

4. Challenging Social Services refusal to assess and/or meet the care and support needs of survivors.



There are numerous accounts of public bodies – whether the Home Office or local social services departments – failing to uphold the rights of migrants to accommodation and support. For example, there have been accounts of cases where social services have refused to undertake a care and support needs assessment; refused to provide any support; and/or agreed to support a destitute child but not the mother; often citing the fact that the individual / family has ‘no recourse to public funds’ as the reason for this. As we have seen in the previous two sections, this is not an accurate interpretation of the law and should be challenged.

The Pre Action Protocol (PAP) Project

Deighton Pierce Glynn’s Pre-Action Protocol (PAP) Project does precisely this. Through providing **free training on public law** and **ongoing supervision by solicitors**, it aims to **build the capacity of frontline organisations that migrants have turned to for advice and support**.

The idea of the project is that the front-line workers, after completing the **e-learning course**, and with ongoing supervision from DPG solicitors, prepare **formal "pre-action protocol" letters** (PAPs). This means if the national / local government does not reverse their decision after receiving the letter, proceedings can be issued without further reference. As a result, governments take notice of these letters.

PAPs have been prepared in an easy to adapt format. The scheme relies on the **front-line workers completing the precedent letters** which they can do from their knowledge of the client’s circumstances, and then **DPG solicitors checking and supervising the letters before they are sent off to make sure that they are legally correct**. In the rare cases where PAPs do not result in decisions being reversed, DPG will assist in sourcing a legal aid solicitor to take on the cases.

Visit the Pre-Action Protocol (PAP) Project [website](#) to watch a [short video](#) about the project and access an [independent evaluation](#) of it.

The following excerpts are taken from the independent evaluation:

“The PAP project has, in a short space of time, established itself as an innovative and effective way of addressing one of the key challenges for migrants and those organisations supporting them – the lack of access to good quality legal advice.”

“Built upon a sound understanding of the day to day reality of life for migrants and the way that front line organisations work... it brings the strengths of the front line organisations – the dedication and skills of their workers and the access they have to clients – together with the legal expertise of DPG.”

“As well as helping a significant number of the clients of the front line organisations attain the services to which they are entitled, the project has provided a welcome fillip to the front line workers. The environment within which these workers are providing advice is challenging as government departments continue to put up barriers to migrants accessing services. The project has given those workers a new tool to use on behalf of their clients – above all it has empowered them to be proactive and effect positive change.”

Enrolling on the project

DPG Law advise that the e-learning takes around five hours to complete and can be done over the course of four weeks. The learning is split into different courses, and each course has an assessment module at the end to ensure that the issues are understood. Once the e-learning course is complete, the precedent letters can be downloaded, and the front-line workers will be able to prepare the letters and email it to a DPG solicitor to have it checked before sending it off. DPG solicitors will check and supervise it within a couple of hours, or, in urgent cases, more quickly.

There is no limit on the number of staff from each organisation who can access the e-learning training, but the enrolment must be signed off by the service manager.

Staff can enrol directly through the link provided on the PAP Project website.

If you are a member of Welsh Women’s Aid, we ask that you please email membership@welshwomensaid.org.uk to register so that we can support you with the process.