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# Wilson's:

Exceptional Case Funding Team (ECF)  
Legal Aid Agency (8.51)

By Email Only: contactECC@justice.gov.uk

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28 July 2021

Our ref: [REDACTED]

Your ref: [REDACTED]

Dear Sir/Madam,

Miss [REDACTED], [REDACTED] [REDACTED], Ghana

We write to submit an application for exceptional funding on behalf of our above client. We enclose the following documents:

1. CIV ECF1, dated 22 June 2021
2. CW1, dated 22 June 2021
3. Evidence of Universal Credit 23 April-23 June 2021

### Application Background

Our client is a national of Ghana. Our client and her dependent son have leave to remain on the basis of Article 8. Her other son is a British Citizen. Previously our client has applied for further leave using Appendix FM and FLR(FP) she is currently 7 years into the 10 year route for leave to remain. Her current leave will expire in December 2022 following which on this route she will need to apply for a further extension and then settlement. This process will be extremely cost for our client and a very long route to settlement which means continued uncertainty surrounding settlement until that time.

Previously this route was the only one available for our client because she excluded from applying as a Zambrano carer when she had an alternative form of leave. However, the recent case of *R (Akinsanya) v Secretary of State for the Home Department [2021]* found that Zambrano carers can make an application under the EUSS even if they currently have leave to remain under the Immigration Rules. Our client can potentially benefit from this judgement.

We intend to assist our client in making an application for settlement under the EU settlement Scheme as a Zambrano carer.

### Additional Information in relation to pages 4 - 5 of CIV ECF1

1. The issues at stake are of utmost importance for the applicant. They concern an application for settlement, which will provide her with certainty in relation to her status

and future in the UK. This application, if successful, will also save our client a considerable amount of money and significantly speed up her route to settlement.

2. The procedure for this application is extremely complex and currently very new and in a potential status of flux given that the SSHD have applied for permission to appeal. It requires detailed consideration and application of the relevant caselaw and preparation of detailed representations. The application process itself is not straightforward in comparison to an ordinary EUSS application. It is submitted that the reasonable person without legal training and relevant experience would be extremely unlikely to be in a position to prepare and present an adequate application.
  
3. Our client has neither the means nor experience to represent herself in this matter which involves complex legal arguments that are not within her knowledge. The legal complexity of this case is such that it will require experienced legal representatives with knowledge of the Home Office policy and relevant caselaw. It will require careful and detailed preparation.

### Conclusion

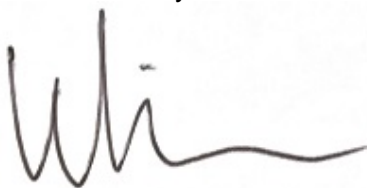
To conclude it is submitted that, having regard to all the circumstances of the case, this is one that qualifies for a grant of Exceptional Funding.

### Communication about this application

If the basis of the application or another preliminary matter is not clear this may be a simple matter to resolve. In such an instance, please call or email the fee-earner concerned to try to resolve this to avoid the need to re-submit the application in its entirety if this is not necessary.

If you require further information, please do not hesitate to contact us.

Yours faithfully



WILSON SOLICITORS LLP