessible to people with disabilities), and through outreach sessions. We provide high-quality advice and assistance to our clients through all of our projects. All advisers are expected to advise clients to the LSC Specialist Quality Mark standard, whether or not the project is LSC-funded.

We are based at

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54 Coventry Road
Birmingham
B10 0RX*

*tel. 0121-766-7466
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We are a registered charity, no. 1087514, and company limited by guarantee, no. 4173542.

In October 2007 B-MAG changes its name to Birmingham Law Centre

B-MAG Annual Report, 2006/2007

Two exciting developments at B-MAG this year were progress towards becoming a law centre, and the birth of the Hope Housing project.

B-MAG has been transforming itself into a law centre for a number of years now, and we will formally become one on 29 October 2007. It is a sign of B-MAG's strength that it can buck the trend and become a law centre at a time when many existing law centres are struggling because of their relationship with local-authority funders. We look forward to a positive relationship with key stake-holders, including the local authority, which will enable **Birmingham Law Centre** to grow and flourish and to play a fuller role in challenging social injustice on behalf of the citizens of Birmingham and the West Midlands.

Hope Housing is an offshoot of the Asylum-Seekers' Destitution Fund, itself a subsidiary charity of B-MAG. The Fund has always had the power to offer accommodation as well as subsistence-support to people who find themselves destitute because of their asylum status, but has not had the resources to do this. We are delighted that, in partnership with other local projects and with the assistance of some social-housing providers, we have been able to secure temporary use of a number of properties where we are able to accommodate those who are destitute.

Our Judicial Review in the case of *Steele -v- Birmingham City Council and the Department for Work and Pensions* continues to make waves in several areas. This was an important case for an organisation such as ours to bring, touching on the interface of welfare benefits law with debt law, by looking at the effect of personal bankruptcy on benefit overpayments. It was this case that led to what has now become the accepted classification of different types of overpayments for bankruptcy law. One of the questions left unanswered by *Steele* has now been determined in favour of claimant bankrupts in the case of *Balding*, now going forward to the Court of Appeal. And remarks of the court in our case concerning the proposition that Social Security law exclusively determines when an overpayment is recoverable have been very helpful to welfare-rights organisations faced with departments seeking to recover overpayments by other means. Less positively, several chancery cases have latched on to what the court had to say about the nature of a contingent liability. Even so, the case remains important, and the issues will go on.

In addition to the highlights above, B-MAG caseworkers, admin staff and management have continued to provide specialist-level casework in welfare benefits, debt and community care of the highest quality. New areas of casework have been piloted with limited numbers of clients – including housing, employment and immigration. Funding permitting, these will be developed over the next two years and become part of a comprehensive law-centre service.

B-MAG continues to find innovative ways of working with partners who may be funders or engaged in advice themselves. We record our thanks to Tyndallwoods Solicitors (a profit-sector firm) who have provided a placement for one of our trainee solicitors to develop immigration-casework skills; and Aston Legal Centre has provided a placement for another trainee solicitor to develop housing advice.

All our staff, volunteers, funders, trustees and clients deserve congratulations for making it possible to launch the Birmingham Law Centre.

Future plans

Whilst we are proud of recent developments, the organisation is already preparing for the next stage, of consolidating the Birmingham Law Centre as the leading voluntary-sector advice agency to serve Birmingham and the surrounding area.

We are developing a business plan which will include the following priorities.

- Moving to larger premises
- Increasing our public-relation skills on the board and within the staff team
- Developing financial-management skills so that we can manage larger projects with increased resources
- Working in partnership with other agencies to deliver the Legal Services Commission's new contractual requirements
- At present our advice services can be accessed at our city premises, Handsworth, Newtown, Castle Vale, Bartley Green, Welsh House Farm, Quinton and Sparkbrook; we want to reach other local communities to become a genuine city-wide agency

The rest of this report will give a flavour of our casework and projects over the last year. We continue to welcome new staff, students, volunteers, members and trustees to the organisation. Over the coming year more new projects will be started when funding is available.

Legal casework

In 2006/7 B-MAG has continued to be a specialist-level provider of **welfare benefits, debt** and **community-care** advice and casework on behalf of the Community Legal Service.

We have offered:

- Advice on maximisation of income
- Advice and assistance on appeals, including representation at tribunals where appropriate
- Advice on accepting or disputing liability for debts
- A full financial review to ensure that debt-repayment proposals are realistic
- Help in negotiating with creditors
- Advice on assessments by social workers.
- Help in reviewing or challenging community-care assessments or services
- Advice on any support available through Social Services to destitute clients
- In appropriate cases, legal representation to bring cases before the courts, including the County Court, High Court, Social Security Commissioners and the Court of Appeal.

Our community-care advice/casework services have also been available to clients in the West Midlands outside Birmingham.

Debt casework statistics

613 cases

353 new clients

Case study – debt

Our client owed a bank £25,000 - a loan taken out under the undue influence of her former partner. We persuaded the bank to write the loan off on the basis that they had offered it on unreasonable terms; the bank had expected a repayment rate of 50% of her total income.

Welfare benefits casework statistics

583 cases

365 new clients

Case study – welfare benefits

Our client had been assessed by the Council as having too high capital and not being entitled to Housing Benefit and Council Tax Benefit. After our intervention he was awarded full Housing and Council Tax Benefits. We also successfully applied for Disability Living Allowance with the High Rate Care and Mobility components. Altogether, our client's income was increased by £150 a week.

Community care casework statistics

*231 cases
190 new clients*

Case study – community care

Our client, with learning difficulties, had not received an appropriate care package from Social Services for two years. After threatening to seek Judicial Review of the case, we secured proper service provision, and the client received £24,000 compensation for the failure to provide support.

Public Funding Certificates

As a solicitor-led agency, we are able to undertake publicly funded work. This is work at a higher level than the Legal Help Scheme that allows us to represent people on matters in the higher courts, including Judicial Review.

198 hours of PFC work were undertaken in 2006/7.

Training

We have provided training to our housing-association partners under service-level agreements, as well as to other organisations on an *ad hoc* basis, and have published training/guidance booklets.

Grants

We have continued to operate a service offering grants to individuals for basic items. As a result of a cut of funding from Birmingham City Council several years ago, we can offer this service only to clients referred from our own projects.

105 grants cases opened in 2006/7

Projects

Probation Project

220 cases
160 new clients

We have operated outreach sessions at Probation Service offices across Birmingham, in Saltley, Sparkbrook, Selly Oak, Perry Barr, Harborne, Erdington, Handsworth and the city centre, giving advice mainly on debt and welfare benefits, sometimes leading to representation at tribunals and court hearings. We have also assisted our clients to obtain grants. Referrals to the sessions have been made by Probation Service staff only, and funding has been provided by the Probation Service.

Bangladeshi Legal Resource Project

Funded by the Big Lottery for three years, this project ended in November 2006. With dedicated Bengali-speaking staff, it has provided drop-in advice sessions at the Bangladesh Centre in Sparkbrook.

B-MAG has now agreed to start the sessions at the Centre again without any specific funding, as it is a much-needed service in the area.

South West Advice Project, Bartley Green and Quinton (SWAP)

141 cases
111 new clients

Outreach surgeries have been funded through a consortium of SRB5, Sure Start South West Birmingham and Harborne Parish Lands Charitable Trust. We have operated from three different venues: at the Keystone (Welsh House Farm) Children's Centre in Quinton on Mondays; at Doddington Children's Centre, Bartley Green on Thursdays; and more recently at Woodgate Valley Health Centre on Tuesdays. Our caseworker at SWAP has worked as part of a multi-disciplinary team, taking referrals from and referring to other Sure Start team members.

'MAXI' Project

This project started as a collaboration between B-MAG and social landlords FCH Friendship Care and Housing and Family Housing Association Birmingham. The project has demonstrated a model of advice/casework provision that can be sub-contracted to

other housing providers. Recently, the service has been extended to Ashram Housing Association and Castle Vale Community Housing Association.

197 cases
172 new clients

LSC Outreach Pilot – North Birmingham

82 cases
82 new clients

This project has operated outreach sessions at four venues in Handsworth and Kingstanding. Whilst the project has been funded by the Legal Services Commission, there have been fewer restrictions than is normal for LSC-funded casework on the qualification criteria and time that we can give to clients. The project has been run in partnership with Birmingham Credit Union Development Agency (BCUDA).

Department of Trade and Industry Face-2-Face Advice Project

119 cases
108 new clients

This project has been partly outreach-based, partly office-based. We have provided debt and benefits advice to clients in social housing. The project has acted as a pilot for our developing 'electronic' working and has given us invaluable experience of off-site, computer-based advice work that we are now extending to all other caseworkers.

Family Trust Fund

This project has allowed Family Housing Association to set up a trust fund for grants to be awarded to their tenants. The fund allows FHA to incentivise their tenants without any detrimental effect on tenant's benefits.

Asylum-Seekers' Destitution Fund and Hope Housing

B-MAG's Asylum-Seekers' Destitution Fund has continued to assist destitute asylum-seekers in and around Birmingham. The project is operated as a partnership between B-MAG and

- ARROW (Action for Relief of Refugees from Overseas in Wolverhampton),
- ASIRT (Asylum Support and Immigration Resource Team),
- Coventry Refugee Centre,

- the British Red Cross (West Midlands),
- the Refugee Council, and
- Restore (Birmingham Churches Supporting Asylum Seekers and Refugees).

In 2006/7, £89,676 was raised for disbursement to destitute asylum-seekers. Since the Fund was started in July 2003 up until now, a total of £262,853 has been raised. As previously, none of the money raised has been used for administrative costs, and all of the fundraising for the Fund has been carried out by volunteers.

Since July 2003 a total of £241,496 has been disbursed to 1,185 individuals and families. In the year beginning 1 April 2006 up to 31 March 2007, £86,164 was disbursed to 341 destitute individuals and families.

B-MAG and partner-organisations have established a new project under the aegis of the Fund, the **Hope Housing project**, which provides emergency accommodation for homeless and destitute asylum-seekers. Hope Housing currently has accommodation available in three bungalows and two houses leased at peppercorn rents from social landlords.

Case study – Asylum-Seekers’ Fund and Hope Housing

Our client, an asylum-seeker, and his partner have twin babies born in this country. Following the Home Office’s refusal of our client’s asylum application they had no support or accommodation. The family were moving around staying with different friends, until the last friend said that they would have to leave, and they had nowhere to go. B-MAG was able to refer them to the Hope Housing project for emergency accommodation, and the Asylum-Seeker’s Fund has supported the family there while B-MAG’s community-care casework team seek support for them from the Council’s Social Services Department.

Funders, 2006/7

We record our thanks to the following for their support in 2006/7:

Ashram Housing Association
Big Lottery Fund (to November 2006)
Birmingham City Council Social Care and Health
Castle Vale Community Housing Association
Department of Trade and Industry
Family Housing Association
FCH Housing and Care
Harborne Parish Lands Charity
LankellyChase Foundation
Legal Services Commission
Lloyds TSB Foundation
Probation Service
Severn Trent Trust Fund
Sure Start South West Birmingham
University of Birmingham

(Asylum-Seekers' Destitution Fund)

Bewley Trust
Bryant Trust
Cole Trust
Grimmitt Trust
Harry Payne Trust
Roughley Trust
S C & M E Morlands Trust
Tudor Trust,
William Dudley Trust

- and many generous small groups and individuals

B-MAG Management Committee, 2006/7

Mr Richard Graves	Director/Trustee – Chair
Mr Derek Bennett	Director/Trustee – Treasurer
Mr Douglas Readings	Director/Trustee
Mr Billy Brick	Director/Trustee
Reverend Neil Johnson	Director/Trustee
Ms Kathy Kirlew	Director/Trustee
Ms Claire Barton	Trustee
Ms Elizabeth Hensel	Trustee

B-MAG Staff, 2006/7

Bhopinder Basi	Chief Executive Officer
Allan Norman	Principal Social Worker / Solicitor
Phil Monk	Casework Manager / Trainee Solicitor
Susanne Chapman	Admin Manager
Faith Ryan	Solicitor
Yasmeen Qazi	Solicitor / Social Worker
Habib Ullah	Trainee Solicitor
Michael Bates	Training and Development Worker
Claudia Deans	Caseworker
Lloyd Burton	Caseworker
Lucy Masters	Caseworker
Pam Nightingale	Caseworker
Sandra Kane	Caseworker

Megan Ward	Caseworker
Geoff Wilkins	Development Worker / Caseworker
<i>Admin team</i>	
Balbir Klair	Finance Admin Assistant
Catriona Thomas	Finance Admin Assistant (left in August 2006)
Fahima Begum	Admin Assistant
Karen Wheeler	Legal Help Secretary
Linda Murphy	Admin Assistant
Nureen Akhtar	Probation/Grants AdminAssistant

Volunteers, 2006/7

Adam Muhyadia
 Almamy Taal
 Jay Airey
 Mohammed Asim
 Ruth Flynn
 Sabina Ahmed
 Vicky Jones

Student placement

Matthew Topham