Caught in the Middle: An Ethnography of Immigration Case Workers in London Law Centres

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Abstract

The UK Government has recently introduced 'targeting legislation', aimed at more narrowly defining 'legitimate claims' to asylum. Concurrently, state funding for welfare provisions such as legal aid is being eroded, creating a two-tier legal culture, with those on the bottom tier being effectively denied access to justice. Based on participant observation and interviews with immigration case workers in a number of Law Centres in South London, this paper considers how these changes are affecting the process of asylum and immigration applications in the UK. In particular it examines the current position of case workers, the personal and professional pressures they are subject to and their changing roles in the current environment.

Introduction[1]

Matthew J. Gibney has characterised Britain's immigration system as "remarkably reactive and *ad hoc*" (2003:109), suggesting that its many inconsistencies can be attributed to the British state's conflicting historical and contemporary demands as the representative of a particular political community, member of the Commonwealth, capitalist state and EU member (*ibid.*:108). These conflicting roles are coupled with an ongoing ethnical and political tension between the demands of liberalism and of respecting human rights and those of maintaining "border control". Moreover, as liberal values have emphasised the rights of individuals to stay in the UK and then to extend their rights further once they have remained in the country for any length of time, so Gibney and Hansen (2003) argue, the Home Office has become ever more determined to limit the possibility of their entering in the first place and hence to prevent them from legally entering the labour market.[2]

Although in 1997 the incoming Labour government seemed to suggest that its new attitude to immigration would be a proactive one inasmuch as it would 'make a decisive break with previous policies and attitudes toward immigration' by promoting migration as an economic, social, cultural, and demographic asset (Coleman & Rowthorn 2004:580), policy has shifted in subsequent years and particularly since 2004. This subsequent approach – of acting 'tough' on immigration and of reduced concern for the wellbeing of asylum seekers and other non-economic migrants – is the backdrop for the current study. Gibney has noted how over the past decade the Labour Government in the

[1] We are indebted to those clients and workers at the South West London Law Centres who allowed us to sit in on their meetings and who gave up their time to discuss a wide-range of matters with us. The project has been funded by a British Academy Small Grant and the STICERD fund at the LSE. Opinions are the authors' own.

[2] Note here the recent High Court ruling that current laws preventing an Eritrean asylum seeker from taking a job are incompatible with the European Convention on Human Rights (*The Observer* 14th December 2008).

UK has "used policy innovations carefully and consciously to pursue their ends without directly violating liberal norms" (Gibney 2008:158). Mainly letting less people in, making faster decisions and actively deporting people in numbers heretofore unseen.

The Home Secretary Jacqui Smith has written:

> I take very seriously this country's responsibility to provide a safe haven for those fleeing persecution and who truly need our protection. We operate a firm and humane system supporting those who are vulnerable with accommodation and assistance. But if a court says that someone has no genuine need for asylum and should return home I think that should happen (Taken from a 'web-chat' with Jacqui Smith, 17 April 2008, www.number-10.gov.uk accessed 2/5/08).

To us this provides a neat summation of the manner in which the government shows that it is aware of its humanitarian obligations but suggests that its laws are sufficient protection for all.

Our research explores how asylum and immigration are conceptualised, produced and practised; and how changes in the law and in the funding of legal aid affect access to justice. We undertook a detailed ethnographic examination of interactions between lawyer/case workers and immigrant/asylum claimants in the South West London Law Centres: a not-for-profit organisation that offers legal advice on a number of issues. Around the UK, such law centres are the main point of contact for – among others – immigrants and asylum seekers who are unable to afford private advice. Our research demonstrates how case workers are "caught in the middle": between various economic, social, ethnical and political pressures. In their everyday work they are faced with the contradictory imperatives of being required to check up on opportunist and possibly deceitful clients on the one hand while being prepared to give out sympathy and vitally important help to genuinely deserving ones on the other. We are looking at how, given the context of both legal and budgetary reforms, and in a setting where state and market forces combine in unforeseen ways and with sometimes unintended consequences, these case workers are increasingly forced to move beyond existing competencies, to become actuaries, judges and juries: roles which they did not originally envisage as part of their jobs.

The Effects of Changes to Legal Aid Funding

Case workers have a vital role in making expertise available to applicants. Significant new restrictions on the provision of legal aid funding by the Legal Services Commission (LSC) have affected this: self-authorisation has been abolished and economic restrictions and incentives set up; payment is given in chunks of specific sizes rather than being allocated on the basis of the time spent on a case; and a division has been put in place between cases giving short and simple acts of assistance, and much more complex – and hence mostly unsustainable – cases. Expert advice in a dehumanizing bureaucracy requires sympathetic hearing as well as technical assistance, but changes to legal aid funding are undermining this.

Case workers come from a range of backgrounds. Some formerly worked for NGOs or

government departments that deal with immigrants. Such individuals moved to the Law Centre, feeling that they could be most effective acting for and giving advice directly to immigrants on legal matters. Others had a more formal legal education but switched to Law Centre work because of a conviction that legal aid work – specifically in the asylum and immigration sector – was likely to be more rewarding than working in the corporate or private sector. All have a commitment, a belief in the importance of what they are doing. Nonetheless, many of them talk of how they have grown disillusioned with the system and weary of the increasing pressures to work faster and deal with more clients, with an inevitable concomitant diminution in the quality of the advice and service they can offer.

One case worker, Ana, told us it is only when she gets to do complicated cases that she feels passionate about her job. She outlined how various recent changes to the funding system are preventing her from taking on such cases and encouraging her to do only simple cases that can be dealt with quickly. She is thus now considering leaving for work that would be at least better paid if not as interesting. Another case worker, Tamara, emphasised that case work was not something that one would choose to do for the money. In her case, however, she had recently given up the job for a teaching position as she said that she could no longer deal with the pressure: the feeling of overwhelming responsibility to help often desperate and vulnerable people without having the time and resources to do an adequate job. She suggested that while some case workers, including Ana, might be 'long-stayers' who could cope with the pressure, few people could continue working under such circumstances in perpetuity. In such settings, the director of the SWLLC told us, these case workers' commitment to face-to-face contact and round-the-clock service to people in trouble is unsustainable: such a commitment, while appreciated by clients, generates dissatisfaction from those expecting similar levels of dedication across the board. As he put it, such case workers are too busy to do "the billing or the administration". Yet, especially under the new funding regime, it is only by attending to "the billing" and "the administration" that the Centres can continue to run.

Funding is administered by the Legal Services Commission in compliance with strict new criteria relating to clients' maximum income and assets, in a system which had barely been introduced before it was re-reformed and re-overhauled. In the newest of these reforms, funding arrangements were introduced in April 2004 for legal work on asylum and immigration issues. Replacing the old system of remunerating the Centre for the exact amount of time spent on a case, which, at a preliminary level, could include 30 minutes of advice to all applicants, eligibility had to be confirmed beforehand and cases would now be paid for on a "threshold" basis. All eligible cases would, in the first instance, be paid a flat fee of £260. If a case was likely to cost more than this and was deemed to merit the extra time involved, practitioners would be able to claim the next threshold of £765 – but they must be able to make a claim for this full amount. Practitioners would have to seek authorisation from the LSC to apply for funding under this higher threshold, and for any further extra amounts. All clients would also be forced to prove their financial eligibility before any advice was given, after which a full file must be opened for each to allow the centre to claim the full £260. Clients would no longer be eligible to have a quick preliminary assessment, since the funding regime did

not provide for this. Other categories of payment, such as the "hourly rate", applied in a very few cases.

The system, then, sets up a very particular system of economic restrictions and incentives. It applies pressure to reshape advice as a technical, administrative matter, rather than allowing for each client to be considered as an individual with her own specific and detailed experiences (see Wilson 2001).

Justifying these tighter criteria, the Legal Services Commission (LSC) and Department for Constitutional Affairs (DCA) characterised the previous system as "an increasingly expensive 'gravy train' for legal aid lawyers to carry out low quality and unnecessary work on the cases of people who would not, in the end, turn out to be eligible to win the right to remain in the UK" (BID 2005:5). The rationale for the change was that

> The growing demand for help and the fact that our budget is limited means fundamental change is necessary. We must move to a system that pays for services delivered for clients rather than hours worked. We need to make sure that legal aid remains available to those who need it (LSC, transforming_legal_aid.asp).

Underpinning these reforms was the perceived need to abolish inefficiency, and to prevent lawyers boarding the "gravy train". Reference is made to the over-supply of high street lawyers and to the fact that legal aid is serving to keep afloat this excess of legal services. Suggesting that "market forces" should weed out these inefficient and unnecessary excesses, Carolyn Regan, Chair of the Legal Services Commission, publically condemned the situation in which "you drive down some High Streets, and you see a Citizens Advice Bureau, a Law Centre, and 3 firms, all in a row and all with overheads …" and insisted that the proposed reforms "*will* lead to changes in the way people do business" (BBC Radio 4, Unreliable Evidence*,* 5 December 2007).

In effect, legal aid practitioners are now under pressure to parallel the Home Office's own system. This is evident in clients' relationships with practitioners, particularly since the first meeting is now required to take the form of a financial eligibility test either in person or over the phone. Such a test essentially reduces an individual to her particular economic status, or gives priority to this status over the urgency of her problems. For practitioners the underlying consideration must now be their potential "merit": the key criterion for gaining access to LSC funding beyond the lowest threshold. This process is turning practitioners into judges and actuaries, rather than advocates of their clients. The small size of our sample does not permit the generalization that the taking on of cases that would otherwise be deemed worthy is now routinely discouraged. We can state on the basis of our observation, however, that an inordinate amount of time was spent on calculating funding frameworks.

Engaging with these reforms, case workers found themselves in a contradictory situation. They were both challenging Home Office inadequacies and inconsistencies on their clients' behalf to bring them line with fairer/"official" policy, and simultaneously reshaping clients' practice and experience to bring them in line with what the Home

Office wanted. In order to understand the effect of these changes it will be helpful to look at the example of a single case, one of the 30-odd that we have followed in some detail.

Case workers and clients

In February 2008 Elizabeth, a 22 year-old woman from Ghana, came into one of the group's law centres in south London to ask for advice. After proving that she had no income of her own and was thus eligible for legal aid she explained her position to the case worker, Ana, who simultaneously assessed that she could take on her case on the basis of the "first threshold". Elizabeth explained how she had come to the UK on a settlement visa five years earlier to join her parents who were settled in the UK. She was granted Indefinite Leave to Remain as a dependent child as she was 17 when she applied. She had now come to ask advice about bringing her own, six-year-old daughter to the UK because her daughter's father, who had been caring for her in Ghana, had recently died.

The case worker quickly ascertained that the central problem in this case rested on the fact that in making her own claim for settlement, the form that Elizabeth would have signed included the declaration that she had not formed her own 'independent family'. The presence of a child would normally be seen as proof by the Home Office that she had done this. Hence revealing the presence of her daughter to the Home Office would signal that her own status of resident in the UK had been based on falsehood and deception; she would thus be vulnerable to possible deportation.

For the case worker the case was relatively straightforward. She discussed the possible steps that Elizabeth could undertake in order to make a claim, including DNA tests proving her maternity of the child, the father's death certificate, and proof that she had been sending money to support the child. The case worker repeatedly emphasized, however, the likelihood that the claim might fail, not only because of Elizabeth's original deception of the Home Office but also because she would be unable to look after her child in the UK without recourse to public funds. They also searched for potential alternatives, including the possibility of Elizabeth's mother sponsoring the child – but here the case worker noted the Home Office's suspicion of such arrangements[3] and pointed out that Elizabeth would need to move back in with her parents to facilitate this. Overall the case worker emphasised the difficulties of Elizabeth's case. In the official advice letter that she composed after the meeting, having laid out the main issues under the heading 'Action to be taken by us' she stated:

> Having confirmed my advice to you during our meeting, I believe that although there are compassionate features in your case, these may be overridden by the fact that you used deception to obtain your current visa.
>
> This advice is given to you under the Legal Help Scheme… apart from the financial requirement which you do satisfy, I must be satisfied that there are enough merits, i.e. prospects of success, in your case. It is my opinion that, for the reasons mentioned above, your child's application is likely to

[3] This has been particularly true since the case of Victoria Climbié who was abused and murdered by her great-aunt who had brought her to the UK from Ivory Coast.

> be refused. Having reached this decision, I am no longer in a position to help you further and therefore, I will be closing your file shortly.

The case had – in accordance with LSC guidelines – been dealt with quickly and effectively. The legal merits of the case had been considered and deemed to have a slim chance of success. The case worker thus decided that it did not meet the LSC's criteria and so rejected the case. The Law Centre, in turn, was able to claim the full basic amount, £260, from the LSC for one hour's consultation and another hour to write the advice letter. The director emphasised to us that, under the funding regime, it was exactly such cases that were necessary in order to allow for the Centre's continued viability.

The summary account of Elizabeth's case and Ana's official reaction to it, however, obscures a more complex personal exchange. As the consultation progressed and Ana, though trying to find other ways of helping the case, emphasised the unlikelihood of Elizabeth's success, Elizabeth became increasingly distressed and eventually started to cry. She tried to explain her earlier fear of telling her parents about her baby before she came to the UK and how disappointed they would have been. "Try to put yourself in my shoes" she pleaded with Ana. "I can't," was Ana's response, "I am not judging you, I am telling you the steps that you have to take."

Since Elizabeth is now disabled and walks with a crutch, she argued that she would have real difficulties living back in Ghana. She also stressed that she had wanted to bring her daughter to the UK since her own first arrival, pointing out that this was now imperative since the child had no immediate family left there. Ana was obviously sympathetic to Elizabeth's position but she maintained her position that there was little she could do. Elizabeth, accompanied by her carer, finally left.

When Elizabeth had finally gone Ana discussed the case with Evan, reflecting upon her own actions and options, and remarking that under the previous system of funding she would have been inclined to take the matter on, either under the general legal aid funding scheme or *pro bono*. A case could have been made if the parents themselves had signed the form for Elizabeth, since this would suggest that there had been no deliberate deception on Elizabeth's part. Alternatively, an appeal to the judge to make a special ruling on compassionate grounds might have been possible. Now, however, Ana stressed that the Law Centre was too financially stretched to allow for this. Funding from the LSC, under the new rules, would not be forthcoming if she could be seen to have known from the start that the legal merits of the case were questionable: indeed, the new regime has it that any case with more than a 40% chance of failing should not be funded. This case, involving a child, a disabled woman and genuine grounds for a compassionate ruling, seemed to Ana worth fighting for on both a personal level as well for its legal intricacies but the new regime left her no option but to reject the case. The likely outcome was that Elizabeth would stay in the UK and her daughter would be left to grow up with distant relatives in Ghana.

The interesting point is that this decision was made not by the Home Office but rather by Ana's specific decision not to take on the case. She seemed caught between the genuine

compassionate grounds for pursuing such a case, and the certainty that original untruths told to the Home Office would now almost certainly guarantee its lack of success.

Professionalism and human feeling: the attempted reshaping of the client

In analysing the situation of current "victims of human trafficking" in Italy, Giordiano writes that "I approached the production of migrant stories as the translation of alterity into the languages of these institutions, and as a means of creating citizens—those who are recognized as members of a community and adhere to its diverse bureaucratic logics" (2008:588). A similar process can be seen to occur in the interactions that we studied. Case workers often find themselves "shaping" their clients to "fit the mould" of Home Office expectations, in particular to produce an image of a "good citizen", framed in terms of kinship and "normal" relationships. Laws are framed and imposed – and advice given – in such a way as to imply a view of what proper family life entails. Officially the remit of case workers is to advise on "what the law demands" and to help their clients make the correct type of application or appeal in the prescribed manner. In reality, however, they can be seen to be both enforcers and circumventors of particular sets of conformities that underlie the government's regulations. This process is clear in Elizabeth's case.

Ana was trying to find a way to fit Elizabeth's case to the Home Office regulations in such a way that she could achieve a positive result for her. In the absence of such a solution Ana had to tacitly except Elizabeth's original fraudulent application as the defining feature of her situation – lawyer-client confidentiality meant that Ana had no need to report this to the Home Office. A particular point of interest for anthropology is that this fraud was perpetrated in relation to the Home Office's criterion of 'independent families'. Such a term suggests that the Home Office has a particular idea about what constitutes a family: a nuclear family of mother and father and their own children. The various ideas of extended families in other national and cultural setting are routinely rejected by the Home Office as having any official legitimacy (see Good 2004).

This comes out in a number of ways. Some assumptions obviously date from older British notions of legitimacy and "proper behaviour": it was only since November 2002, for example, that illegitimate children have been able to claim British citizenship through their fathers while people born before this date still may not claim it retroactively. More subtly, rules – such as the one allowing a person to be sponsored by an individual, third party sponsor, but not by an extended family or church – show a particular ideology that centres on nuclear family life.

This ideology is evident in Home Office objection to arranged marriages, particularly those from the Indian sub-continent. In one case, an Afghan man had recently gained ILR for himself and now wanted to bring his wife over from Pakistan. He was advised to emphasise that he had already met and married his wife, and to find ways of proving that he was already supporting her in Pakistan. Failure to do so would arouse Home Office suspicions that this was an arranged marriage and might result in the rejection of her application.

In another, pending case involving a Somali woman, Awa, her appeal was suddenly thrown into disarray when a DNA test suggested that the 'sister' with whom she had grown up and who had already been granted asylum might not be her full biological sister. Rather than accepting both women's testimony that they have been raised as sisters, the judges and Home Office officials have placed central importance on the presence of a biological relationship. The judges note that their interest in the test stems from the fact that Awa's claim is founded on her membership of a minority clan, on which basis her sister has already been granted asylum. As clanship is passed patrilineally, if Awa and her sister have different fathers then Awa's clan membership will differ from that of her sister. The fact that any other father would likely be someone from the same clan, or that the blood purity of clans may in fact be something of a "social fiction", do not seem to have been considered (see Good 2004)

The fitting in with certain images of the good citizen – certain acceptable and preordained categories – appeared as well in attitudes towards sexuality: Home Office guidelines allow the claiming of asylum if one is identifiably homosexual in appearance and/or demeanour and has suffered persecution because of this. In one case we witnessed a Jamaican woman, who was seeking asylum based on her fear of persecution for being a lesbian, being advised that her claim was unlikely to succeed because she was not 'obviously' gay. The case worker later compared her case with that of a Jamaican man whose asylum claim was granted very quickly after he had had a processing interview at which his interviewer decided that he was "obviously gay", based on his clothing, demeanour and even speaking style (he was deaf and the Home Office's signing translator apparently noted that he signed in a 'strange' way).

The encouragement to approximate the model of the individualized, choice-making citizen also occurs when individuals first present themselves to the Law Centres and have to show that they are eligible for legal aid. On being told that the income of partners is included in financial assessments, people very quickly downplay the nature of their relationships with others; we have seen at least one case in which someone has presented themselves at one Law Centre with a financial profile that fits the eligibility test – by obscuring the fact of financial support from other family members – after previously being rejected from another on the grounds that they were ineligible.

Beyond notions of biological relatedness the Home Office – and UK immigration law as a whole – centres crucially on "proper family life". It is the place of case workers to emphasise these family values and to ensure that their clients comply with these when applying for the right to remain or to reside in the UK. In one example, a UK citizen who had left Zimbabwe hurriedly accompanied by his two small children and was seeking a visa for his Zimbabwean wife to join them in the UK was advised of the importance of proving that he had accommodation 'suitable for a nuclear family'. This, ironically, would force him in the short term to neglect his children: he would need to take on extra jobs and put his children in childcare, in order to be able to afford to rent a flat larger than the one bedroom one he was currently occupying. His case worker emphasised that beyond the basic regulations governing immigration applications there was an underlying preference for people of "good character", sound financial means and with stable, nuclear

families. This is part of a wider process by which all individuals must fit themselves within the relevant categories in order to be accepted; and by which case workers find themselves advising their clients about how to achieve this fit.

In particularly intensive cases, the efforts made by case workers in pursuit of justice for their clients not only effect a technical and strategic reshaping of the client, but a seemingly more deep-seated realization on the part of the client that she has indeed, and in reality, come to approximate these new arrangements. In one of the few "complex" cases we monitored, one which made it past the various funding "thresholds" to qualify for an hourly rate, a young Pakistani woman – Fatma – had come to the UK to fulfil her parents' arrangements for her marriage but had later been beaten by her husband. She exclaimed during an interview that she had only recently "realized" the meaning of domestic violence – a category under which a woman may claim the right to remain in her own right under asylum law – simultaneously coming to understand that she herself was a victim of it. This involved repudiating certain kinds of family ties, and embracing a different vision of family: a process which we observed gradually unfolding in the course of her consultations with the case worker and the barrister (see Giordano 2008: 588-99).

Immigration case workers understand themselves as being "professionals" who are speaking to other "professionals" within the Home Office. They understand precisely what the requirements are, and aim to present their clients in the correct manner: sometimes regardless of the form in front of them. They emphasise certain aspects of individuals' characteristics and situations while downplaying those that Home Office officials will see in a negative light. Individual applicants, however, are mostly unaware of these unofficial schemas; their sense of ignorance both makes them fearful of "the form" (Navaro Yashin 2007) while simultaneously giving them – rightly – a sense of reliance on the professional and competent advice which only a case worker can give them. The attempts by case workers to fit their clients into the schematic category of the "good immigrant" can, however, be resisted by their clients as individuals find it difficult to present themselves as "cases" to be processed following universal rules.

Arbitrary Bureaucracy: resignation and hope

Interviews we shadowed revealed how clients experienced immigration and asylum law as an impenetrable yet arbitrary bureaucracy: a common perception of bureaucracies everywhere (Hummel 1987) yet increasingly accurate in the present case. Although effectively hidden behind a mask of forms and micro-procedures, the fact is that many Home Office decisions come down to the decision of an anonymous, often under-trained, individual employee. Individuals do not however easily present themselves as "cases" to be processed following universal rules. The character of their lives, their problems and needs do not lend themselves to ready definition, measurement, and decision. One client, a woman from the Caribbean, faced with finding the documents to prove that she has been resident in the UK for 14 years in order to gain ILR and then citizenship, said "It's so difficult … They have had my documents, kept them, lost them…". "Don't take it personally" responded the case worker "This *is* the best route". Such arbitrariness, while generating resignation, can equally be a source of hope: that the unpredictability of the system will in the end work in one's favour. Both senses – of resignation and of hope –

and the tension between them, are exacerbated by changes in the law which occur in the interim. In the face of changes and the often unsustainable expense which accompany them, "taking it personally" may be the most obvious response of the illegal immigrant or asylum seeker who feels herself faced with an unassailable body of inflexible rules. It is the role of the Law Centre case worker to persuade the client otherwise, while also making it clear that following the bureaucratic rules is the best option, but making use of whatever flexibility may exist. Negotiating this complex terrain, however, has been made more difficult because of the funding cuts.

Arbitrariness, expertise and funding cuts

The case of Fatma, taken on before the onset of the new funding regime but pursued through interactions between case worker, client, and barrister, is an interesting one. The case was one of the "more complex" and expensive ones judged by Law Centre personnel to be deserving – because of its "less than 60% chance of failure", that is, its relative prospect of success – of being taken to the High Court. Had it done so, it might have set an important precedent in immigration law, thus moving beyond the restrictions of the simple "acts of assistance" model underpinned by the new funding regime. After many hours of consultation and a long session with the barrister, however, the Home Office "decided out of the blue to grant … asylum" to Fatma. The case worker was worried: had the case met the "three times over the limit" threshold, thus entitling it to "go back into hourly rates"? It would easily have fitted into this threshold had there been a *full hearing* on the case, but "the worst scenario would be that we are a few hours short and so will only get payment equivalent to a third of the work carried out." As the case worker said "there is no allowance in the LSC rules for the fact that it was the Home Office that withdrew at the last moment."

In effect, a case emerging from the "separate" 2nd class justice system to dovetail with the mainstream UK justice system was here being obstructed. Success in one register (the client's achieving her objective of asylum, and her successful "reshaping" into the kind of individual citizen aware of her rights) was accompanied by failure in another (the anxiety it created vis-à-vis funding, and the possibility that the Law Centre would not be reimbursed for the many hours spent thus far). Such failure was not merely a matter of intensified pressure on case workers and their operation: the SWLLC has had to close two of its branches during the period of research.[4]

Conclusion

In this paper we have outlined a number of emergent aspects in the process of asylum and immigration applications in the UK, noting how they are often related to recent funding cuts. In particular, we have focused on how case workers have effectively been redeployed as actuaries and judges. We have also considered the inconsistent yet inflexible character of the Home Office and some of the assumptions that underlie its notions of legitimacy and "proper behaviour". Overall, we suggest that those applications that rely on legal aid are faced with a "2nd class" justice and that access to the legal

[4] "Timed out" Tracy Cook The Guardian Wednesday 8 August, 2007; "Labour's handling of legal aid makes a mockery of its rhetoric on fairness" Madeleine Bunting The Guardian Monday 10 March 2008.

resource of expertise, essential to applicants in finding their way around the arbitrariness of the bureaucracy, is compromised. Although the Law Centres are carrying out an extraordinary task given the odds, the few points which *are* conceded appear as "episodes of compassion … appear as privileged moments of collective redemption eluding the common law of their repression" (Fassin 2005:375).

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