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The Govanhill Law Centre, on the Southside of Glasgow (<http://www.govanhilllc.com/>) is funded from the Scottish Government's Equalities Fund which is managed by the Voluntary Action Fund (VAF). The Centre is on the front line providing legal advice and practical help to the diverse communities in the area. Govanhill is home to some of the newest communities in Scotland including Roma, immigrants from Eastern Europe and refugees. The Centre's services are used by all members of the community and the heavy caseload includes Welfare Reform support, preventing people from becoming homeless, eviction issues and matters relating to tenants' rights, private landlords and housing benefit as well as disability discrimination. The project provides a specialist housing law service to prevent evictions, enforcing tenant's rights to repairs and tackling illegal evictions and landlord or letting agency harassment.



Some of the Team at Govanhill Law Centre

Candy Walker, Project Manager, commented “the work of the Centre has transformed the lives of clients who are dealing with legal and housing issues on a daily basis. Our clients often face issues associated with rogue landlords and the complexities of the benefits system and the cases we have won on their behalf have literally prevented them being homeless or facing destitution.”

“VAF’s approach to grant management has helped us focus and more effectively report on outcomes and strengthen our long term sustainability.”

The Equality Act 2010 and Accessing Welfare

Govanhill Law Centre acts on behalf of a number of A8 and A2 nationals (for example persons from countries including Poland, Hungary, Slovakia (A8) and Romania and Bulgaria (A2)) in the field of social welfare law. In December 2011 the Centre published a report ‘Unequal and Unlawful Treatment: Barriers faced by the Roma Community in Govanhill when accessing welfare benefits and the implications of Section 149 of the Equality Act 2010.’

A particularly difficult case related to a 36 year old Slovakian National who has resided in the UK since September 2007. She is a single parent with two dependant daughters, born July 2002 and April 2004.

The Centre’s client received tax credits in 2008. In or around July 2010 tax credits were withdrawn. The client appealed against the decision to terminate payment of tax credits. Correspondence became increasingly protracted, information was sought and supplied by the client, however, HMRC

declined payment and continued to request the same information over and over again. HMRC would not accept that the Centre's client had qualifying children and repeatedly refused her application for tax credits in spite of birth certificates, national identity cards and letters from the local school confirming the same. In November 2011 the client was advised that she would receive tax credits, however this was then withdrawn. Correspondence continued, however no progress was made.

Advocate's opinion was sought in an effort to assist this particularly vulnerable client. There had been no progress in the case since the April 2012 because HMRC has never referred the appeal to the Tribunal. The Advocate was of the view that the Centre's client did not need to wait for the HMRC to notify her appeal to the Tribunal; she could do it herself, with the assistance of Govanhill Law Centre. The legal basis of this move was the Tax Credits Act 2002 which permits this unusual approach. This was first successful appeal from an individual direct to the Tribunal.

Many direction notices were issued by HM Tribunal Services giving HMRC the opportunity to respond, which they failed to do to such an extent that HM Tribunal and Court Services threatened HMRC in contempt of court, which prompted movement. Shortly thereafter HMRC issued letters confirming that backdated payment would be made from November 2010 to February 2013 would be paid. Sums in the region of £20,000.00 have now been paid to our client improving her quality of life and that of her two children.

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