



ASK US
Advice toolkit

CASE STUDY: TATIANA

This resource is part of the Ask Us Advice Toolkit. For more information or queries on any of the topics covered in this toolkit, or to find out about training and consultancy the Ask Us partners can offer please contact enquiries@1625ip.co.uk



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CASE STUDY: TATIANA

Advice category for Ask Us

Immigration

Presenting the Issues

Tatiana* was a 17-year-old, living in low support accommodation after moving around a lot between her parents' and family friends' homes, which had not worked out for her.

As she had only been looked after by family arrangement and not official foster care, she didn't meet the legal definition of a care leaver. When she was made homeless at 16 and assessed by social care, she was provided with accommodation and was not taken into care.

Tatiana was referred to Ask Us by a youth worker after she got in touch with her asking for help. Tatiana had received a letter notifying her that her leave to remain had expired 3 years ago and, despite a solicitor's guidance, her father hadn't applied for it to be renewed and she would be considered a visa "overstayer" by the Home Office at risk of losing a chance to get British Citizenship and remain in the UK. Tatiana was born in the UK but had always been subject to Immigration control, as her parents are not Citizens.

Barriers

Financial and legal barriers meant that when we spoke to Tatiana she told us that she didn't know before the letter arrived that she was an overstayer and that she was worried because she was a lifelong UK resident and planned to study, live and work here for the rest of her life.

She opened up about how her Dad had told her he couldn't afford to pay the fees and had not applied for any help for her or let her know she might need it. She didn't have legal representation of her own and was feeling very defeatist and hopeless, as she knew she couldn't afford the regular application fees on her budget of Universal Credit.

Ask Us contribution

We read through the letter from the Home Office and looked on the gov.uk pages about applying for citizenship and indefinite leave to remain.

We supported Tatiana to make notes from what she had told us and what we found out, so that she was able to explain her situation fully to a Law Centre immigration phone drop in. This included key facts relating to her case, such as her parents' nationalities, her income and care status.



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Using these notes, she was able to successfully refer herself to the Law Centre and was assigned a legal aid solicitor to support her with her case to remain in the UK as a legal resident. There were times when the solicitor was waiting for action from Tatiana who had not realised that this was required.

Ask Us provided support for Tatiana to engage in the legal advice process, by advocating for her when she didn't understand and checking in regularly to see if she had been able to progress with the evidence the solicitor requested, such as letters from her previous school proving her residence.

The solicitor advised her to put in an application to the home office and began this lengthy process for her; Tatiana was told that the solicitor would apply for a fee waiver but that this was not guaranteed. The solicitor also advised Tatiana to inform the DWP immediately that she had been made aware of her immigration status, so that she was not accused of committing fraud. Tatiana's benefits were immediately suspended. Because Ask Us were aware of her living situation being paid for by Universal Credit, we were able to speak with her accommodation provider and explain the situation who put a temporary hold on her rent so that she was not made homeless while going through this difficult time. However, this left Tatiana without income and it was clear that she was experiencing an impending crisis.

The solicitor had written to the local housing commissioner and social care to get information, with the intent of advocating that social care had the duty to pay for the immigration application. Having spoken to social care, Ask Us were made aware that their position was that the law states that only children placed in care qualify for that support and they were unable to help as the responsibility remained with Tatiana's family.

Having spoken to Tatiana's father it was clear that he would "help where he can" but had prioritised his own immigration and legal fees over his teenage daughter's. Tatiana was becoming increasingly despondent and aware that, at seventeen years old, nobody was taking financial responsibility for her and deportation to a country that she had never been to could be possible, if she didn't raise the money. Ask Us had already supported Tatiana to look for grant funding to cover immigration fees but nothing was found.

When time was lapsing without any progress on the case, Ask Us sought Tatiana's permission to set up an emergency multi-agency meeting between the housing provider, a social services representative that had assessed her housing need, the housing commissioner, the immigration solicitor and an Ask Us representative. A member of the council's asylum team was also in attendance.



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The asylum manager stated that this should have been passed on to their team as soon as the council were made aware and she accepted responsibility for Tatiana and applied for leave to remain for her. In parallel to the immigration solicitor, with no cost incurred for immigration applications as this was their deal with the Home Office.

The asylum team also were able to cover costs of her accommodation and provide a £50 a week stipend while she was disallowed to work or claim benefits. The Asylum team had direct communication and influence with key decision makers at the Home Office and this was instrumental in progressing the case.

In our appointments Tatiana had told us about her aspirations to become a beauty therapist and plans to go to college, and that she was worried how her immigration and finances would affect her ability to start the course and get the equipment needed. Ask Us were able to refer her to a specialist EET worker at 1625 Independent People, who could liaise with her college and advocate for her to get financial support to cover her equipment and travel to college, despite not meeting the regular requirement for financial aid (being on Universal Credit).

Outcomes

A holistic approach to understanding and advocating for the young person.

Facilitating honest communication between key agencies that have the power to make a difference was instrumental in these results:

Tatiana was

- able to remain in her accommodation and not re-enter the homelessness pathway.
- given a weekly stipend by the council's asylum team to cover necessities while waiting for her immigration application to be processed.
- able to secure leave to remain and get an application for citizenship paid for by the local council.
- able to attend college and start her journey to become a beauty therapist, with all the equipment needed to carry out her coursework.
- Reinstated with Universal Credit.

The asylum team made Ask Us aware of their services available to people in similar situations to Tatiana and we were able to share this information with other young persons support agencies. This means that young people needing these services will be able to access this support quicker and more efficiently in the future.

Without the forceful intervention of Ask Us this meeting between key partners would not have happened and Tatiana's situation may have allowed it to drift and deteriorate.