

David Darlington, Fieldings Porter Solicitors: January 18, 2019

We met David after a talk at St James the Less in Rawtenstall when David introduced himself as someone with experience as a solicitor dealing with victims of human trafficking.

We met David at his office and he gave us a very generous nearly two hours of his time.

Fieldings Porter are not immigration lawyers but have experience of trafficked victims identified as potential victims during the CPS process or during defence proceedings. With Vietnamese cannabis “gardeners” for example victims are not always recognised as such and conversely criminals will claim to be victims when they are not. In another example Fieldings Porter were defending Romanians working in the construction industry when evidence of trafficking emerged.

From his experience David was well aware that victims are often mistaken for criminals and once in the criminal justice system they can easily finish up being imprisoned for criminal activity beyond their control.

We had a good airing on the difficulties of legal aid and funding and I asked David how Catholic solicitors might respond to a Diocesan appeal for pro bono representation on a small scale. The response was that it would depend on the seniority/influence the solicitor had over their management.

Although Fieldings Porter don't do immigration there are potential services for victim support which support workers may not be aware of:

- Criminal Defence – sometimes a “criminal” is in fact a victim
- Criminal Justice Compensation /Personal Injury – where a victim suffers the effects of physical and mental trauma either directly or indirectly a result of action of a perpetrator
- Employment – in cases of exploitation where a victim has not received their financial entitlement
- Professional negligence – where for example poor professional advice/service led to a detrimental outcome and unjustified monetary outlay
- Family – would include e.g. divorce/dissolution of forced marriage
- Care proceedings - acting on behalf of victims where the local authority is concerned about a child's welfare
- Housing and homelessness – where a victim should be higher on priority listing for accommodation

We also talked about the Out There, Supporting families of Prisoners - a charity that David is a trustee of and which could link on occasions, given that the line between victim and criminal isn't always clear and the law doesn't always fall on the right side of that line.