



Duncan Lewis
Solicitors

we give people a voice

Our Services

✉ contact@duncanlewis.com

☎ 033 3772 0409

🌐 www.duncanlewis.com



Why choose us?

Duncan Lewis Solicitors serves corporate entities and private individuals in over 25 practice areas from offices throughout London and across England and Wales. Established in 1998, the firm has over 550 lawyers delivering legal services in over 60 languages. We have been recognised by independent legal directories, The Legal 500 and Chambers and Partners, as a top tier firm and described as a *"diligent and professional team that is prepared to go the extra mile for its clients"*.

Our head office is based in London, on Fenchurch Street, and we are the largest provider of publicly funded (legal aid) legal services in the country.

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Contracted with the
Legal Aid Agency



Immigration and Civil Liberties

We have one of the largest legal aid immigration practices in the UK and are ranked as a top tier practice by The Legal 500 directory for our services including, business immigration, human rights, appeals and overstay.

Our immigration team offer a wide range of services to European Economic Area (EEA) and non-EEA individuals and families wishing to enter, remain, or settle in the UK. Therefore, we are able to tailor our advice to the specific needs of any individual client.

With over 160 specialist immigration lawyers nationwide, we bring the highest level of expertise to all immigration matters. Also, the department includes a number of highly skilled lawyers who have trained as barristers, and undertake complex appeal cases up to the Court of Appeal and the Supreme Court.

We can provide free legal advice and assistance in some cases through legal aid funding. This may cover a range of matters, from the most straightforward applications, to complex appeal cases in the First-tier / Upper Tribunal of the Immigration and Asylum Chamber and the Higher Courts.

Our specialist business immigration solicitors have also been recognised by The Legal 500 directory, for their established reputation in acting for high net worth individuals, new and established business men and women, and innovative and skilled individuals under the Tier 1 visa categories.

Our Services

Our team of highly reputable lawyers frequently advise clients on a wide range of immigration matters, including:

- Visas (Tier 1, 2, 4 and 5)
- Visas for partners
- Visas for children / adult dependants
- British citizenship
- European Economic Area (EEA) family permits, residence cards and permanent residence
- Visa overstay
- Asylum and refugee status
- Civil liberties
- Deportation
- Immigration detention
- Advocacy
- Representation at First-tier Tribunal and Upper Tribunal
- Appeals
- Judicial reviews
- Brexit concerns



Asylum-Seekers and Refugees

Our solicitors have a high level of experience assisting with asylum applications, in-country asylum and appeals. If you have been forced to leave your country and are unable to return because of fear of persecution you may be allowed to stay in the UK if the authorities find your claim is credible.

Our specialist solicitors are able to talk you through the process, advise you on what documents you need to provide, and make the application for asylum on your behalf.

We are also experienced in making bail applications if you have been held in a detention centre or in prison under immigration powers.

We regularly act in publicly funded (legal aid), privately funded and pro bono asylum cases and will advise you on the best funding option for your case.

We can assist with various matters, including:

- Detained asylum-seekers
- Unaccompanied minors
- Reuniting refugees with their families
- Asylum applications
- Detained asylum casework procedure
- Bail applications (immigration detention)
- Advocacy and representation at the First-tier Tribunal and Upper Tribunal
- Asylum appeals
- Judicial review

Civil Liberties and Human Rights

Under the European Convention on Human Rights an individual has rights and protections that must be adhered to. However, human rights violations continue to occur. Our solicitors have extensive experience in assisting victims of human rights violations who require legal action.

Our prison law team assists and advises prisoners on their rights. Whether you are a long-term prisoner or have only just been detained and are concerned about your rights whilst detained, we can guide you through the process and effectively protect your rights. Our team specialises in a variety of matters including, parole reviews, pre-tariff reviews, and appeals against convictions and sentences.

Our immigration team is renowned for their extensive experience challenging human rights violations for unaccompanied minors and victims of torture, trafficking, and domestic abuse. In these cases, we are committed to assisting no matter the individual client's circumstance. We will discuss all options available, including private and public funding (legal aid) and in some cases, we will act on a pro bono basis, providing free quality advice.

We can assist with various matters, including:

- Human rights applications
- Potential victims of slavery and / or trafficking seeking status recognition
- Unlawful detention claims for victims of torture
- Immigration detainees facing removal
- Individuals facing removal of medical treatment
- Unlawful detention claims for damages
- Individuals requiring enforcement of their right to respect (on the grounds of gender, sexuality, religious practice and / or their opinion)
- Children seeking access to education



Public Law

The decisions of public bodies, where there is no other right of appeal, are susceptible to judicial review. Our public law department has experience in all aspects of judicial review, including obtaining emergency orders and other interim relief to prevent breaches of human rights, following up judicial reviews with actions for damages in both the County and High Courts and successfully pursuing judicial review matters to the Court of Appeal and the Supreme Court.

The quality of our work is repeatedly demonstrated by our high success rates. Our lawyers are award winning and many of our cases, which are recorded in the reported case journals, raise new and important issues, and create legal precedents for the future.

We carry out both publicly and privately funded work. There are also options for conditional fee agreements and potential crowdfunding alternatives.

Our Services

We are able to challenge the following decisions by judicial review:

- Unlawful detention
- False imprisonment
- Abuse by detention staff and removal escorts
- Conditions in detention
- Age assessments
- Asylum support
- Challenging non-appealable decisions
- Challenging removal notices
- Policies, practices and decisions made by the Immigration and Asylum Tribunals (First-tier Tribunal / Upper Tribunal)
- Bail decisions

Our work includes advising on challenges to the decisions of the following public bodies:

- Children and Family Court Advisory and Support Service (Cafcass)
- Criminal Cases Review Commission
- HM Prison and Probation Service
- HM Revenue and Customs (HMRC)
- Independent Office for Police Conduct
- Local authorities
- Metropolitan Police Service
- National Asylum Support Service (NASS)
- National Probation Service
- NHS trusts

- Parole Board for England and Wales
- Planning authorities
- Secretary of State for the Home Department
- UK Border Agency



Criminal Defence

Finding the right solicitor is crucial in order to secure yourself the best legal defence. Our crime department is ranked by Chambers and Partners for its reputation for well-prepared, high-quality work. Our case building excellence is based on a sound knowledge of the criminal justice system and the ability to assemble first-rate evidence and documentation. We also secure the services of the highest quality experts to ensure that we achieve the best possible outcome for you.

We can advise you on your rights and how they can be protected. A number of our solicitors are police station representatives and can offer free 24/7 representation at all police station interviews as well as at pre-charge investigations. This continual support and dedication is provided throughout your matter as we also have a number of Higher Courts Advocates who can represent you at court for serious matters such as murder and rape. Our solicitors are able to represent clients at the Youth Court, Magistrates' Court, Crown Court and Court of Appeal.

Our crime department has been involved in many high profile and complex cases, and also frequently acts on behalf of individuals who have never faced investigation or prosecution before. We understand the consequential impact that being involved in a criminal process can have and we can work with our clients to mitigate the effects. We have solicitors who specialise in appealing a sentence or conviction; this can be done through judicial review, representation at the Court of Appeal, serving an appeal notice on the Crown Court office and assisting with applications for Criminal Cases Review Commission miscarriage of justice reviews in the Court Martial and Service Civilian Court.

We can discuss with you the different funding options available to you. In relation to motoring offences, your legal costs may be covered by your driving insurance policy, so it is important that you check the wording of your insurance policy before your first meeting with us.

Our Services

Criminal Offences:

- Confiscation
- Drug related offences
- Extradition
- Fraud
- Human trafficking
- Murder
- Sexual offences
- Terrorism
- Violent crime
- Youth crime

Motoring Offences:

- Causing death by dangerous driving
- Drink / Drug driving
- Driving whilst disqualified
- Driving without insurance
- Failing to stop and report an accident
- Mobile phone offences
- Speeding

Judicial Review:

It might be possible to apply for judicial review in a number of situations, including:

- False imprisonment
- Life sentences
- Sentence appeal
- Wrongful arrest



Action Against Public Authorities

A public authority is an organisation that is responsible for the governance or administration of society. When a public authority engages in misconduct, it can have a long-term detrimental impact on a victim’s liberty, health and career.

We offer a friendly and professional service, placing you and your family’s best interests first. You can be assured of high quality representation at all stages and personal attention to your case from an experienced lawyer. We can arrange prison visits and, in some circumstances, meet a client at their home.

Our lawyers also have experience supporting and representing the families of those who have died in violent or unnatural circumstances when under the care of a public authority. In these situations an inquest is necessary in order to investigate the nature of the death and factually record what happened.

We offer a wide range of funding options for these cases; please get in touch with us to discuss funding for you or your loved one’s individual case and situation.

Our Services

- Our specialist team of legal practitioners can advise on any matter involving the following:
- Assaults
 - Complaints
 - Data protection
 - Equality and discrimination
 - False imprisonment / unlawful detention
 - Misfeasance
 - Negligence

- Actions Against Local Authorities:**
- Cases of local authority neglect, abuse and negligence
 - Human rights
 - Statutory duty

- Actions Against the Police:**
- Judicial review of decisions by the police and Independent Office for Police Conduct (IOPC)
 - Malicious prosecution
 - Police assault and battery
 - Unlawful searches / search warrants
- Coroner’s Inquests, Death Investigations and Claims Arising from Death occurring in:**
- Care homes (where Deprivation of Liberty Safeguards exist)
 - Hospital / psychiatric hospital
 - Immigration detention centres
 - Police custody
 - Prison custody
 - Other deaths where an inquest is opened

- Human Rights:**
- Actions relating to instances of torture, inhuman / degrading treatment or punishment
 - Protecting the right to life
 - Slavery, forced labour and human trafficking
 - The right to equality and freedom from discrimination
 - The right to freedom of speech and freedom of assembly / protests
 - The right to liberty and security
 - The right to privacy



Family Law

We understand the sensitive nature of family proceedings, especially when children are concerned, and we make a concerted effort to provide solutions that reduce the strain on all of those involved.

We are ranked and recognised by The Legal 500 and Chambers and Partners for our family and matrimonial work, providing confidential advice with effective representation. Our family team includes solicitors who have achieved the Law Society’s Children Law and Family Law Advanced accreditations. This enables us to provide advocacy in all court proceedings, ensuring our clients receive a consistent and professional service as well as a high degree of continuity.

Our priority is to listen to all of the issues in your case and explore the best way to proceed with your matter. This could be through negotiation or conciliation, or by application to the courts. We are experts in dealing with family disputes and, wherever possible, encourage out of court resolutions rather than litigation. We are, however, also fully equipped to undertake court proceedings if they offer the most sensible method of achieving the desired outcome for your case.

We are experienced in assisting high net worth individuals in divorce matters and our specialist divorce solicitors will guide you through issues such as spousal and child maintenance, properties, pensions and freezing injunctions.

Our Services Through public and private funding options, we offer advice in a wide range of cases, including:

Domestic Abuse*

- In an emergency we offer same day appointments and can assist with:
- Contacting groups offering support
 - Enforcement
 - Injunctions including non-molestation orders and occupation orders

International

- Adoption
- Child abduction
- Divorce
- Financial disputes
- Wardship proceedings

Private Law

- Adoption
- Child abduction
- Child arrangement orders
- Parental responsibility
- Prohibitive steps orders
- Specific issue orders

Divorce / Separation and Civil Partnerships

- Child arrangements
- Civil partnership dissolution
- Contested divorce proceedings
- Islamic divorce
- Nullity and judicial separation
- Uncontested divorce proceedings

Financial and Property

- Financial matters (arising from the dissolution of marriage / nullity or judicial separation as well as freezing injunctions)
- Maintenance pending suit (including legal fees order applications)
- Pensions
- Prenuptial agreements
- Property disputes for unmarried partners

*Please call our dedicated and confidential domestic abuse helpline on 0800 689 3275



Child Care

We are one of the UK’s leading firms of specialist child care solicitors, advising on all child care matters including social services and private child care matters. The team approaches each matter knowing that it is important to be represented by those who understand how the law may affect you and your family.

Our practice includes providing advice to parents and guardians, as well as other family members and those with / seeking guardianship or parental responsibility. The department also advises same-sex couples on child care matters, including child care arrangements following divorce, separation or dissolution of a civil partnership, adoption, co-parenting and surrogacy.

Setting us apart from other firms, the department consists of lawyers who have achieved the Law Society’s Children Law accreditation and we are one of a select number of firms in the UK that are on the Lord Chancellor’s International Child Abduction and Contact Unit (ICACU) referral list.

Legal aid is available to deal with many aspects of family and child care work. If legal aid is not available, we offer high quality advice and representation on a privately funded basis at competitive rates.

Our Services

The principle areas of law that our child care solicitors can advise on are:

- Adoption / international adoption
- Care proceedings
- Child arrangement orders to include contact and residence
- Child maintenance
- Child protection conferences
- Children taken into local authority care
- Female genital mutilation (FGM)
- Forced marriage protection orders
- International and domestic child abduction
- Mediation
- Parental responsibility
- Placement orders
- Prohibited steps orders
- Protection orders
- Special guardianship orders
- Specific issue orders
- Wardship proceedings



Housing

Our housing team, ranked by The Legal 500 directory for its services across England and Wales, provides assistance to both landlords and tenants on all housing issues. Our solicitors are highly experienced in finding solutions to housing disputes and aim to address the issues quickly and effectively. We offer lawyer supported dispute resolution or alternative dispute resolution (ADR) as a means to resolve housing disrepair matters. The department also regularly represents clients in the courts, ensuring they receive the highest quality assistance throughout their case.

Our solicitors can prepare applications for judicial review in cases of homelessness, for example where there has been a refusal to accept a homelessness application or an unlawful delay by a council in offering housing to an individual or family. If you do not qualify for legal aid, we offer a range of funding options for your case, including competitively priced hourly rates, fixed fees, or conditional fee arrangements.

Our Services

Homelessness:

- Inability to live at home because of violence or abuse
- Judicial review
- Living in overcrowded or unhygienic accommodation
- Temporary accommodation

Disrepair:

- Dampness and rot
- Faulty drainage or sewage
- Insufficient access to water
- Japanese knotweed
- No heating or hot water
- Pest infestation

Eviction:

- Anti-social behaviour / noise complaints
- Damage to the property
- Failure to pay rent
- Illegal activities carried out on / to the property
- Unlawful eviction

Possession:

- Breach of tenancy agreement
- Defending possession claims
- Eviction notice
- Mortgage repossession claims
- Rent arrears

Property Ownership Disputes:

- Contribution to mortgage repayments and / or renovations
- Household expenses
- Investment or loaned capital for the property
- Sharing equity

Succession for Tenants:

- Advice to spouses or civil partners
- Inheritance advice to family members

Neighbourhood Problems:

- Anti-social behaviour / noise complaints
- Boundary disputes
- Criminal activity
- Harassment



Litigation and Dispute Resolution

Our litigation team has extensive experience in acting for both claimants and defendants, representing individuals, companies, charities or those involved in group litigation, in complex and high value civil / commercial litigation matters.

Our lawyers offer advice and assistance in dispute resolution and litigated cases. We are aware that litigation is not always the best way to solve disputes and we will advise you on alternative dispute resolutions (ADR) that can best rectify your problem, whilst keeping the cost and distress down to a minimum. We aim to deliver a consistently high-quality and effective service, taking into consideration each client's respective objectives and requirements.

Sometimes matters cannot be resolved with ADR and they must be taken to court. We have the expertise to prepare your case in order to secure the best possible outcome. Since the team regularly acts in reported cases in the High Court and the Court of Appeal, we are equipped to take swift action to protect our client's interests and offer the best representation for any court action.

Our civil and commercial litigation department offers competitively priced fee scales to our clients. Where possible, our team will consider whether a fee arrangement can be entered into. The types of fee arrangements that can be offered include fixed fee and conditional fee (or 'no win no fee') agreements.

Our Services

- Alternative dispute resolution (ADR) (including mediation)
- Banking and financial disputes
- Bankruptcy and insolvency
- Breach of contract disputes
- Breach of data protection disputes
- Building disputes
- Civil fraud
- Commercial property disputes
- Company and commercial disputes (including partnership, director and shareholder disputes)
- Consumer disputes
- Contentious probate
- Debt recovery and enforcement claims
- Defamation claims
- Intellectual property infringement disputes
- Interim applications (including worldwide freezing orders, security for costs and requests for further information)
- International cross-border disputes
- Professional negligence claims
- Residential property disputes (including boundary disputes, neighbour disputes and landlord / tenant disputes)
- Timeshare disputes



Personal Injury

Our Services

We can advise on all types of personal injury claims, including:

- Accidents at home
- Accidents at school
- Accidents at work
- Accidents in public places
- Accidents involving children
- Amputations
- Asbestos and Mesothelioma
- Brain and spinal injuries
- Claims against the Ministry of Defence
- Fatal injuries
- Faulty and dangerous products
- Fractured bones
- Head and back injuries
- Holiday accidents and illnesses
- Military accidents
- Public liability claims
- Road traffic accidents
- Sexual and physical abuse
- Slips and trips
- Sports injuries

Personal injury claims can be made if an individual or group of individuals sustain a physical injury or contract an illness as a result of negligence by a third party. If you or a member of your family are suffering and believe you are entitled to compensation for a claim, we can help you.

Our personal injury department is highly experienced and can give you specialist legal advice to help you achieve justice and compensation. The team is led by (partner-level) directors that are members of the Association of Personal Injury Lawyers (APIL) who guarantee high quality client care and dedication.

Our specialists will assess the merits of your case based on the information you provide and will advise you on how successful your claim for compensation is likely to be.

The compensation you may be entitled to includes general damages and special damages. General damages refer to a lump sum that is paid to compensate you for the suffering, pain and loss of amenity you experienced. Special damages reflect any proven past or future costs incurred as a direct result of the accident; this includes medical bills, the cost of rehabilitation, travel expenditure and loss of earnings.

Our team is experienced in providing bespoke legal advice to clients seeking assistance with a personal injury claim. We are proud of our ability to make the process as simple as possible in such sensitive times and aim to alleviate the stress that can arise during legal proceedings. We are able to advise you on the best funding options for your case and offer competitive prices, including conditional fee agreements commonly known as 'no win no fee'.



Medical (Clinical) Negligence

Negligence refers to treatment where a duty of care is breached and results in damage. Medical (clinical) negligence occurs when a medical professional makes an error or provides substandard healthcare, causing harm or injury as a result.

Patients who suffer negligence at the hands of medical professionals are often entitled to compensation in order to cover subsequent medical costs, care costs, loss of amenity and loss of earnings.

As part of the claims process, we will advise on claiming compensation for a patient's long-term care and financial security. We also offer sensitive and expert advice to bereaved families who have lost a loved one as a result of medical (clinical) negligence or medical injury during treatment and wish to make a 'no win no fee' claim for compensation.

Our solicitors understand that claiming compensation for medical (clinical) negligence can be a complex and daunting process and therefore will ensure that you are supported by an industry expert with a successful track record in client care.

Our team is known for being caring and considerate; they go the extra mile to ensure that your interests are placed first at every stage of the claims process, with the objective of obtaining maximum compensation for you.

When assessing your case, we will be able to discuss the best possible funding options available to you. We are committed to transparent communication so that there are no hidden fees and you are kept informed at every step of your case.

Our Services

Our medical (clinical) negligence team assists a full range of clients and have specialist experience in the following negligence claims:

- Accident and emergency failure
- Birth injury (including Cerebral Palsy)
- Brain injury
- Cosmetic surgery
- Delay in diagnosis
- Dental negligence
- GP negligence
- Gynaecological negligence (including perineal tears)
- Misdiagnosis
- Ophthalmology
- Organ damage
- Orthopaedic negligence (including amputation)
- Private hospital negligence
- Surgical errors
- Unnecessary surgery
- Wrongful death



Employment

It is extremely important to know your employment rights as an individual and to take steps to protect and enforce them. Equally, if you are an employer, it is fundamental that you are aware of your obligations and that you follow ‘best practice’ in order to maintain good employee relations.

Our lawyers can advise on all employment law related matters and will act on behalf of claimants and respondents in all contentious employment law proceedings in the Employment Tribunals, County Courts and the High Court.

Our team offers advice and assistance to employees and employers on matters such as redundancy, disciplinary and / or grievance proceedings and investigations, whistleblowing, and restrictive covenants, confidentiality and injunctions. As expert mediators our team are able to resolve matters through settlement agreements, negotiations and mediations.

Our team operates a transparent fee scale and offer a range of competitively priced funding options. In all privately funded cases, our aim is to offer fair prices in exchange for the bespoke service we provide. In some cases, we can assist you by way of a conditional fee agreement or damages based fee agreement, commonly known as ‘no win no fee’.

Our Services

For Employers

- Conduct and discipline
- Data protection
- Defending Employment Tribunal claims of unfair dismissal, breach of contract and discrimination
- Drafting bespoke offer letters, contracts of employment, directors’ service agreements, consultancy agreements, policies and staff handbooks
- Employment law aspects of mergers, acquisitions and outsourcing exercises (including TUPE)
- Ill health and absence management
- Performance management
- Termination packages and settlement agreements

For Employees

- Acas Early Conciliation
- Breach of contract (including wages, holiday, commission and bonus disputes)
- Discrimination
- Equal pay
- ‘Family friendly’ issues (including maternity, paternity and flexible working arrangements)
- Making a grievance
- Negotiating severance packages
- Professional disciplinary proceedings (including GMC, HCPC, NMC)
- Reviewing and negotiating offer letters, contracts of employment and consultancy agreements
- Unfair dismissal



Regulatory Law

Our regulatory law department provides tailored legal advice to support businesses and private individuals during the course of their professional work. In regulatory proceedings it is important to take legal advice early on, since it may be possible to avoid proceedings through correspondence and it can allow you time to seek advice on how to improve your prospects of success.

If professional proceedings are brought, it may have a negative impact upon your future employment prospects. Our dedicated team aim to take the pressure and responsibility from your shoulders. Through our contact links, we can instruct clinical professionals and leading barristers to provide helpful reports and support our clients.

Our regulatory / fitness to practice services are subject to private funding agreements, the details of which we can discuss with you in full when assessing your case.

Proceedings that our team provides advice in are:

Investigations

We provide advice across a broad area of issues.

These can involve:

- Alleged misconduct
- Competency
- Health-related matters

Judicial Review

In some instances, it is necessary to judicially review a regulatory body's decision. This type of challenge can be made on the grounds of:

- Breach of human rights
- Unfairness
- Unlawfulness
- Unreasonableness

Fitness to Practice Proceedings and Appeals

Our solicitors frequently provide advice and advocacy to challenge the decisions of regulatory bodies at the relevant committee, tribunal or court.

We represent in proceedings involving:

- Internal review panels
- First-tier Tribunals
- Appeals to the High Court

Our Services

We assist and represent individuals and businesses in a wide range of matters including:

- Companies, directors or managers under investigation
- Dentists or dental health professionals facing investigation
- Directors or managers facing disqualification proceedings
- Doctors or medical professionals facing investigation
- Individuals investigated or prosecuted under the Financial Services and Markets Act 2000 (FSMA)
- Individuals or businesses facing Trading Standards investigations
- Solicitors facing investigation from the Solicitors Regulation Authority (SRA)



Mental Health

The Mental Health Act 1983 defines a mental disorder as *“any disorder or disability of the mind”*.

Mental health law concerns the rights and protection of individuals detained under the Mental Health Act.

The Mental Health Act determines when an individual with a mental disorder must be admitted, detained, and treated in hospital against their will. This is usually when their behaviour poses a risk to themselves or others, commonly referred to as ‘sectioning’. In order for this process to be carried out under the Mental Health Act, it must be approved by three people, one of which must be a Section 12 approved doctor.

Under the Mental Health Act, individuals have certain rights, including the right to appeal and the right to get help from an advocate. Our team assists those experiencing mental health problems or those concerned about the rights and liberties of those detained under the Mental Health Act.

This area of law is varied and complex and requires specialist expertise and understanding. Our mental health department, led by Law Society accredited solicitors, provides personalised and specialist legal support and advice to all of our clients, always focusing on the client’s needs and devising a plan to assist them effectively.

Our Services

We provide comprehensive, expert advice to individuals on a wide range of mental health law matters, including:

- Advising relatives on their role and rights
- All areas of the Mental Health Act 1983
- Challenging the decisions of tribunals and Primary Care Trusts by way of judicial review
- Commissioning specialist reports
- Deprivation of Liberty Safeguards (DoLS) and best interest decisions
- Lawfulness of detention
- Provision of advice and assistance at managers hearings and renewal meetings
- Registering Lasting Power of Attorney (LPA)
- Representation at First-tier Tribunals
- Representation of patients at the Upper Tribunal on a challenge of First-tier Tribunal decisions
- Requests to establish a Care Programme Approach (CPA)



Court of Protection

The Court of Protection adjudicates or resolves disputes that concern adults who lack mental capacity to make decisions. Disputes typically include whether the person has the capacity to make decisions and what is in that person’s best interests.

Additionally, the Court of Protection authorises deprivations of liberty for adults lacking capacity who do not live in a care home, as well as authorising decisions regarding the property and affairs of incapacitated adults. Most Court of Protection matters relating to property and affairs are non-contentious.

Contentious disputes that the Court of Protection resolves typically relate to the wellbeing of a vulnerable adult. This means that it relates to two or more parties. We support family members and advocates and are regularly instructed by the Official Solicitor in cases relating to the wellbeing of an individual who lacks capacity, including health and welfare, medical treatment, financial issues and mental capacity.

Our Court of Protection team has been recognised by The Legal 500 for their dedication to achieving the best possible results for their clients and for putting a “*tremendous amount of work*” into their cases.

We are dedicated to our clients and, in relation to funding, our team will advise you on the best options available for your case. Public funding may be available by way of legal aid depending on eligibility. We also have private funding options and, in these cases, our aim is to offer fair prices in exchange for the bespoke service we provide.

Our Services

Our team provides sensitive and in-depth assistance in all Court of Protection matters, including:

- Adults who lack capacity to make decisions
- Deputyship applications
- Disputes relating to powers of attorney and deputyship applications
- International disputes regarding capacity and property
- Preparing powers of attorney
- The finances and property arrangements for the individual
- The health and welfare of the individual



Community Care

Community care is the term used to describe services provided by public bodies. These services include care in the community, respite services, adaptations to homes, advocacy, and care home and nursing home placements.

Public bodies, including local authorities and the NHS, have a duty to assist individuals with their care needs, however social service departments are under constant strain and, as a result, it can be difficult for people to access the services they are entitled to.

Many cases fall into the following six categories: care services for adults, care and support services for children and their families, carers' support, NHS continuing healthcare, section 117 aftercare and migrant support.

The strength of our community care department lies in its knowledge and experience. They offer assistance in accessing social care services for those who are not receiving the care they need.

The team is able to support you through every stage of the process and, as an essential element of our service, they will advise you on the public or private funding options available to you for your case.

Our Services

Our community care team can help if you require assistance with:

Reviews and Reassessments from:

- Charges for residential and nursing home care
- Joint working, information and planning
- Non-residential community care services
- Residential and nursing home accommodation

Health Service and Home Adaptation:

- Disputes
- NHS continuing care
- NHS provision



Wills, Probate and Tax

We offer a comprehensive and personal service to clients. Whether you require an expert will drafting service, inheritance tax planning advice, need help with the administration of a will, or require advice on a contested will, we can guide you through the process and offer you clear and focused assistance.

We understand that drawing up a will or administering an estate can be an emotional experience, therefore, our specialist team will make sure that the future of your family is secure and your wishes are carried out.

At our first meeting we will review your case and discuss how you will fund your matter. We can offer you a number of fixed fee packages, keeping information as transparent as possible so that there are no hidden fees.

Our Services

Wills

- Drafting or updating a will
- Elderly and vulnerable care (for people concerned about care home fees and protecting their inheritance)
- Mirror wills
- International wills
- Statutory wills and trusts
- Contesting a will
- Compensation protection services (trusts)
- Trusts
- Estate administration (probate / intestacy)

Probate

- Obtaining a copy of a will
- Obtaining a grant of probate
- Disputes
- Intestacy
- Advising beneficiaries on taxation matters
- Protecting assets from possible creditors and taxation
- Executor duties
- International probate
- International estate administration

Lasting Power of Attorney (LPA)

- Advice on mental capacity
- Applications to the Court of Protection
- Lodging your LPA application with the Office of the Public Guardian (OPG)
- LPA relating to finances and property
- LPA relating to care and welfare



Fees and Funding

Public Funding (Legal Aid)

Legal aid is the public funding of legal services, administered by the Legal Aid Agency to individuals in eligible cases who cannot afford to pay for legal advice and representation. We are authorised to offer legal aid work in specific areas of law and can advise you as to whether legal aid funding may apply in your case. When it does, we can assist you in making the necessary applications for funding and advise you of your financial obligations.

Legal Expenses Insurance

Legal costs may be included as part of your household or motor insurance. To ensure that this is an eligible option in your case, it is important that you check the wording of your insurance policy before your first meeting with us.

Private Funding

In all privately funded cases, our aim is to offer fair prices in exchange for the bespoke services we provide. We offer competitive hourly rates from experts in their field, to ensure we give your case the best possible chance of success. As part of our service, we are committed to consistent communication. This means that we keep things as transparent as possible so that there are no hidden fees. We can also offer you a number of fixed fee packages; for example, if you are consulting us about court proceedings.

At your first meeting with us, we will discuss with you how we calculate our charges. Where possible, this includes a detailed breakdown of the estimated costs and details as to whether these are our own fees or for an external resource, such as a barrister or expert. As with all solicitors, we require your permission to make these payments (known as disbursements) to other people on your behalf. In litigation matters, you may be able to recover your costs from the opposing party if you win your case.



Litigation Funding

Litigation funding is where some, or all of a client's costs incurred through litigation is funded through third party investment, in exchange for a share of the damages. If your claim is of a high-value and you are unable to meet the costs demanded by such a claim in the High Court and have no other funding options, our solicitors may be able to source a funder on your behalf to cover all costs. This will be based on the merits of your claim as assessed by us and the funders. It is our policy to ensure that all litigation funding is attained through accredited members of the Association of Litigation Funders, to safeguard your interests. As with all our private funding agreements, litigation funding is sourced with your permission and we will make sure to keep you informed at every stage of the process.

Pro Bono

We consistently aim to provide high levels of legal service to all those in desperate need of quality advice. We strive to make our services as accessible as possible, taking on some cases at no cost, on a pro bono basis. Our Pro Bono Committee selects cases which have merit, but do not qualify for public funding and / or where the client cannot afford to pay privately.

Conditional Fee Agreements (‘no win no fee’)

In some cases, we are able to assist you by way of a conditional fee or a damages based fee agreement, commonly known as ‘no win no fee’ funding. To decide if your claim is eligible for ‘no win no fee’ funding, we will assess the prospects of success in your case and the chances of a court or tribunal making costs orders in your favour. We will inform you of all the possible funding options that are open to you (including the types of ‘no win no fee’ agreements) and give you advice on the one most suited to your case.

If you win your claim your opponent should be responsible for paying the majority of your legal costs and disbursements (including court fees, medical reports). Any legal costs not paid by your opponent could be deducted from the compensation awarded to you. This way, you should not pay anything until your claim has reached its completion, unless our agreement is that you will be responsible for paying the disbursements. We may be able to assist you in obtaining legal cover to protect you from the possibility of your opponent not paying the disbursements or for obtaining a costs order against you.



Awards and Prominence

Across over 25 areas of law, we have been recognised for excellence at prominent independent award ceremonies. Most recently, we have seen success at the Law Society Excellence Awards, the Legal Aid Lawyer of the Year Awards, the Family Law Awards, the LawWorks Pro Bono Awards, the Society of Asian Lawyers Awards, and the British Muslim Awards.

The independent legal directories, The Legal 500 and Chambers and Partners, continue to rank us, recognising our leading solicitors and the legal services we provide.

Our prominence is most evident in the recent notable cases we have been involved in, including:

- The firm is representing and assisting a number of core participants in the Grenfell Tower Inquiry. We have been able to work across a number of practice areas (crime, housing, public law and personal injury) to provide our clients with a unique service. The Inquiry will have far reaching consequences to the design and construction of tower blocks in the future. At the time of the disaster, the firm set up two walk-in pro bono legal advice clinics for those affected by the fire, offering free legal advice.
- We represented torture victims in *MJ & Ors v SSHD & Anor* in successfully challenging the Home Office's 'Adult at risk in immigration detention' policy. The High Court declared that the Government's immigration detention policy was unlawful as it allowed many who had been tortured overseas by 'non-state actors' to still be detained. The Home Office was ordered to review its policy and release those unlawfully detained as a result.
- We saw Supreme Court success in *Hysaj & Ors, R* which changed the case law on deprivation and nullity of British citizenship under the British Nationality Act 1981.
- In *Hussein v SSHD & Anor* we acted for five previous detainees of Brook House Immigration Removal Centre in a judicial review, finding that detention 'lock-in' procedures and cell conditions at the centre were in breach of the Equality Act 2010 and in violation of fundamental human rights under the European Convention on Human Rights.
- In August 2017, we represented the financier wrongly implicated as being the 'Putney Bridge Jogger' that pushed a lady on Putney Bridge, London. He was promptly cleared from police investigation.
- We acted for the tenant in the 2016 landmark Court of Appeal case of *Cardiff County Council v Lee (Flowers)*, changing the law to confirm that all landlords must seek County Court permission to obtain a warrant of possession for breach of a suspended possession order.
- We acted for *AH* in the 2011 landmark mental health case of *AH v West London Mental Health Trust (WLMHT)* where a patient of Broadmoor Hospital, detained for 23 years under the Mental Health Act, won the right to have his application for discharge from detention heard in a public hearing. Mental Health Tribunals now function by establishing the principle that access to public funding should extend to the usually private setting of Mental Health Tribunals.
- Our award winning family team represented the respondent in 2015 Supreme Court case of *Gohil v Gohil*. This divorce financial settlement case established the principles in relation to material non-disclosure and the basis upon which an agreed financial consent order can be set aside and the case re-opened if a party has not provided full disclosure at the time of the original trial.



Contact Us

 033 3772 0409

 contact@duncanlewis.com

 www.duncanlewis.com

 Emergency Contact Details

Domestic abuse helpline:
0800 689 3275
24/7 new criminal defence enquiries hotline:
033 3772 0607

 Head Office

Sackville House
143-149 Fenchurch Street
London
EC3M 6BL

 Offices

Offices across England and Wales, including:

- Barnet
- Birmingham
- Bradford
- Croydon
- Hackney
- Harrow
- Leicester
- Luton
- Milton Keynes
- Shepherd's Bush
- Swansea

For a full list of all our offices, including our scheduled appointment only locations, visit our website.

We provide specialist legal services in the following areas:

- Action Against Public Authorities
- Business Crime / Investigation
- Business Immigration
- Charity Law
- Child Care
- Civil Liberties and Human Rights
- Civil Litigation / Dispute Resolution
- Commercial and Corporate
- Commercial Litigation / Dispute Resolution
- Commercial Property Services
- Community Care
- Court of Protection
- Criminal Defence
- Debt and Insolvency
- Education Law
- Employment
- Family and Divorce
- Housing - Landlord and Tenants
- Immigration and Asylum
- International Disputes
- Islamic Law
- Medical (Clinical) Negligence
- Mental Health and Capacity
- Motoring Law
- Personal Injury
- Prison Law
- Public Law
- Regulatory Law
- Welfare Benefits
- Wills, Probate and Tax



Duncan Lewis
Solicitors