

COLLABORATIVE PLAN CASE STUDIES 2024

The following are case studies from 2024 that highlight some of the pro bono work carried out by Collaborative Plan firms. Names have been removed or changed to maintain confidentiality.

CRIMINAL JUSTICE AND COMPENSATION

Securing Justice for a Survivor of Modern Slavery

- The firm represented a survivor of modern slavery in a successful appeal to the First-tier Tribunal (Social Entitlement Chamber) of a decision of the Criminal Injuries Compensation Authority (CICA) in December 2023. The appeal resulted in one of the largest UK criminal injuries compensation awards for a modern slavery survivor.
- In 2017, nine members of a family (the R family) were convicted of modern slavery offences following Lincolnshire Police's "Operation Pottery" investigation. The convictions were reported as being one of the most severe cases of modern slavery ever uncovered in England and Wales.
- One of the longest-standing survivors of the R family's modern slavery offences was Mr A. During Mr A's period of enslavement with the R family, he was severely exploited, abused, made to live in squalid conditions and subjected to repeated assaults, violent threats and forced labour for over two-and-a-half decades.
- As a result of this ongoing and inhumane treatment, Mr A sustained many physical and psychological injuries including brain damage, post-traumatic stress disorder, as well as extensive physical injuries including a fractured ankle, loss of teeth, numerous head injuries and other physical scarring.
- In 2017, Mr A applied for compensation from the CICA without the benefit of legal advice. That application was rejected in 2020. Mr A was then referred to the firm by the charity Anti Trafficking and Labour Exploitation Unit (ATLEU) .
- The firm requested a review of the decision in the first instance. The review resulted in a nominal offer of £2,000 in compensation.
- On the firm's advice, Mr A appealed the CICA's review decision to the relevant chamber of the First-Tier Tribunal. The team filed a 2,000-page bundle of witness statement evidence, legal submissions, neurologist, care and psychologist expert reports and a schedule of loss.
- The Tribunal awarded Mr A over £350,000 . The award compensates Mr A for all his injuries and his past and future loss of earnings resulting from that. The award also

represents one of the highest amounts of compensation to have been awarded to a survivor of modern slavery by a court or tribunal in the UK.

- Mr A's case highlights how the criminal injuries compensation scheme does not neatly, nor consistently, cater for survivors of modern slavery and human trafficking. It was intended to be accessible to members of the public without the need for legal representation, but Mr A's case illustrates how inaccessible the scheme can be for litigants in person who do want to secure a fair level of compensation to which they are legally entitled.
- Jamila Duncan-Bosu, Solicitor at ATLEU, which referred Mr A's case to the firm, said: "For many survivors of trafficking and modern slavery, an application to the Criminal Injuries Compensation Authority for compensation is the only route to obtain compensation. Such compensation can be life-changing for survivors, providing them with the financial ability to help rebuild their lives and reduce their risk of being re-exploited (which can otherwise happen) through greater access to necessary care and support."

Judicial Review of The Criminal Injuries Compensation Authority (CICA) Decision

- The firm acted for a victim of sexual abuse who was assaulted repeatedly when she was a child in the early 1970s.
- The CICA refused the client's application for compensation on the grounds that a previous application in respect of the same injury had been submitted and refused.
- The firm challenged that decision by way of judicial review. It argued that, even if she had made such an application and it had been refused under the 'same roof rule' (a rule which formerly denied compensation to those abused by those living under the same roof as part of the same family), she would in any event have been entitled to reapply.
- Following a judicial review of the decision, the firm secured an award of £199,987.64.

Defending the Right to Life – Supporting Death Penalty Cases in the U.S. with Amicus ALJ

- With UK-based Amicus ALJ, the firm spent more than 2000 hours supporting the defence of several clients facing the death penalty in the U.S.
- In one matter, volunteers assisted Client A, who spent 8 years in jail pending trial for four murders in rural Georgia.

- After a lengthy trial, he was acquitted of all 30 charges, the first such acquittal in a Georgia death penalty case in more than 20 years.

IMMIGRATION

Reuniting a Refugee with His Brothers – A Successful Appeal Under Appendix CNP

- RS is an Afghan citizen who fled Afghanistan in 2015 after the Islamic State Khorasan Province (ISKP) murdered his father in a horrifying public execution for associating with the then-Afghan government. RS arrived in the UK in 2017 and successfully applied for refugee status as he believed that ISKP would target him next to avoid him seeking revenge for his father's murder.
- However, when he fled, he left behind his pregnant mother and three young brothers, who went into hiding from ISKP and the Taliban because they feared both groups would target the brothers as they got older. The family was sheltered by their mother's cousin, who kept them secretly in a farm compound from which they were rarely able to leave.
- Life was extraordinarily difficult; RS's three brothers were unable to participate in any schooling or community activities and lived in constant fear of discovery. Sadly, RS's mother and infant sister died while in hiding.
- The firm assisted RS in making an application to bring his brothers to safety in the United Kingdom using the Appendix CNP route of the Immigration Rules.
- The team assisted in taking witness statements from individuals in the United Kingdom and Afghanistan, collecting evidence and drafting the applications for all three brothers.
- As part of the process, RS's brothers travelled to the UK Visa Application Centre in Iran with their cousin, where he was forced to leave them due to fears for the safety of his own family following several ISKP assassinations in their village. The brothers were in Iran under the care of their cousin's distant school friend, a dangerous and isolating situation as Afghans in Iran have been targeted and attacked regardless of immigration status.
- Unfortunately, the Home Office initially rejected the applications with what appeared to be minimal engagement with the substance of the brothers' and RS's representations. However, the brothers decided to appeal the decision to the First Tier Tribunal (Immigration and Asylum Chamber).

- Following further preparation by the Firm including taking additional witness statements and gathering expert evidence, their appeal was heard by FTT in early July 2024.
- Happily, the judge found in favour of RS and his brothers on all of the issues before her, clearing the way for RS to be reunited with his brothers safely in the United Kingdom under Article CNP. The brothers were finally reunited.

SOCIAL WELFARE

Challenging Welfare Benefit Refusals

- For the past decade, the firm has dedicated over 1,000 hours to supporting individuals that have been denied welfare benefits by the Department for Work and Pensions (DWP).
- Together with charities Z2K and The Westway Trust, the pro bono practice has assisted vulnerable members of local communities with representation at their upcoming appeal hearings.
- An example is we successfully appealed a decision by the DWP that found an individual ineligible for Personal Independent Payment (PIP). In their decision, the Tribunal awarded the client the enhanced rate of the daily living and mobility components for an indefinite period, as well as backdated PIP of £11,610.60.

Advocating for Accessible Housing, Supporting a Disabled Individual Through Legal Advice Centre Representation

- The firm's lawyers regularly volunteer at the University House Legal Advice Centre, which provide a safe space for individuals who may struggle to navigate the legal system on their own but can't afford to pay for legal advice.
- In one instance, the firm's lawyer met with an individual who was attempting to change their temporary living accommodations, which were inappropriate for the individual's mental health needs and significant physical disability. The conditions of the temporary housing made it difficult for the individual to sleep, which worsened their mental health, and strict visitation rules prevented the individual's regular caregiver from attending to them, which resulted in the individual often being forced to choose between eating or washing depending on which caregiver was present that day. Despite attempting to raise these issues on their own, the individual had run into significant bureaucratic red tape as they were bounced between multiple housing officers without obtaining any guidance or resolution.
- When the individual attended the University House Legal Advice Centre, the firm was able to assist the individual with codifying all these concerns and collating all

medical information to ensure the request was taken seriously and to expedite the change in the individual's temporary accommodations

END OF LIFE

Empowering Young Adults at End of Life – Pro Bono Support for the Young People's Life Café

- The Young People's Life Café (YPLC) is run out of a hospital-based age specialist Teenage & Young Adult cancer unit for young people who are living with a terminal cancer diagnosis.
- With the YPLC, the firm has created a new pro bono project that provides end of life planning advice to young people aged between 18 and 30.
- The work so far has involved:
 1. scoping the structure and process for the project;
 2. advising the young people on their options for drafting wills, letters of wishes, and on decisions about refusing life sustaining treatment and drafting documents to achieve their wishes;
 3. reviewing and amending a detailed YPLC "Wishes, Wills and Whatever" briefing pack;
 4. running a Q&A session with the young people about their Wills, Letters of Wishes and Advance Decisions and other end of life issues on their minds;
 5. advising on mental capacity issues relating to certain types of cancer diagnoses and treatments and engaging with hospital staff on this issue where needed.
- The work is often complex and must be completed under time pressure, given that these are patients with a terminal diagnosis. We are very grateful to the Private Client team for their time and skill. We have been able to use our specialist legal skills from the Private Client Practice to directly help young people who frequently struggle to consider their options at end of life and navigate the legal process of finalising their affairs.
- We are told that the support gives a valuable sense of empowerment to people experiencing a total loss of control in every sphere of their lives and offers them the chance to look after their loved ones (one person noted 'I'm doing this for mum').
- Feedback from our contact at the YPLC was: *"[The Patient] keeps talking about how much peace of mind it's bought them and their relief and comfort knowing this is done. This is what it's all about, so thank you so much for climbing on board as you have and bringing that expertise and professionalism, but also warmth and a human side to what's a very difficult and frequently traumatic time for the young person. I can't say enough what a difference you are making to our young people living with an incurable cancer diagnosis." "Supporting this age group to talk through tough topics*

around their death and dying is not for everyone. [We] totally respect this, but it's also one of the reasons we've struggled to put in place the support the WWW folder needed, to go the last of the way it needed to go. ... you took it on, you took our wonderful young people on, you showed up and [we] will be forever thankful."

EDUCATION

Streamlining SEN Admissions – Legal Tech Support for Moor House School & College

- Moor House School & College (MHS&C) provides specialised education to students aged 7-19 with severe language and speech sound disorders. Prospective students undergo a multi-disciplinary pre-admission assessment.
- MHS&C faced significant challenges due to the high volume of enquiries, documentation, and deadlines. This created an overwhelming workload, diverting resources from its critical work.
- The existing process lacked automation and data insight capabilities, making it user-unfriendly and adversely affecting the service provided to families.
- The firm identified the need for a cloud-based platform to enhance operational efficiency. An online platform structured around the application stages was proposed to help the team manage important dates, address issues promptly, and centrally store documentation for each applicant.
- By hosting the platform in a cloud-based environment, internal communication traffic decreased, allowing team members to access information easily. This streamlined the admissions process, minimised errors, prevented missed deadlines, and improved reporting and management of student applications.
- Regular check-ins and thorough testing ensured the platform met MHS&C's requirements. A feedback form enabled automatic notifications to the firm for requested changes, ensuring a bespoke platform that enhanced efficiency and service quality.
- Efficiency gains:
 - Reduced time for handling enquiries and applications by 67%.
 - Enhanced reporting and data analytics: Faster and more efficient reporting.
 - Centralised tracker and workflow support: Simplified communication and data retrieval. User-friendly experience: Addressed queries and issues promptly.

- In-built support request and RAG rating systems: Quick resolution of requested changes

PRISON

Supporting IPP and DPP Prisoners – Legal Hotline Launched in Response to the Victims and Prisoners Act 2024.

- In response to legal reforms affecting individuals serving Imprisonment for Public Protection (IPP) and Detention for Public Protection (DPP) sentences, the Firm partnered with the Howard League for Penal Reform to launch a legal advice hotline. The initiative addressed a critical gap in access to legal guidance following the Victims and Prisoners Act 2024, which introduced significant changes to IPP licence termination processes.
- Launched on 7 October 2024, the hotline provided structured, GDPR-compliant advice sessions twice weekly for 11 weeks, reaching over 150 individuals, including prisoners, family members, and professionals. Volunteers were trained extensively in both the legal framework and trauma-informed communication.
- The service clarified legal entitlements, supported safeguarding referrals, and identified systemic failings. It was endorsed by the Parole Board, added to the contact lists, and acknowledged in Parliament. The project delivered timely, high-quality pro bono legal support to a vulnerable population during a critical period of legislative transition.

ENVIRONMENTAL

Recognising the Rights of a River: The River Ouse

- After two years of dedicated work, including a River Rights Summit and the drafting of a Charter for the River Ouse, Lewes District Council delivered a groundbreaking decision to formally support the Ouse River Charter, the first of its kind in the UK.
- The Charter recognises the Ouse's rights, including the right to exist in a natural state, to flow and be free of pollution, and to have native biodiversity. The firm is privileged and proud to help its long-time pro bono client, Environmental Law Foundation, and to collaborate with Love Our Ouse and Monica Feria-Tinta on the legal side.
- Whilst the River Charter approach does not yet give the river a legal personality under English law – which would give the river the same right to sue and be sued as companies enjoy – it paves the way for discussions about giving nature the same

rights in the UK. It is revolutionary and recognises how important nature is to sustain humans and other species.

TECHNOLOGY & ONLINE SAFETY

Promoting Safety by Design – Collaborating with NSPCC and Gaming Clients on Online Safety Training

- In 2024, the firm launched a collaboration with the children's charity the NSPCC and a number of gaming clients.
- Through roundtables hosted at the firm we have been developing a training resource for developers to better understand the Online Safety Act and wider safeguarding considerations.
- The ambition is for the best practice of games being developed with safety by design in mind.

COMPANY

Securing Justice for an Innovator – Largest Ever Pro Bono Costs Order in English Court

- The firm, working with Matthew Parfitt (Erskine Chambers), secured a victory in the High Court, and the largest pro bono costs order to date for £345,000. The order, in favour of the Access to Justice Foundation, will improve access to justice for others in need of legal representation. The success followed 2 years of work by 16 firm lawyers, who devoted around 2000 hours to the matter.
- The client, Mr. A, developed an innovative limb prosthesis suitable for use immediately post-surgery and by children. These were developed and distributed by Mr. A's company.
- In 2020, an unfair prejudice petition was brought against Mr. A by a shareholder and former director of the company, who was dismissed for breaches of his employment contract and director's duties. The allegations against Mr. A included a breach of director's duties, breach of fiduciary duties and conspiracy. Complex issues included whether a quasi-partnership existed, interpretation of the shareholders' agreement, the validity of an overlapping employment agreement,

and the procedural fairness of investigations within the company. The petitioner sought an order compelling Mr. A to buy out his shares.

- Mr. A, having just left university, could not afford legal representation. He contacted Advocate and was introduced to Matthew Parfitt KC, who obtained assistance from the firm via Pro Bono Connect. The team dedicated substantial resources to the case, undertaking complex disclosure, witness evidence and a two-week trial.
- ICC Judge Prentis dismissed the petition on all counts on 19 Jul 2023 – all allegations of impropriety were abandoned or dismissed. The petitioner's appeal application was dismissed in Feb 2024.
- The legal team's work enabled Mr. A to carry on his impactful work for the limb-different community, which has recently provided prosthetics in Ukraine, Sri Lanka and Sierra Leone to people who lost limbs in war.
- Mr. A said: *"I feel so grateful and lucky to have been put in contact with [the firm]...They have completely looked after me...This should have been a very horrible, stressful process...I felt supported...I can't thank the team enough."*
- James Goldsmith KC and Fatima Bhula (Pro Bono Connect):
"This is a huge achievement by the firm and Matthew Parfitt... [The costs order] will hopefully make a real difference. This matter showcases what collaboration between different parts of the legal profession can achieve."