

Working to protect your legal rights

Protecting your home in a changing world

Housing Annual Report 2019 - 2020

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Our Mission

Derbyshire Law Centre's mission is to increase access to justice for disadvantaged communities through the provision of quality assured, accessible, free and low cost legal advice, information and representation to individuals and groups across our geographical area.

We do this through:

- Increasing provision of quality assured specialist legal advice and representation in the following areas of social welfare law: housing and homelessness, employment, debt, community care, immigration and discrimination;
- Undertaking project work in line with our mission statement as funding becomes available;
- Providing an accessible initial assessment and signposting service to all enquirers;
- Increasing and diversifying the financial and other resources of the Law Centre to ensure its future sustainability, by positive partnership working and engagement with existing and potential funders;
- Extending awareness of the rights and remedies available to individuals and communities and the work of the Law Centre through information and publicity;
- Ensuring that the Law Centre has well-trained staff to deliver quality services and well-trained trustees to ensure good governance.

"The ethos of the Law Centre – designed to give people the confidence to understand that they have legal rights (not charity) and have the means to enforce them – this is empowering for communities – this gets results and makes a difference to people's lives – I genuinely believe that your communities are stronger and more resilient because in this area there is a Law Centre to turn to."

Welcome to our housing review of the year 2019 - 2020

The events of the past 12 months have been extraordinary. When we met at our last AGM, life was completely different from now. Derbyshire Law Centre, during lockdown and after, continues to help and advise clients.

The effects of losing employment as a result of the contracting economy, here and worldwide, has led to increasing mental health concerns. Although the Government's welcome furlough scheme and freezing of evictions has protected people, this is now coming to an end. It is now expected that there will be an increase in people experiencing debt and unemployment. As a result, there will be an ever-growing need for Law Centres to help the vulnerable in our society. Our staff and volunteers have worked tirelessly to provide advice and assistance throughout the pandemic and are prepared for the challenges which the future will bring.

This report focuses on the work of Derbyshire Law Centre's housing team and is an opportunity to showcase how the funding we continue to receive has enabled us to work in partnership with funders to achieve the best outcomes for clients, before the pandemic and during the pandemic.



Michael Gordon Chair of the Management Committee

We are very proud of the work that we are able to continue to do for residents across Derbyshire to ensure that they receive the correct legal advice about their home and tenancy and to support them when they are facing homelessness.

My thanks to all our staff and volunteers, their commitment is deeply appreciated.

Lastly, I would like to thank our funders and all the organisations that have given us financial assistance for housing related work during the period 1.9.2019 -31.8.2020. Without their help and continued support, the vital work of Derbyshire Law Centre's Housing Team could not take place.

Housing Solicitor's report

1st September 2019 to 31st August 2020

This report covers a 12 month period which, although not all spent in lockdown, is certainly defined by it. Whilst staff at the Law Centre were working from home and the country was in lockdown, it was very depressing that so many unlawful evictions were attempted that we were continually called upon to remedy.

We are really proud that we have been able to continue to respond to the needs of the residents of Derbyshire and to be able to continue to offer a service and support the people we are all here to help.

Working in partnership with the local councils is what sets us apart and what enables us to achieve the very best outcomes for clients. During lockdown we have been involved in meetings with the Local authorities to respond in partnership to the housing issues that arose during the initial lockdown. We have been on hand to support our local councils with cases where the Law Centre's legal expertise could assist.

We were also invited by the Judiciary to attend regular meetings regarding possession cases and that has put us in a strong position to cascade that information to the local councils to enable everyone to be prepared for evictions to recommence.

We are very proud of these



Lisa Haythorne Solicitor (Housing and Discrimination)

relationships which we have built up over many years of joint working. Understanding the roles and responsibilities of all parties involved and working professionally within these limits enables us to achieve the very best outcomes for clients. We hope that this report highlights how, through the many different projects and the service we deliver, we are able to deliver on our objectives and targets in responding to the various issues and problems faced by so many disadvantaged residents of Derbyshire.

And finally a huge thank you to the whole organisation, staff, volunteers and Management Committee for the fantastic work, team spirit and collective feeling of responsibility to our communities, to ensure that throughout this difficult time we were able to continue to offer a service and support the people we are all here to help.

Working as a team to secure good outcomes

This year has seen further expansion with a new housing solicitor and new projects as well as a new way of working. Finding ways to help and assist tenants and working to prevent homelessness has been particularly challenging during the last few months but we are proud of the work and service that we continue to provide.

At the heart of our success is the way that our case workers are able to work with our paralegals and housing project workers to secure good outcomes for tenants.

During the lockdown many landlords have been frustrated that they have been unable to take tenants to Court for evictions. Many have decided to take matters into their own hands and have unlawfully evicted their tenants. We have been contacted by many clients who have been unlawfully evicted or harassed by their landlords. At Derbyshire Law Centre, we have the legal expertise and qualified staff to be able to take cases to Court to stop harassment and apply for an injunction to get people back into their homes after they have been evicted.

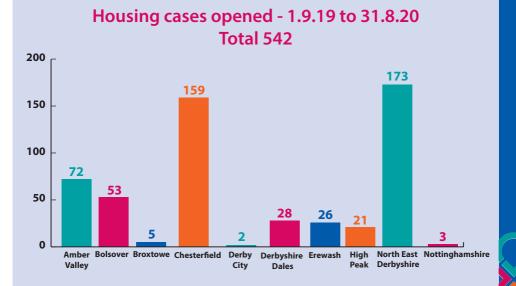
Despite the country being in lockdown over the last six months our housing team have been very active at Court. Our team have been successful in applying for injunctions to ensure re-entry to properties to tenants who have been unlawfully evicted.

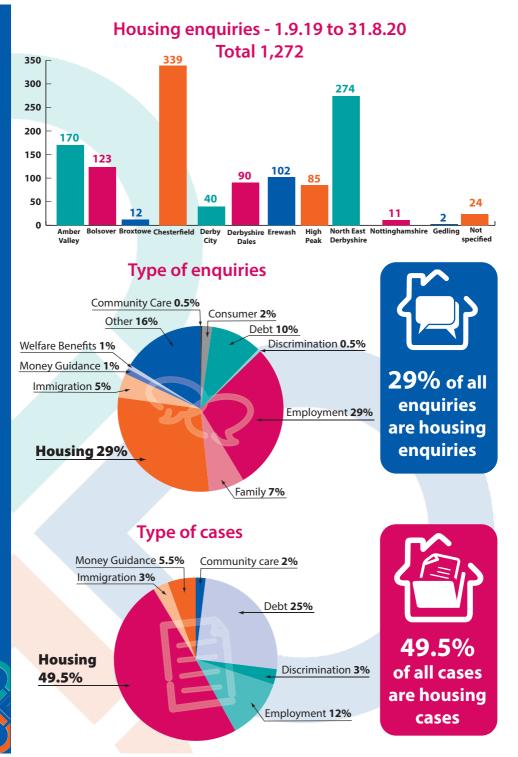
The following case study shows how well the housing team works with other agencies and local councils to provide a holistic service to clients.

Case study

Mr SY, a resident of Amber Valley, was the victim of cuckooing. His flat had been taken over by "friends" who manipulated and threatened him into allowing unlawful activity to take place at his property. Things came to a head when he was severely beaten by the man who had taken over his flat. Our team jumped into action to help him. The client told us that he had family outside of Derbyshire and he wanted to leave the county to be closer to them. His social worker had tried to help him move without any success. Our team tried to make a homeless application with the council where his family lived. The council refused to accept his application. The matter was passed to Lisa who provided comprehensive legal advice on his rights to make a homeless application and on the duties of the council to accept the application. Lisa communicated with the council to try and outline their legal responsibility but the council was steadfast in its refusal to accept the application. Lisa tried every approach to make the council act lawfully and take the homeless application.

The last resort was to apply for a Judicial Review of the decision to refuse to take the application. Lisa sent a Letter before Action which resulted in the council accepting the application and placing the very vulnerable client in temporary accommodation. Due to our intervention in helping the client the police informed us that moving Mr SY would disrupt a large drug supply from over the county border. Diya attended at the council offices and completed a witness statement with the help of council officers and the police. Kevin, one of our homeless prevention workers was able to arrange B&B accommodation out of the county to make sure the client was safe. Kevin also arranged transport to the new council.





Chesterfield County Court Duty Scheme

Offering expert legal advice at a critical time

We have operated the County Court Duty Scheme at Chesterfield County Court since it started in 2005.

Many of those facing possession proceedings are not able to afford to instruct a solicitor to represent them to keep a roof over their heads and prevent them from becoming homeless. They attend Chesterfield County Court on their own to face a Judge who will determine whether or not they can stay in their property. The County Court Duty Scheme allows Derbyshire Law Centre to attend Chesterfield County Court, on days when possession lists are to be heard, and offer advice and representation to all that need it. It is crucial that those facing possession proceedings get expert legal advice at this point. With our intervention, we can ensure that possession orders are not made in most cases and even ask the Judge to delay making an order in others so that we can work with the client to try to rectify the issues at hand.



Adjournments allow us to fully advise clients and work holistically with them, through internal and external referrals, to tackle underlying problems such as employment issues, problems with benefits, health issues and debts which are often the root cause as to why they are now facing possession proceedings.

Without this continued presence at Chesterfield County Court through the Duty Scheme, we would not be able to assist with key intervention work and keep a roof over the heads of the vast majority of tenants and their families that we advise. We are in a very lucky position that the Court duty scheme work is also funded by our local authorities which enables us to work with the clients in more depth than the limited duty scheme funding.

Due to the Coronavirus pandemic, possession proceedings were

stayed for a period of ninety days from 27 March 2020 to 24 June 2020. A further two extensions to this stay were announced with the current position being that it ends on 20 September 2020.

Due to our good working relationships with our partners, we have been involved in regular meetings with the Judiciary, Chesterfield County Court staff, other firms and local authority landlords regarding the return of possession proceedings.

With new measures coming into force, including reactivation notices and two different types of hearings being listed, Review and Substantive, as well as a backlog of cases and new cases to be issued, we are envisaging our Duty Scheme will be inundated with tenants needing our help. We will be ready for those that need our help the most in these challenging times.

Clients Assisted between 1st September and 31st August 2020 = **33**

Homelessness Reduction Act

Now in its second year this project, funded by Chesterfield Borough Council, NE Derbyshire District Council and Bolsover District Council, enables us to help those we are not able to help under the terms of our Legal Aid contract.

The project funds a full time homelessness prevention paralegal and a Housing solicitor for 1 day a week. Since the start of lockdown we have had a number of clients who have needed extra help due to the difficult times. There have been a number of charities who have either upped their limits on a single grant or who have opened new emergency grants. In addition, local authorities have been very generous and understanding that these are unprecedented times for clients.

Since lockdown our homelessness prevention paralegal has secured £19,672.61 for clients. This has come from Discretionary Housing Payments, Homeless Prevention funds and charities. We have also had a number of clients who have benefited from the Vicars' Relief Fund's emergency grants.

One client was unlawfully evicted and was street homeless but Gary successfully applied for £1150.00, £1000.00 to help clear his rent arrears and £150.00 to purchase supermarket vouchers to enable him to buy basic necessities).

Another client, who was street homeless, was offered permanent accommodation with the local authority but did not have any belongings. We were able to secure him £260.00 which paid for items such as a duvet, towels and crockery. We also applied to a homeless prevention fund to purchase him a microwave, thus ensuring he could care for himself and maintain his tenancy.

Clients Assisted CBC = **12** BDC = **8** NEDDC = **41**

Financial Gains from start of project to 31st August 2020 = £58,043.75

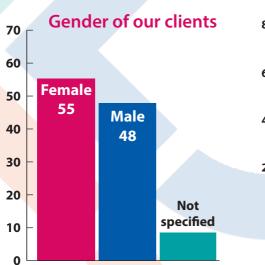




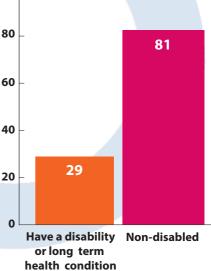
Clients' economic status - Report Total 110

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Count of caes with age range, during a period	Number of cases
(No Value)	3
17-24	6
25-34	36
35-49	38
50-64	22
65+	5
Report Total	110



Disability or long term health condition of our clients



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Private Rented Sector Project

In May 2019 we began The Private Rented Sector Project with funding from the Ministry of Housing, Communities and Local Government, in partnership with 11 different local councils (Amber Valley Borough Council, Bolsover District Council, Broxtowe Borough Council, Chesterfield Borough Council, Derbyshire

Dales District Council, Erewash Borough Council, Gedling Borough Council, High Peak Borough Council, North East Derbyshire District Council, South Derbyshire District Council, and Staffordshire Moorlands District Council) and the new specialist landlord support service 'Call B4 You Serve' (delivered by Decent and Safe Homes).

The project took a preventative approach to homelessness, which allowed us to work with tenants in the private rented sector before notices had even been served. Relatively small interventions had a huge impact saving a lot of money and stress for all parties further down the line. The project, which involved giving one-to-one support to tenants who were struggling to maintain their private rented tenancies, was hugely successful and in the period 20.5.19 to 31.5.20 achieved the following:



Case study

Mr TD and Ms HS from the High Peak area were both out of work due to their temporary contracts ending. Ms HS was a domestic abuse survivor and she suffered from mental health difficulties. Mr TD also had mental health problems. They were served with a notice and needed to leave the property. To move into social housing, they needed to clear the rent arrears at their current address and pay rent in advance. Rent arrears at their current address were £850 and the rent in advance was £350.

We supported them to move by:

- Applying and accessing funds to reduce rent arrears and pay the rent in advance.
- Arranging a repayment plan and negotiating with the social landlord to accept our client with some remaining rent arrears.
- Our clients successfully moved into the property.

We continued to support our clients' at their new address. We helped them to:

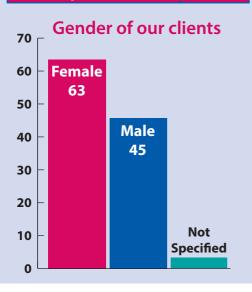
- Apply for discretionary housing payment, to pay the rent shortfall in the short term whilst looking for employment.
- Apply for charitable grants for essential white goods.
- Refer to women's aid (support for domestic abuse survivors).
- Apply for council tax support to minimise outgoings.
- With a stable tenancy through discretionary housing payments, they could focus on getting back into employment.

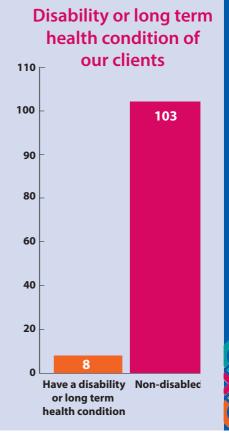
The project came to an end at the end of May 2020 but we are pleased that it has been replaced with the Homelessness Prevention Project. This is a positive step because it means we're able to give more support to social tenants.



Clients' economic status - Report Total 111

Count of caes with age range, during a period	Number of cases
(No Value)	1
0-16	2
17-24	9
25-34	37
35-49	45
50-64	13
65+	4
Report Total	111





Homelessness Prevention Project

Following the success of the PRS (Private Rented Sector) project we are delighted that the five local authorities (Amber Valley Borough Council, Bolsover District Council, Chesterfield Borough Council, North East Derbyshire District Council, Derbyshire Dales District Council) have decided to fund us to deliver this new project which now covers social tenants as well as private tenants, enabling us to help and assist even more people facing difficulties with their tenancies.

Case study

View from a homeless prevention worker

Working with the Community Safety Team at Amber Valley Borough Council I was asked if I could assist with a client that was in Private social housing who had mental health issues. The company who owned the block of flats wanted to carry out refurbishment of the property but the client was refusing to engage with them. I spoke to the client's mental health worker and visited the client with him however he refused to answer the door. A few days later I again visited the client with a member of the Community Team, to check on his wellbeing. Although he refused to open the door again I was able to have a long conversation with the client.

By this time, I had spoken to the property management company who assured me that although there were some rent arrears they had no intention to evict the client. I also established that the contractors who were working on the neighbouring flats checked on the client each day, and that each Friday the client would leave the flat to go to the shops. I made his mental health worker aware of this.

The conclusion was that the client received medical help and does not feel now that he needs a mental health worker and he has retained his tenancy in the same flat that has now been refurbished.

Case study

Mr JF, a single man who suffers with physical and mental health difficulties, lost his job and struggled to find new work. He started to fall into rent arrears and his mental health deteriorated further.

He moved onto Universal Credit but due to being under 35 he only received the "one-bedroom shared accommodation housing element rate" of £227.38 per month for his housing costs. His rent was £475 per month which left a shortfall of £247.62 per month meaning his rent arrears started to increase rapidly. Consequently, he was served with a notice to leave the property.

He approached the Law Centre for legal advice. Unfortunately, by this time it was too late to stop court proceedings as his rent arrears were at £3243.32 and he had been evicted from his property. He approached the council for housing help but he was not viewed as having priority need so he became homeless. He was referred to the HPP project for further help.

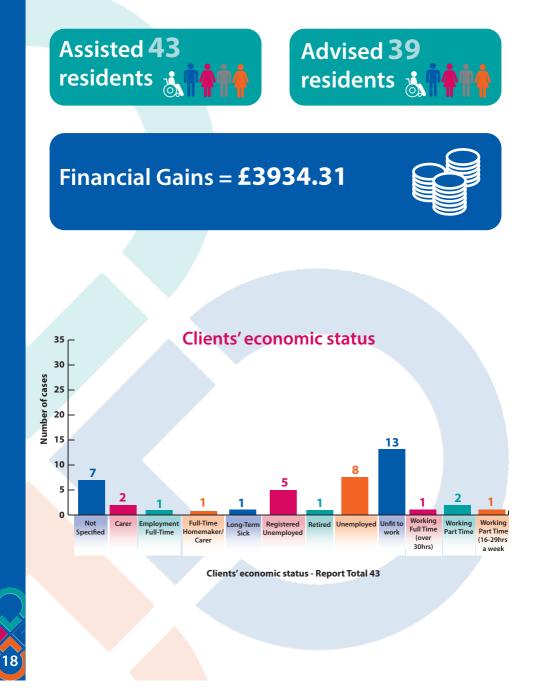
He had been struggling to find a suitable property for several months as he had been banned from the council housing register due to his rent arrears. He also couldn't afford the majority of private rented properties. Furthermore, he wasn't desirable to most private landlords due to his credit history and being a benefit claimant.

We helped him apply for a Discretionary Housing Payment (DHP) from the council, and a grant from Hospitality Action, a charity for people who have worked in the hospitality sector.

The council agreed to make a lump sum DHP award alongside a grant from Hospitality Action to clear the rent arrears. Hospitality Action made a grant of £1196.90 and Discretionary Housing Payment made an award of £2046.42. This cleared the total rent arrears and he was allowed back on the Housing Register. He then successfully secured an affordable one-bedroom flat. He can now focus trying to improve his mental health and seeking employment.



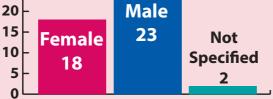
The project has only been up and running since 1st June 2020 but in the 3 months between 1st June and 31st August 2020 we have achieved the following:



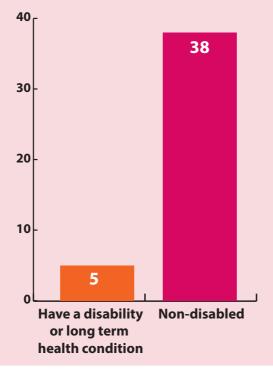
Count of caes with age range, during a period	Number of cases
17-24	3
25-34	10
35-49	20
50-64	8
65+	2
Report Total	43



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Disability or long term health condition of our clients





A Lockdown Journey

The following shows how we have been able to carry on assisting our clients during these challenging times and how a phone call to us can help in so many ways.

Throughout lockdown the Law Centre has continued to deliver its housing service. Our receptionist Wendy has been answering the phones throughout, at home. In early April she took a call from Mr JW who had returned home to discover his locks had been changed and he could not get in to his property. Recognising this was urgent, as the client had nowhere to stay that night, she passed the details on to the next stage.

Vanessa, our assessment supervisor, working from home, then contacted Mr JW who explained he had been to stay with a friend the evening before. Mr JW had received a text from his landlord saying that his arrears must be paid in full immediately or the locks to the property would be changed. Later that day the client returned to his property to find his keys did not work. He assumed that the locks had been changed



as he could not access his property. Vanessa took the client's full details and details of who the landlord was. She then contacted Steve.

Steve is a specialist housing caseworker with many years' experience. Steve, also working from his home, spoke to the client and took details of what had happened. He also took the landlord's contact details to call him and ask that he allow the client to re-enter the property. Steve set out to the landlord over the phone what the law was and that our next step would be to apply to the Court for an injunction. The landlord refused to allow the client to return to the property.

"Just a big thank you to everyone who helped us thank you!"



"Very helpful with a call back service and if they can't help you they will recommend someone"

At that stage Steve transferred the case to Lisa, a to start injunction proceedings.

Lisa, working from home, instructed a barrister and together they prepared the papers for Court.

At that stage Lisa called the landlord again and explained that the papers were ready to be sent to Court and that the landlord would be notified of the hearing date.

The council homeless team were contacted to explain that the client might need B&B accommodation and the contact numbers to obtain B&B accommodation, if needed, were provided.

Diya, whilst working at home, completed a detailed witness statement for the client. The landlord contacted Lisa at the last moment to say he would allow the client back in to the property as he had experience of being taken to court by the Law Centre before.

The client was allowed back in but knew he didn't want to stay there. Gary, also working from home, then contacted Mr JW and



arranged to apply for a grant for him to clear some old arrears with the council so that he could move into a council property. Gary also obtained a grant for the client to have white goods at the property.

The case concluded with the Mr JW fully advised and with a new home and many items purchased for that home which would prevent him from getting in to debt to purchase them himself. Gary had also made sure that the client had applied for all the benefits he was entitled to.

A good outcome all achieved by Law Centre staff working from home.

Internal Referrals - the many specialisms of Derbyshire Law Centre

One of the things that makes Derbyshire Law Centre so effective when helping our clients is the huge range of expertise we have across departments: Employment, Immigration, Discrimination, Debt and Money advice. The Housing Team often make internal referrals to other specialists, taking a holistic approach to ensure our clients' circumstances are improved in the long term.

Money Sorted in D2N2 and MaPS Debt Advice - Working together to save tenancies

Here are just some of the things we might refer clients to our Debt Unit for:

Income maximisation

- Support accessing benefits advice services
- Benefits checks
- Practical help applying for benefits / form filling
- Finding employment or improving employability skills
- Identifying and applying for charitable grants and benevolent funds



Reducing outgoings

- Practical help applying for council tax support, Severn Trent Big Difference Scheme, energy grants, etc.
- Learn how to change energy provider / tariff to get a better deal
- Budgeting support, prioritising rent and bills
- Identifying and applying for an appropriate bank account to have income paid into, and closing overdrafts to avoid fees and interest.
- Setting up direct debits and standing orders, so that bills are paid on time and further fees are avoided

Debt advice

- Help making affordable payment arrangements with creditors, to free up surplus income for priority bills such as rent
- Applying for a Debt Relief Order, to clear rent arrears and allow clients to access the housing register if they are homeless or need to find more suitable/ affordable accommodation
- Requesting "breathing space" from creditors, to allow the client to get back on track
- Help with court fines

Other help

- Help obtaining necessary ID such as birth certificates and benefits letters
- Help with organisational skills
- Building confidence to deal with bills and creditors
- Saving for a rainy day financial resilience



- Planning for the future how to amend a budget when circumstances change, or when something unplanned happens
- Referrals to other sources support, such as mental health services
- Plus much more...!

"The Law Centre saved my life in many ways I've come out of the dark and into the light"



Case study

Last year Mr NT had an operation and stopped working due to ill health. He had no income to support himself and his teenage son.

His debts began to overwhelm him. He stopped opening post. He was at risk of eviction from his council tenancy. He could not see a way forward, he became withdrawn, anxious, depressed and had suicidal thoughts. Our housing team managed to buy him some time before eviction, to improve his circumstances.

The Money Sorted in D2N2 project assisted Mr NT to apply for Universal Credit. He struggled with reading, writing, and understanding the questions being asked. He felt embarrassed and worried about looking stupid. With our help, NT gained confidence in his own abilities and applied for UC.

We gave practical support with text reminders to attend meetings to complete his UC claim. Once Mr NT had obtained UC, it gave his son the incentive to apply so that he too would have an income. We assisted him to compile a realistic household budget, based on what he was actually spending. We empowered him to speak to his son about contributing to the household. We helped him to minimise outgoings by applying for bill reductions such as Council Tax Support and the Severn Trent Big Difference Scheme.

He lived in a 3 bedroom house and was subject to under occupancy charges. Our homeless prevention team helped him to complete a Discretionary Housing Payment application, clearing some of his arrears, and obtaining a temporary ongoing payment to cover the rent shortfall.

His situation was unsustainable due to unaffordable rent, so we supported him to engage with Home Options and apply to downsize. The remaining arrears were a barrier to rehousing, and he was not able to bid on properties because of them.

Mr NT was referred for specialist Debt Advice at DLC under the Money and Pensions Service, and applied for a Debt Relief Order to clear the remaining rent arrears. This removed the barrier to the housing register, and he was able to downsize to a more affordable property.

All of his priority payments are now up to date and payment arrangements are in place, Mr NT has the confidence to update his UC journal himself, and liaise with housing, revenues and the DWP.

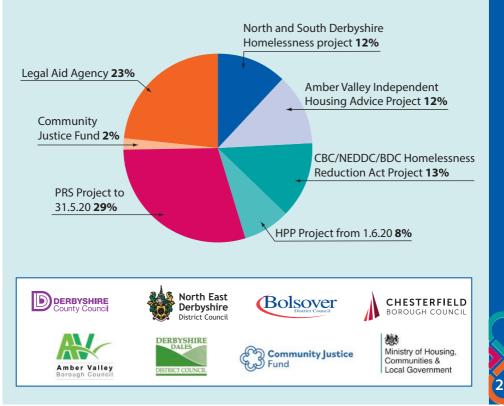
Funding

The work of the Housing Unit is funded through a mixture of funding sources, including through core funds from our funding local authorities; Chesterfield Borough Council, Bolsover District Council, Derbyshire County Council and North East Derbyshire District Council, through our Legal Aid contract and through funding for various projects.

The chart below shows the breakdown of the funding received for the various projects detailed in this report and the Legal Aid agency for the period 1.9.19 to 31.8.20. The Community Justice Fund has provided funding for Covid-19 related work and this is included in the chart below.

Thank you to our funders and all the organisations that have given us financial assistance during the period. Without their help and continued support, the vital work of Derbyshire Law Centre could not take place.

Housing Funded work 1.9.19 to 31.8.20



The Housing Team at Derbyshire Law Centre



Matthew Brown Trainee Solicitor



Lisa Haythorne Solicitor (Housing, Debt & Community Care)



Laura Holland Solicitor (Housing)



Diya Kaur Paralegal (Housing and Debt)



Gary Steel Paralegal (Housing and Debt)



Sally Preece Advice Worker (Housing and Debt)



Steve Taylor Advice Worker (Housing and Community Care)



Kev Weston Homeless Prevention Worker



Joe Wilson Homeless Prevention Worker



The Housing Team are supported by a larger team of staff, including administrators and co-ordinators. The Housing Team also work in partnership with all other members of staff. See the DLC Annual Report 2019/2020 for a full list of the DLC team.

Our Offices

Appointments available in offices throughout Derbyshire: Bolsover, Buxton, Chesterfield, Eckington, Ilkeston and Ripley.

Please call 01246 550674 to arrange.

Bolsover Bolsover Library, Church Street, Bolsover, S44 6HB.

Buxton

In the office of Citizens Advice Derbyshire Districts Bureau, 26 Spring Gardens, Buxton, SK17 6DE.

Chesterfield

Derbyshire Law Centre, 1 Rose Hill East, Chesterfield, S40 1XZ.

Eckington

Eckington Library, Market Street, Eckington, S21 4JG.

Ilkeston

In the office of Citizens Advice Derbyshire Districts, Castledine House, Heanor Road, Ilkeston, DE7 8DY.

Ripley

In the office of Amber Valley Borough Council, Town Hall, Ripley, DE5 3BT.

We are also reliant upon donations

Our donations page may be found at www.mydonate.bt.com/charities/derbyshirelawcentre

Donations are also accepted through our Facebook page.

Derbyshire Law Centre is governed by a board of trustees, known as our Management Committee, elected annually ay our AGM.

Please see this year's full Annual Report for further details about our members, trustees and other information about the organisation as a whole and achievements over the last 12 months.





Our Organisation

Registration details: Derbyshire Law Centre is a company limited by guarantee: 2453081 Registered Charity No: 702419 Solicitors Regulation Authority: Practice No 71302 Auditors: Barber Harrison & Platt, 57-59 Saltergate, Chesterfield, S40 1UL. Derbyshire Law Centre, 1 Rose Hill East, Chesterfield, S40 1XZ. **Tel:** 01246 550674 **Text:** 07781 482826 **Textphone for deaf people:** 18001 01246 550674 **Email:** dlc@derbyshirelawcentre.org.uk **Website:** www.derbyshirelawcentre.org.uk



Derbyshire Law Centre @ derbyshirelawcentre



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