



## **Immigration and Asylum Accreditation Scheme**

This is the Advance Material for the Level 2 Written Examination and relates to Question 1 and 2 of the examination. You should use these materials to research and prepare for the examination.

**Please note that Central Law Training is unable to answer any questions in relation to the content of the Advance Material**

## LEVEL 2 ADVANCE MATERIALS

**You have received 2 emails from your Supervising Solicitor. Each email concerns a different client.**

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Email from: Supervising Solicitor  
To: Level 2 Caseworker  
Date: 23<sup>rd</sup> June 2016  
Client: Josephine Ceesay

I took instructions today from Josephine Ceesay. I have arranged for her to see you on 30<sup>th</sup> June 2016. Please prepare to advise her.

Josephine has recently been referred to us by the local Children's Services. She has claimed asylum in the UK. Josephine is 15 years old and is a national of Gambia. I had a meeting with Josephine and her Social Worker.

Josephine told me that she was living with her aunt in Gambia in Banjul (the capital) for a number of years. She had been left with her aunt because her mother had come to the UK. She told me that, three months ago, her aunt told her that she would be travelling to the UK to join her mother. Josephine's aunt handed Josephine to a man, who came to the aunt's house. Josephine was initially taken to another house in Banjul where she stayed for a few days. There was another girl present in the house and Josephine and the girl travelled to the UK together with the man who had collected her from her aunt's house. On their arrival in the UK, Josephine was taken to a house and left with a couple whom she did not know. The other girl did not stay with her there.

Josephine told me that for the first few days the couple were nice to her, although they expected her to do some housework. She told me that she was expecting the man to return, to take her to her mother, but he never did return and the couple began to expect her to do more and more work around the house. Josephine told me that she had to get up very early, do all the housework, look after the couple's children and do all the cooking. She was not allowed to go to bed until 11.00pm. Josephine also told

me that she was rarely left alone in the house and that, when she was left alone, all the doors and windows would be locked.

Josephine told me that one day when one of the couple was talking to a neighbour in the front garden, she managed to slip out of the front door and run away. She found a police station where she asked for help. Immigration officers were called and Josephine claimed asylum. She was placed in the care of Children's Services. Josephine's age has not been challenged by the Secretary of State.

Josephine told me that she does not have a passport. She says that, apart from the aunt in Banjul, she had another aunt in Serekunda in Gambia and she believes that her mother is in the UK. She thinks that her mother lives in London from things which her aunt told her in Gambia.

The Social Worker told me that she believes that Josephine has been referred into the National Referral Mechanism by a small NGO, which is a First Responder.

**END OF EMAIL ONE**

Endeavour Solicitors, 6 Musgrove Court, Bellenden Way, Lewisham, SE13 1PE.

Email from: Supervising Solicitor  
To: Level 2 Caseworker  
Date: 23<sup>rd</sup> June 2016  
**Client: Ha Le**  
Our ref: HL/1445/LH

I took instructions from new client, Ha Le 2 weeks ago and I have since received evidence that I had requested. Please prepare to advise her on 30<sup>th</sup> June 2016.

Ha Le is a national of Vietnam. She married British Citizen, Cristopher Reep, and entered the UK, with 30 months' leave to enter as a spouse. She has instructed us to act for her in a domestic violence application. She has no income or savings and is accommodated by relatives who provide her with food and basics but who can't afford to give her any money at all. She has no criminal offences nor any good character issues.

I have placed her signed authorization to act, on Ha Le's file.

I took Ha Le's witness statement and it is attached with 2 other supporting documents:-

- ✓ **A:** Witness statement of your client
- ✓ **B:** Medical report from her GP
- ✓ **C:** Letter from Cherry Tree

## DOCUMENT A – Statement of Ha Le

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### WITNESS STATEMENT

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1. My name is Ha Le of 24 Kemp Street, London, SE8 HNF and I make this statement in support of my application.
2. I was born on 3<sup>rd</sup> January 1990 in Vietnam. I am a Citizen of Vietnam. I am 26 years old.
3. I was born in the village of Ha Giang. We moved to Hanoi, the capital city, when I was a young child. I attended school until I was 16. I worked in a tourist bar when I left school. I have four brothers and two sisters.
4. I was working in the bar when I met Chrstopher Reep in June 2014. I call him Chris. He is a lot older than me. I think he is about 55 years old. He is a businessman and was often visiting Vietnam. He was very kind to me. He was impressed that I could speak English and we started to go out together. He is rich and he bought me presents.
5. Our relationship developed over the next six months. I introduced him to my parents. He said he wanted to marry me and for me to come to live with him in the UK. He said I was different from English women who are all very bossy. I was very happy to come to the UK. He said I would not have to work because my job would be to look after him. We got married in a local register office on 2<sup>nd</sup> February 2015. I took an English test which he paid for and he helped me to apply for a visa. I was given a visa as a spouse. I arrived in the UK on 4<sup>th</sup> May 2015. I had a 30-month Biometric Residence Permit (BRP).
6. I got pregnant very quickly and I was very happy. But unfortunately Chris was not happy. He said I was not meant to get pregnant, because when he was married to his first wife, he had had an operation and was not able to have children. He called me terrible names, he said I was a prostitute and that the baby was not his. This was not true and it was very hurtful. He was very, very angry. He went for some tests and it was confirmed that the operation had not worked and he could have children, but this did not make him less angry with me. He wanted me to have an abortion but I said I could not. He became even more angry with me, but having such an operation is against my religion. I had never contradicted him before but I had to stand up for what I thought was right and for my baby.

7. I thought he would change his mind as time went on, but he did not. He said I had trapped him. He called me fat as my tummy got bigger with the baby. He did not want to have sex with me anymore. He did not allow me to go out, other than to attend hospital appointments about the baby. He would not let me use the phone apart from a weekly call to my mum and he would not let me have any friends. Sometimes he did not speak to me at all for days. Other times he shouted at me often. I started to feel scared of him. I began to find it difficult to eat. I was worried about the impact of all this on the baby.
8. Towards the end of February 2016 I went to my doctor's surgery for an appointment. I was feeling very desperate. I saw Dr Shah. I told her about my problems eating and I think I talked about feeling anxious and not sleeping very well. I felt better just talking to her as she was very kind. I wanted some tablets to help me sleep, but she said no because I am pregnant and it might not be so good for the baby. I was meant to go back to see her a week later, but I did not manage this. I was barely coping.
9. My baby daughter, An Ly, was born on 18<sup>th</sup> March 2016. Things got worse at home as the frequency of the arguments was increasing. Chris was hitting me across my face and back. I did not know what to do. I hoped he would get used to An Ly and we would be a proper family and our relationship would go back to where it had been before I was pregnant. But he did not want An Ly to sleep in our room. The health visitors had told me it was safest to sleep in the same room while An Ly was small. Chris started to say I would have to go back home to Vietnam, but I did not want to, how would I support An Ly there.
10. I went back to see Dr Shah in early May 2016. I was feeling very bad and I was shaking and crying. I told her I was having problems sleeping. An Ly was waking up in the night, Chris did not want her sleeping in a cot in our room, so we were arguing. I said Chris had threatened to hit me and to send me back home. She asked me about some bruising on my forehead. I was too scared to say Chris had hit me, as at that time it had only happened once. I checked that she would not tell Chris I had been to see her. I was very worried about this. She seemed to guess what was happening and she gave me a leaflet, all about support for victims of domestic violence. She said I should contact them. She really scared me when she said I should involve the police. I remember checking she would not do this, as I knew that Chris would be very unhappy and angry with me if the police got involved.
11. On 31<sup>st</sup> May 2016 Dr Shah came to my house to check up on me. I remember at once being very scared what Chris would say if he found out she had visited me at home, I was not supposed to have any visitors. Eventually, after she asked me about this, I told her that Chris had hit me quite a lot of times.
12. When Chris came home, he checked the CCTV, he always did this, and he saw that Dr Shah had been to our house. He was very angry and the next day he called the surgery and told them not to visit me. He was shouting and very cross. I began to see, like Dr Shah had said, that all this would have an impact on An Ly, and I decided to leave the next day when he was at work.

13. It was very difficult to leave, because I thought I had no money and my husband had never let me open a bank account. I called my mum, who told me I have some distant family in the UK. I a women's domestic violence organisation called "Cherry Tree". The number was on the leaflet Dr Shah gave me. The Centre staff agreed to meet me that same afternoon, 1<sup>st</sup> June. They took me to my relatives' home, where I met Dao Chi, who has been very kind to me and An Ly. She and her family share their meals with me and buy nappies for the baby but they can't afford to give me any money, other than occasional bus fare. I have started attending a support group at the Centre each week to talk about what happened to me.

Signed: Ha Le  
(Ha Le)

Dated: 23<sup>rd</sup> June 2016

## DOCUMENT B – Letter from Ha Le’s GP

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Highfields General Medical Practice  
143 Hackney Rd, London, E5 7QU  
Tel: 0208 674 4343

22<sup>nd</sup> June 2016

Endeavour Solicitors  
6 Musgrove Court  
Bellenden Way  
Lewisham  
SE13 1PE

GMC reg no.: 1991/3787237/PS

Dear Sirs

**Ha Le**

I write to provide you with a record of my consultations with the above named, since mid-February, as requested by you.

On 26<sup>th</sup> February 2016, Ha Le contacted the surgery requesting an urgent appointment. I saw her for the first time on that morning. She complained of anxiety and problems eating. She became very distressed and explained she could not sleep and was having difficulty coping. She was in her third trimester of her pregnancy, so I alerted the midwives at the surgery (with Ha Le’s knowledge) and made an appointment to review her two weeks later. Medication is a last resort, particularly in pregnancy, for someone presenting with these symptoms. She failed to attend the follow up appointment, but had been attending her appointments with our midwives, who did not think there was any real cause for concern. Soon after this her baby was born, on 18<sup>th</sup> March 2016.

I next saw Ha Le in surgery when she attended for a further appointment on 17<sup>th</sup> May 2016. She was very agitated, and said she was still very anxious and having problems sleeping, a difficulty exacerbated by her baby waking in the night. She reported that her symptoms had got a little better prior to the birth, but had got worse again recently. She said her husband was not happy with the baby sharing their bedroom, and that they had been arguing about this. This was the first indication that there was a difficulty with her husband. I was concerned about the way she described the arguments, which sounded extreme; she said he had used abusive language and he had also



threatened to hit her to send her back to her country if she did not follow his wishes. She did not reply when asked directly if he had actually hit her, although I noticed some bruising to her forehead which I documented in her notes and she claimed her forehead injury had occurred when she tripped and banged her head. I formed the view that I was not being told the whole story. I was also concerned about her extreme anxiety that I should not inform her husband that she had attended an appointment at the surgery despite reassurances about confidentiality. I gave her written information about domestic violence support services, encouraged her to contact them, and informed her about how to contact the police. She said she did not want to involve the police. I alerted our health visitors, who had taken over from the midwives, and arranged an appointment with me as follow-up. She did not attend that appointment, but the health visitors had seen her and reported that they thought things were settling down at home.

On 31<sup>st</sup> May 2016 I arranged to visit Ha Le at home to check on her well-being. I was concerned about her. She was very worried about how her husband would react if he knew of my visit. She also said things were "OK" at home and she denied that there were further problems. I asked directly whether her husband was physically violent towards her, and she said he was. I repeated my previous advice.

I received a call from Mr C.Reep, Ha Le's husband, the day after, who insisted that no one from the surgery should visit his wife at home. He was extremely angry.

I understand that shortly after this, Ha Le left the family home and is now living in accommodation provided by a domestic violence refuge. It is my firm view that Ha Le was a victim of domestic violence.

Yours sincerely

*C Shah*

Dr C Shah BA BM BCh DRCOG (Oxford 1987)

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**Cherry Tree  
Women's Domestic Violence Organisation**

22<sup>nd</sup> June 2016

Dear Madam/Sir

**Ha Le**

Ha Le first called us on our emergency telephone number on 1<sup>st</sup> June 2016 and told us that her husband was hitting her. She said she was scared and she had a baby. She gave us contact details of family members in the UK and asked if we could help her to get there. We agreed, and met her at her doctor's surgery. She was visibly terrified, shaking, when we met her. We took her in a taxi to her family member's house. She had her immigration papers with her and a few changes of clothes for her baby but nothing else.

Ha Le attends our group for ethnic minority women who have experienced domestic violence. She has told us that her husband was very controlling, he did not like her to leave the house and had CCTV installed so he could monitor who was coming and going. She felt like a prisoner in her own home. He hit her on several occasions.

We initially helped her by providing clothes and other essentials but she is now supported by relatives, without whom she would be destitute. She remains vulnerable at the moment, but her family members are very supportive and we think she will make a full recovery in time.

Yours sincerely

Cynthia Patinka

Cynthia Patinka

Caseworker

**END OF ADVANCE MATERIAL**