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Date..../July/2010

The Legal Services Commissioning Team  
Legal Services Commissioning,  
4<sup>th</sup> Floor.  
4 Abbey Orchard Street,  
London SW1P 2BS

Dear Sirs,

**Hossacks Solicitors, Social Welfare Law invitation to Tender to Deliver Community Care Services.**

**PETITION**

I write to you complaining most strongly that your Commission have turned down the request for Legal Aid on behalf of c.118 residents of Sheltered Housing from across the country.

The residents of rented Sheltered Housing are, by definition of being in rented accommodation, not rich, indeed, it is said, that 75% of them are in receipt of benefits. Apart from their age, average 75, with many in their 80s, it seems discriminatory to reject their applications on the basis of a single fault made by the applying solicitor office in filling in the Legal Aid forms. No human is so perfect not to make typographical mistakes, and you have at your disposal. Tippex, copiers, telephones, fax machines and the internet to discuss, and correct, trivial errors with their originators.

Your rejection, I believe, fails to take into account Legal Aid is not about whether a dot or a comma is in the correct place in an application form, but is to do with making possible equality before law, for the less financially able persons in society.

In respect of the above:- I wish to observe that, in my opinion, this appears have been sidelined for the sake of a misplaced 'Wiltshire' in the application documents. You will appreciate that this effectively could remove legal protection, in this matter, for up to 500,000 people living in Sheltered Housing The knock on effect is that these people may now become legally 'out of time' to bring their actions and they will have been dealt a disservice.

The situation these residents find themselves in is that Wardens from Sheltered Housing are often withdrawn, or their hours of duty changed against the wishes of the residents and without the consultation(s) required by Housing Law. (Our national statistics show that 97% of the residents of Sheltered Housing only moved in because 'it had a Warden'). In short it appears to have been forseen that the elderly could be treated in this way because the Housing Providers had assessed that they could get away with it, by reason of their victim's age and lack of financial resources and lack

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of expertise in Housing Law !

These elderly persons and their supporters are now 'understandably' angry with your decision, for they daily read in newspapers of foreign nationals. murderers, thieves, pests to society, and terrorists, benefit cheats, muggers etc.. who are granted Legal Aid, and national largesse, whereas they, the elderly and vulnerable, are turned down from Legal Support on the basis of a misplaced word !

Whilst I appreciate that your letter to solicitor Yvonne Hossack does say '*Pursuant to Paragraph 14.27 of the IFA, there is no right of appeal in these circumstances*' I feel that the quoted paragraph may have been, in itself pursued too aggressively, and less thought given to the outcome . The dismissal of the application, for the reason given does not seem to be counter balanced by the likely widespread affect this would have upon elderly and vulnerable people across the whole nation.

I am of the opinion that such documents are generally in-house guidelines and office aids, they were never intended to be law in themselves, nor a reason to inhibit people obtaining justice. Indeed, I would agree with you that when people do not fill in forms correctly it causes extra work and it makes us mad when we have to deal with it. However, we all accept payment for work done and for the sake of efficiency and good practice it calls for a common sense and a helpful approach to the job in hand.

Most cordially, may I ask you to look again at this problem and weigh up what it means to refuse these applications. Could it have been corrected by a simple telephone call ? Has the public interest and justice, been better served by this rejection ? And, with a little timely personal intervention, could it have been corrected then, and can it be corrected even now ?

I (and we the residents of Sheltered housing) most kindly submit the plea that this matter should be reappraised in the light of this petition.

I am, dear Sirs,

Yours sincerely

Signature:.....

Your name printed:.....

**Letter produced in large print to facilitate ease of reading**

***This template letter has been produced at the request some residents who wish to raise this matter with the Legal Aid Commissioners, but feel, through age or disability, that they could not formulate the letter. In that event, please use this by all means. Do this please by filling in your address at the beginning of the letter and dating it and signing it at the bottom. Once completed and signed the views expressed within are also your views which you can, if you wish, send independently to the Legal Aid Commission, or any other such, for example, your MP .***