

# ***“Do Something About It!”***



## **FLAC ANNUAL REPORT 2024**



*“The system often makes you feel you are being unreasonable; ‘Mad mother syndrome’. All I wanted for my son and others was access to what he was entitled to, not next year, not in the future, but then when it mattered most. Had FLAC not stepped in to guide me in this process, to explain to me I was not mad, that this was not fair, that I could fight this, it would have been just another set of emails and phone calls going into the bureaucratic abyss... FLAC’s support and this case has been so significant for my son, not just for his education but also for how he sees his place in the world. It has been significant for all the other parents of blind and vision impaired students who have come on this journey with us.”*

**– Eithne Walsh, FLAC Client & Disability Rights Activist**



## ABOUT FLAC

FLAC (Free Legal Advice Centres) is an independent legal, equality and human rights non-governmental organisation which exists to promote equal access to justice.

FLAC works in a number of different ways to promote each of the elements of the right of access to justice and looks to model best practice in the provision of public legal assistance:

- ▶ **Access to early and preventative forms of legal assistance - including legal information, advice and advocacy, which can prevent legal problems from arising or escalating.**
  - ▶ FLAC runs a Telephone Information & Referral Line that provides basic legal information.
  - ▶ We also run clinics where volunteer barristers and solicitors provide free legal advice.
  - ▶ Through PILA (the Public Interest Law Alliance), FLAC runs a Pro Bono Referral Scheme which facilitates social justice organisations in accessing legal assistance from private practitioners acting pro bono.
- ▶ **Access to legal representation.**
  - ▶ FLAC undertakes public interest litigation (where the cases may have a broader community and social impact in addition to benefitting the individual client)
  - ▶ FLAC also provides dedicated legal services for the Traveller, Roma and LGBTQI+ communities.
- ▶ **Access to courts and tribunals, which includes fair and accessible rules and procedures, effective remedies and just outcomes. Fair and just laws are an essential overarching component of access to justice.**
  - ▶ FLAC undertakes policy and research work and law reform campaigning. This work is informed by our experience of providing legal assistance. It is focussed on the areas of law which are most connected with poverty, discrimination and disadvantage.

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## Foreword by Eilís Barry, FLAC Chief Executive

Blinne Ní Ghrálaigh KC, at the packed FLAC Justice Lecture 2024, traced her distinguished career as an international human rights barrister back to four words she heard from her mother Nessa after she expressed her shock and upset at the killing of Majella O'Hare. ***"Do something about it."***

These words resonate deeply with FLAC's mission and the different ways we work to enable people to obtain their rights. In 2024, our Telephone Information and Referral Line, an early preventative legal service, provided legal information to over 11,000 people about their rights. It is noteworthy that our phonenumber received a record high number of queries in relation to domestic violence during 2024. Volunteer lawyers and solicitors also provided basic legal advice to over 3,700 people. Family law and employment law are the main areas in which people seek early and preventative legal assistance from FLAC.

Our phonenumber received an estimated 53,103 calls during opening hours in 2024. FLAC only has the capacity to deal with around 21% of these queries, notwithstanding the very welcome assistance provided by Arthur Cox and Mathesons who provide staff one day a week, which enables us to answer more calls. We have nowhere to refer the 20% of callers who seek employment law advice as the Legal Aid Board cannot provide representation before the WRC or indeed in Social Welfare Appeals. The Legal Aid Board does not have the function of providing legal information and while it can provide legal advice in relation to the areas of law where legal representation is not available, like social welfare, housing and discrimination, it does not do so to any significant extent. FLAC with tiny resources and staff numbers cannot begin to bridge the gulf left by the chronically under-resourced Legal Aid board with its limited functions and narrow scope.

The work of FLAC's Independent Law Centre, and its dedicated services for the Traveller, Roma and LGBTQI+ communities, demonstrate the powerful impact that access to the courts can have for people's lives. The outcomes in those cases include migrant families getting access to basic social welfare payments on appeal; Traveller families being provided with culturally appropriate/group housing accommodation after it was initially refused (or after offers of accommodation were unreasonably withdrawn by the local authority); and victims of discrimination being provided with compensation.

The very high numbers of discrimination cases to emerge from the Roma Legal Clinic and the Traveller Legal Service have illustrated once again the huge levels of prejudice against those

groups in Irish society and the negative impact it has on their day-to-day lives. A code of practice on access to services by IHREC would be a very welcome response.

In 2024, the High Court found that a young Traveller family had been subject to an “*unfair*” Circuit Court discrimination appeal. The introduction of a publicly accessible Equal Treatment Bench Book to ensure the needs of all minority groups are respected in court would also be a welcome initiative.

Eithne Walsh, who along with her son successfully challenged his exclusion from the Summer Provision Scheme and whose words feature on the cover of this report, remind us how far we have to go in achieving equality for people with disabilities.

The urgent demand for practical supports for people with disabilities was reflected in the rejection of the Care Referendum by Irish voters in March 2024. FLAC sought at all times to ensure that the best and most effective wording would be used in the proposed amendment and to provide independent legal analysis. FLAC highlighted that the Care amendment was not likely to provide women, carers, people with disabilities or older people with any new enforceable rights or to require the State to provide improved childcare, personal assistance services, supports for independent-living, respite care or supports (at home or in school) for children with disabilities. The judgment of the Supreme Court in the *BM* case has since confirmed that our interpretation of the amendment was correct.

A programme of disability rights law reform is overdue. The ongoing Review of the Equality Acts is an important component of that. The Review was announced at a FLAC event in 2021. We are delighted that the Equality Bill 2024 incorporates a significant number of FLAC recommendations. It needs to be progressed and improved as a matter of urgency.

The Bereaved Partner’s Pension Bill will give effect to the Supreme Court’s decision in the case taken by the O’Meara family (who were represented by FLAC). In 2024, the Oireachtas Social Protection Committee accepted FLAC’s recommendations concerning this piece of legislation. While we very much welcome the fact that the Bill will extend entitlement to survivor’s pensions to bereaved cohabitants who do not have children, the Bill currently before the Dáil still proposes to remove the entitlement of divorced and separated families to the payment. Such a move would be a retrograde reduction of the social welfare entitlements of single parents who may rely on maintenance from a former partner. The reduction in the social welfare entitlements of a particularly vulnerable category of lone parents and their children (those who were reliant on



*FLAC Staff and Interns welcome home Ireland's Olympic athletes*

maintenance from a former partner who has died) is in no way required by the *O'Meara* decision. In fact, the proposed changes may be inconsistent with the equality and children's rights principles which underpin that landmark judgment.

It is incredibly difficult to achieve change in the area of civil legal aid, due perhaps to a perception that it is about more money for lawyers. This ignores the very high cost of not providing legal aid and the growing body of international research that shows unequivocally that investment in legal aid saves States more money than it costs. The Civil Legal Aid Review Group has now reported to the Minister. The 'Migration Pact' requires the State to introduce new forms of public legal assistance for international protection applicants, including early information and advice (both of which should be mainstreamed into all areas of the legal aid system). There is a unique opportunity to "*do something about*" Ireland's legal aid crisis. We hope that the example FLAC provides will inform the Government's response to the legal aid crisis which should include: the provision of early and preventative legal assistance, the removal of the limits on the type of cases where legal aid can be provided, and the provision of dedicated and targeted legal services for disadvantaged communities.

Finally, I want to thank all of the FLAC Council members for their ongoing support and hidden valuable work, in particular our Chair Róisín Fitzpatrick. I also want to pay tribute to FLAC's staff for their dedication, inspiration, passion and hard work.



## Message from Róisín Fitzpatrick, FLAC Chairperson

On behalf of FLAC Council, I would like to pay tribute to the many people and stakeholders who made the work and achievements recorded in the pages of this report possible.

FLAC's work would not be possible without those who volunteer to support the organisation, including the volunteers and law firms working on the phonenumber and in clinics, the barristers who assist with casework, and the members of the PILA alliance.

I wish to express our immense gratitude to all of FLAC's funders – from Government Departments and statutory bodies to the Law Society, the Bar of Ireland, and philanthropic organisations such as the Community Foundation of Ireland, as well as our wide array of sustaining partners (who support PILA) and individual law firms, practitioners and private individuals – for providing the financial resources that allow FLAC to undertake its work. We thank our funders for their vision in ensuring that we can support those people who need us in the community. We are also grateful to the King's Inns, and Dr Eimear Brown in particular, for welcoming again so many members of the extended FLAC family for the 2024 Justice Lecture.

FLAC is also very fortunate to be able to draw on the deep commitment to access to justice within the legal profession, civil society, law schools and student societies across the island of Ireland. Our FLAC community continues to grow and we are very grateful for them. We continue to be proud to work in collaboration with partners and stakeholders who share our vision of a fairer and more just society.

I wish to acknowledge the hard work and dedication of FLAC's fantastic staff and Ellis for her leadership. Their dedication, passion and commitment are what allow us to continue to deliver the quality support that we provide across legal assistance, representation, and policy and campaigns. During 2024, we said goodbye to FLAC stalwart, Paul Joyce (a.k.a. Dr Debt). Paul made an indelible contribution with his unparalleled, expertise in the area of credit and debt law in Ireland during his many years in FLAC. This year, we also bid farewell Ingrid Colvin (FLAC's Assistant Chief Executive) who made a huge contribution in the volunteers and clinics management and governance. We thank her for her very valuable work and wish Paul and Ingrid well in their new ventures.

Finally, I wish to extend a warm welcome Eoin Mac Aodha to FLAC Council and bid a fond farewell to Joanne Hyde and Julie Hegarty after many years as highly valued member of the board and acknowledge their huge contributions in the areas of governance and finance. I thank my fellow members of FLAC Council for their essential behind-the-scenes work.



## 2024 Overview

### Early & Preventative Legal Assistance

The **Telephone Information & Referral Line** responded to **11,435 queries** in 2024. The phonenumber received an estimated 53,103 calls during opening hours. **FLAC only has the capacity to deal with around 21% of these queries.**

- ▶ 28% of Queries (3,180) were about Family Law. FLAC received **more queries in relation to domestic violence than any previous year (539 queries were received in this area).**
- ▶ **Over 20% of all queries dealt with by the phonenumber concerned employment law.** Queries about grievance procedures, dismissal, bullying or harassment, and discrimination were all saw record highs.

Volunteer solicitors and barristers provided **3,731 legal advice consultations.** **Over a quarter of all consultations in 2024 were about employment law**, an almost 14% increase on last year.

PILA assisted 36 social justice organisations in accessing legal assistance from pro bono lawyers.

#### Legal Representation

**224 people were provided with legal representation.**

- ▶ The High Court declared that a local authority acted unreasonably in withdrawing an offer of a house to a family and **ordered it to provide them with Traveller-specific accommodation.**
- ▶ **High Court quashed an “unfair” Circuit Court decision** in a Traveller family’s discrimination case against a hotel.
- ▶ The WRC found that the **exclusion of a student with a visual disability from the Summer Provision Scheme constituted discrimination** and ordered the school to pay him €5,000 in compensation.

#### Policy & Law Reform

- ▶ FLAC’s independent legal analysis of the **proposed Family and Care amendments** made a significant contribution to the debate around the two constitutional **referendums** in 2024 and was welcomed by many carers and disability rights activists. FLAC highlighted that the proposed Care amendment would not result in practical improvements in the lives of women, paid and unpaid carers, older people, and people with disabilities.
- ▶ The Government approved the General Scheme of a **Bill to amend the Equality Acts.** FLAC successfully campaigned for that legislation to be reviewed. The Bill gives effect to many of FLAC’s recommendations. It will have a positive impact for Travellers, people with disabilities, and in promoting access to justice. The Bill should be progressed urgently and improved to address gaps in the current draft.
- ▶ The Oireachtas Social Protection Committee endorsed FLAC’s **recommendations for strengthening and expanding the legislation which will give effect to the O’Meara decision.** We very much welcome the Bill and the fact that it includes bereaved cohabitants who do not have children. However, we are very concerned about the Bill’s proposal to remove entitlement from divorced and separated families to survivor’s pensions.



## Section One: Early & Preventative Legal Assistance

Access to early legal information, advice and advocacy for individuals and groups can prevent legal problems from arising or getting worse and may prevent or reduce the need for litigation.

### Legal Information:

#### Telephone Information and Referral Line

FLAC's Telephone Information & Referral Line team responded to **11,435 queries in 2024**. In addition to this, the team on FLAC's Telephone Information & Referral Line also made **2,165 call backs** to service users to provide them with further information or set up an appointment in a FLAC clinic.

There has been a significant increase in the expertise and experience of FLAC's phonline team in recent years which enables them to provide these call backs and more detailed legal information.

#### **Callers to the Telephone Line:**

*"Thank you to both the FLAC helpline operator and the family law solicitor who provided informative, expedient, and professional advice."*

*"You are amazing!! Please keep doing this great work, you can't imagine the positive impact you have on people's lives!"*

*"I don't know how I would have been able to take the next steps to protect my children without this service."*

The FLAC phonline received **an estimated 53,103 calls during opening hours** in 2024. FLAC only has the **capacity to deal with around 21% of these queries**.

These figures represent unacceptable levels of unmet legal need which FLAC, a small non-governmental organisation, simply cannot meet. We are very grateful to Arthur Cox and Matheson who provide staff to the phonline one day per week which enables significantly more queries to be answered.

**The Legal Aid Board has no legal information function to require them to provide early legal information.**

<u>Area of Law</u>	<u>Queries</u>	<u>%</u>
Family	3180	27.8
Employment	2341	20.5
Other Civil Matters	923	8.1
Criminal	755	6.6
Housing/Landlord & Tenant	755	6.6
Other	619	5.4
Property/Interest in Land	437	3.8
Consumer	424	3.7
Credit & Debt	317	2.8
Client-Solicitor relations/issues	315	2.8
Immigration/refugee	263	2.3
Social Welfare	236	2.1
Negligence/Personal Injury	200	1.7
Neighbour disputes	159	1.4
Will/Probate	138	1.2
Legal Aid	107	0.9
Discrimination	85	0.7
Contract	76	0.7
Legal Services	66	0.6
Company	39	0.3
<b>Total</b>	<b>11,435</b>	<b>100</b>

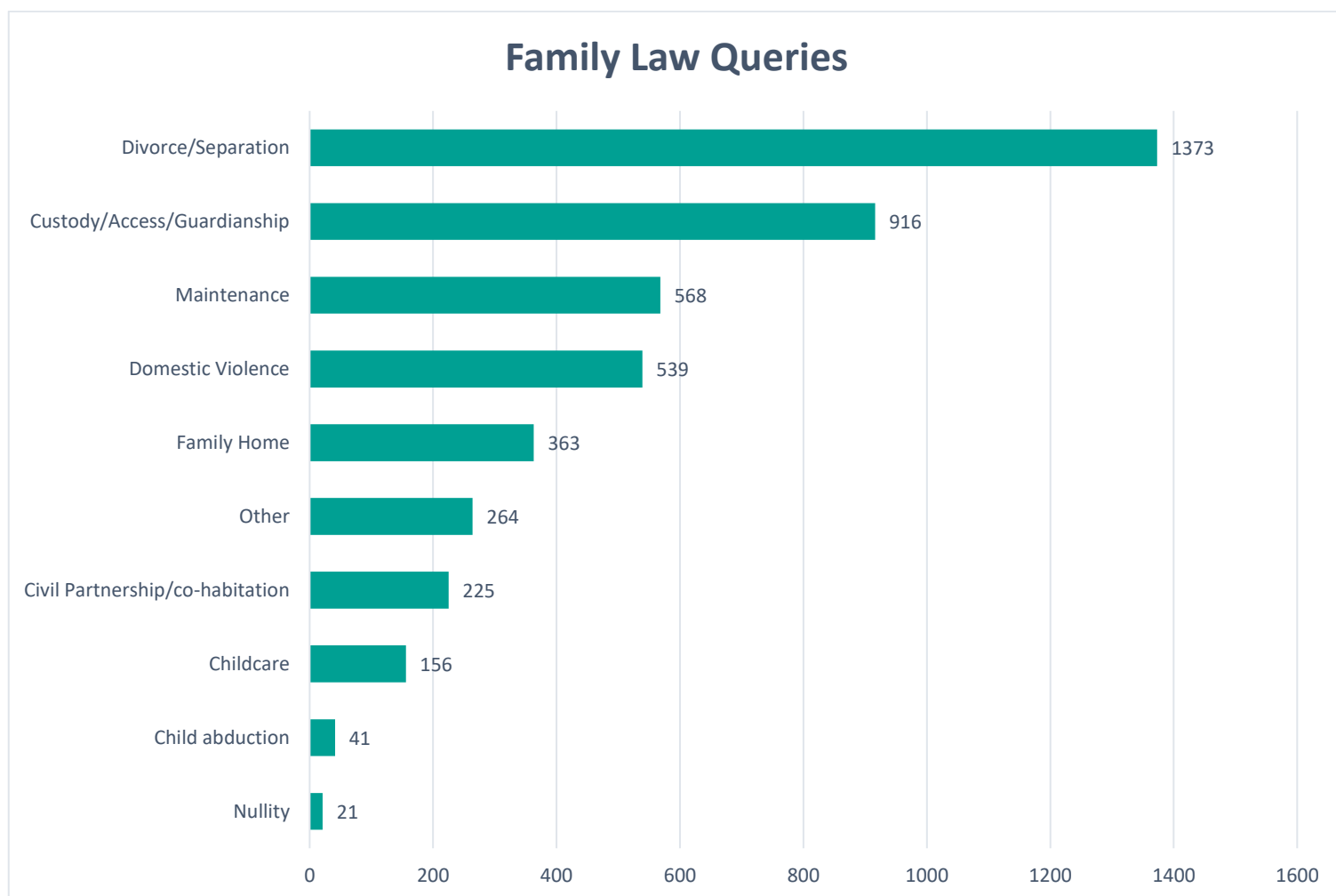
## Lay Litigants / Litigants in Person

In 2024, 691 calls to FLAC's Telephone Information & Referral Line were from lay litigants or 'litigants in person', which represents 6% of all calls. FLAC regularly receives calls from people who are endeavouring to represent themselves in complex court cases, navigating complex rules and procedures, and desperately in need of legal assistance which FLAC does not have the capacity to provide.

- ▶ Almost half (44%) of lay litigant/litigant in person callers had a family law issue.
- ▶ 11% had a civil law issue.
- ▶ 10% had a criminal query.
- ▶ 8% had an employment law query.
- ▶ 5% had a housing related query.

**The Courts Service and the Legal Aid Board should establish a procedural advice clinic and create a Litigant in Person liaison support unit to provide face-to-face information and advice to Litigants in Person.**

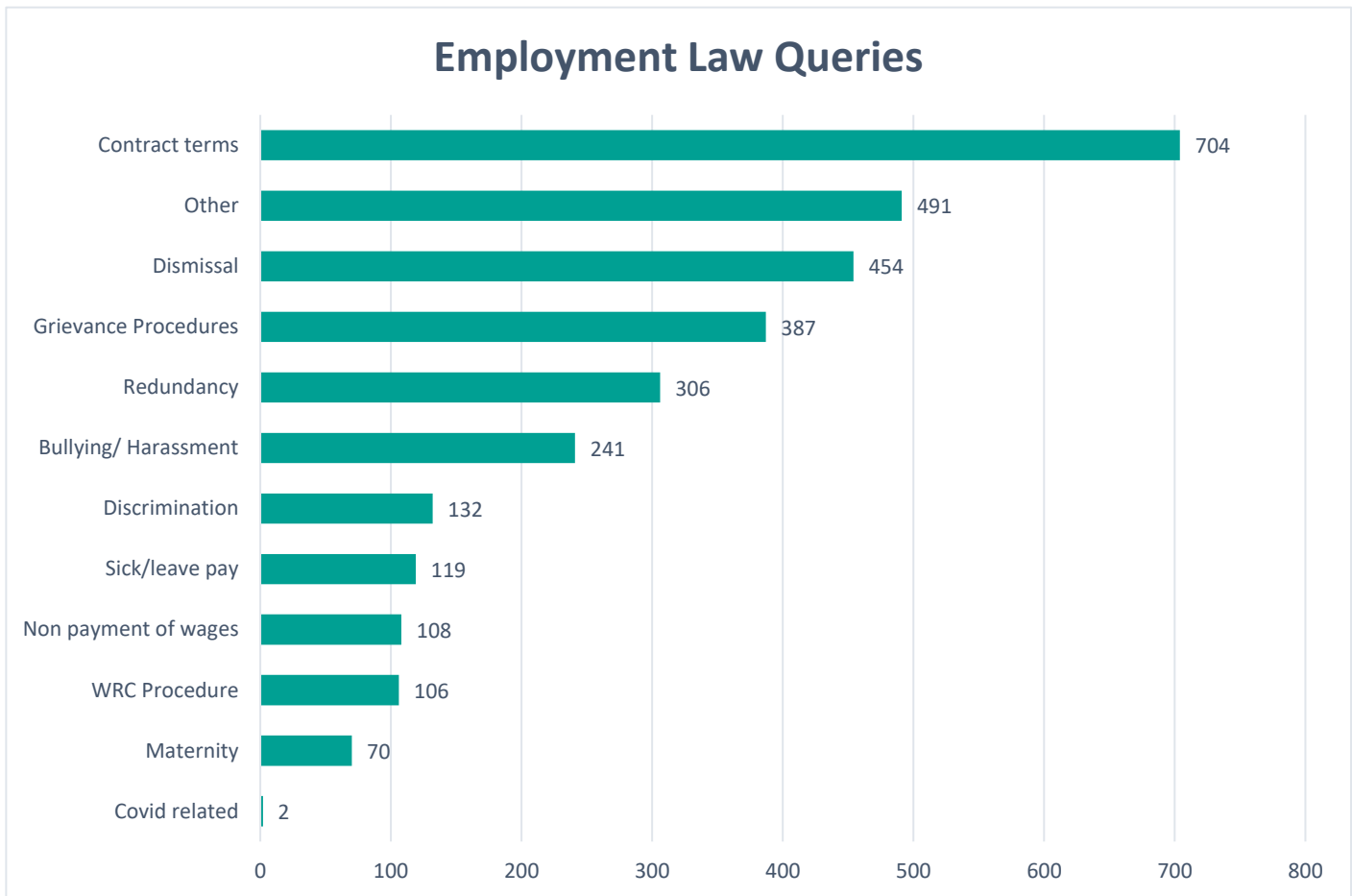
## 28% of Queries (3,180) were about Family Law



Family law remains the area in which the Telephone Information & Referral Line receives the most queries:

- ▶ 43% related to divorce or separation, 29% related to custody, access or guardianship, 18% related to maintenance, 17% related to domestic violence and 11% related to the family home.
- ▶ 27% were referred on to a FLAC clinic for legal advice.
- ▶ FLAC received **539 queries in relation to domestic violence** during 2024. This is a 3.5% increase since 2023 and **more than any previous year**.
- ▶ Callers to the phonenumber frequently reported being unable to retain a family law solicitor from the Legal Aid Board's Private Practitioner Panel even though they have been approved for legal aid.

## 20.5% of Queries (2,341) were about Employment Law



Over 20% of all queries dealt with by the Telephone Information & Referral Line in 2024 concerned **employment law**:

- ▶ Almost a third of queries related to contract terms, 19% related to a dismissal, 17% related to a grievance procedure, 13% related to a redundancy, and 10% related to bullying or harassment in the workplace.
- ▶ **Queries about grievance procedures, dismissal, bullying or harassment, and discrimination were all higher than in any previous year.**
- ▶ The phonenumber often hears from callers who are representing themselves in cases before the Workplace Relations Commission in circumstances where their employer or former employer has instructed a solicitor and a junior and senior counsel.

## 8.1% “Other Civil Matters” (923 Queries)

- ▶ 26% of queries logged under this heading related to tort law (i.e. the law concerning liability for ‘civil wrongs’ including negligence).
- ▶ 21% of queries were logged under this category to indicate that they related to potential or ongoing court proceedings.
- ▶ 7% related to assisted decision-making (and another 1% concerned wardship)
- ▶ 7% related to defamation.
- ▶ 6% related to data protection.
- ▶ 4% related to powers of attorney including enduring powers of attorney.

## Referrals

18% of callers dealt with by the Telephone Information & Referral Line were referred to FLAC from other organisations or public bodies, including over 800 referrals from Citizens Information Centres and 299 referrals from the Workplace Relations Commission (which is a public body with a statutory mandate to provide employment law information itself).



*At the Annual FLAC Justice Lecture 2024, we thanked staff members from Arthur Cox and Matheson for their work on the FLAC Telephone Information Line.*

## Legal Advice: Free Legal Advice Clinics

At Free Legal Advice Clinics, volunteer solicitors and barristers provide confidential, basic legal information, advice and referrals in family law, immigration law, employment law and general law. People are referred for legal advice consultations through FLAC's Telephone Information & Referral Line and through Citizens Information Centres (CICs). CICs organised an additional 88 consultations during 2024 (as compared to 2023).

Based on the Data Collection Forms returned, at least **3,731 legal advice consultations** took place in 2024. This amounts to 458 more than the previous year, **a 14% increase**. This includes more than a 29% increase in consultations about housing / landlord & tenant issues.

	Type of clinic	No. of Consultations*
Appointments made via FLAC Telephone Information Line	Employment law	1016
	Family law	744
	General law	563
	Immigration law	42
	<b>Total</b>	<b>2365</b>
Appointments made via Citizens Information Centre	South Dublin CIS	348
	South Leinster CIS	281
	North Munster CIS	236
	South Munster CIS	166
	South Connacht CIS	157
	North Dublin CIS	104
	North Leinster CIS	35
	North Connacht & Ulster CIS	31
	Sign Language (NDCIS)	8
	<b>Total</b>	<b>1366</b>
<b>Overall Total</b>		<b>3731</b>

**The Legal Aid Board is able to provide advice in areas such as employment law but it does not do so to any great extent.**

### People who attended Legal Advice Consultations say:

***"I very much appreciated the help. The solicitor was kind and compassionate"***

***"This has provided me with a better understanding of my issue and provided different approaches to resolve the issue"***

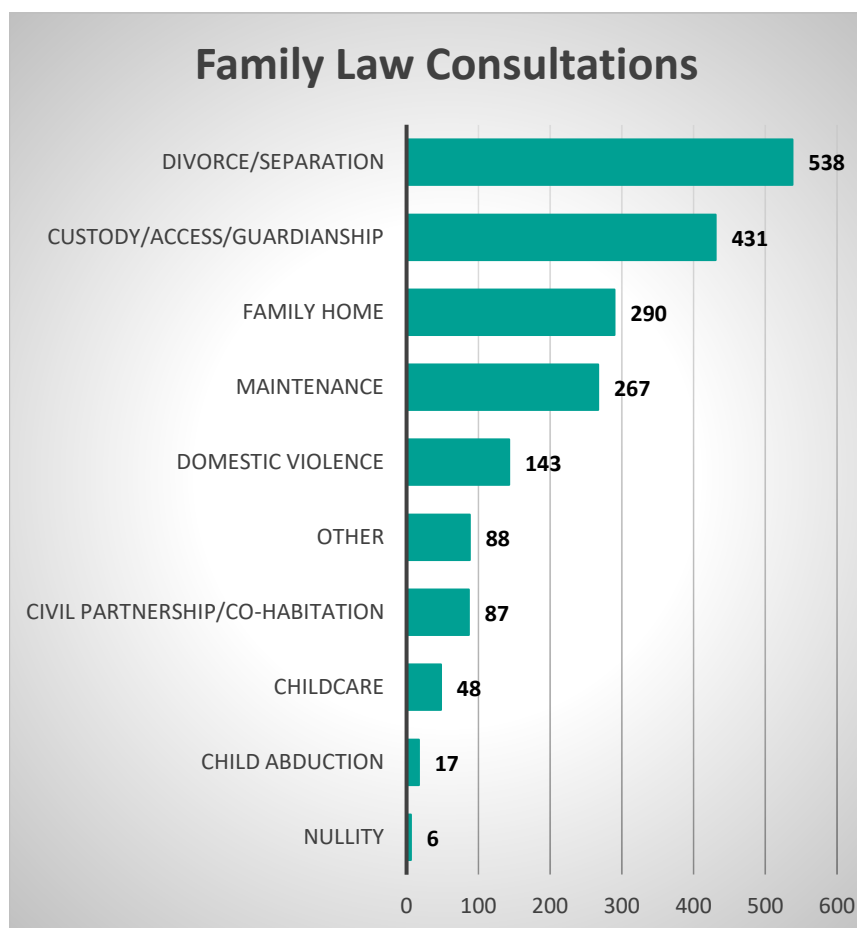
***"The service is life changing. I know now the steps I need to take. Thank you"***

***"I found this service extremely approachable, understanding and professional. I felt that I was listened to and advised in a sensible manner. Great service"***



<u>Area of Law</u>	Consultations	% of Consultations	Annual Change	%
<b>Family</b>	1199	32.1	7.9	
<b>Employment</b>	1039	27.8	13.7	
<b>Will/Probate</b>	222	6.0	18.1	
<b>Civil</b>	186	5.0	39.8	
<b>Housing/Landlord &amp; Tenant</b>	177	4.7	29.2	
<b>Other</b>	164	4.4	13.1	
<b>Consumer</b>	126	3.4	32.6	
<b>Property/Interest in Land</b>	109	2.9	2.8	
<b>Criminal</b>	100	2.7	35.1	
<b>Contract</b>	88	2.4	41.9	
<b>Credit &amp; Debt</b>	70	1.9	4.5	
<b>Negligence/Personal Injury</b>	64	1.7	-9.9	
<b>Neighbour disputes</b>	58	1.6	31.8	
<b>Immigration/refugee</b>	54	1.4	42.1	
<b>Client-Solicitor relations/issues</b>	27	0.7	-3.6	
<b>Discrimination</b>	25	0.7	0.0	
<b>Social Welfare</b>	13	0.3	-18.8	
<b>Company</b>	9	0.2	-47.1	
<b>Legal Aid</b>	1	0.0	-50.0	
<b>Total</b>	<b>3731</b>	<b>100.0</b>	<b>14.0</b>	

## 32.1% Family Law (1,199 Consultations)



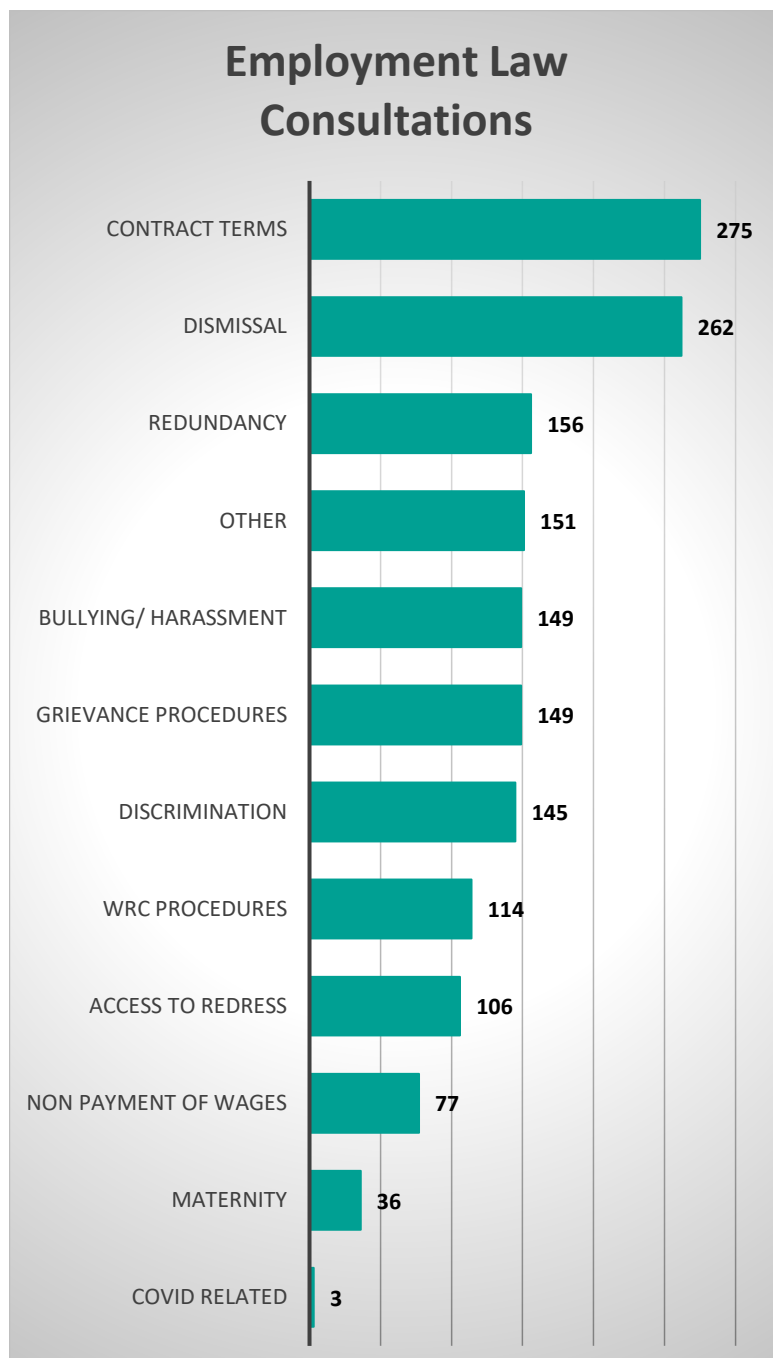
One-third of all legal advice consultations in 2024 were in relation to family law:

- ▶ Almost half were about a divorce or separation (45%).
- ▶ 36% were about custody, access or guardianship.
- ▶ 24% concerned a family home.
- ▶ 22% were enquiring about maintenance.
- ▶ 12% related to domestic violence, an increase of 4% on the previous year.

## 27.8% Employment Law (1039 Consultations)

Just over one-quarter of all consultations in 2024 were about employment law, an almost 14% increase on the previous year:

- ▶ Roughly one-quarter (26.5%) of employment law consultations were about an employment contract.
- ▶ 25% of employment law consultations related to a dismissal, an increase of 32% on the previous year.
- ▶ 15% of employment law consultations concerned a redundancy, an increase of 28% on the previous year.
- ▶ 14% of employment consultations related to grievance procedures, bullying and discrimination, with bullying-related consultations up 23% compared with 2023.



**The Legal Aid Board cannot provide legal representation in employment cases heard by the WRC.**

## Feedback on Legal Advice Consultations

During the first half of 2024, FLAC updated and piloted the service user feedback survey to help us understand the impact that free legal advice has on the people attending the clinics:

- ▶ 88% were satisfied with their consultation.
- ▶ 87% said they better understood their legal issue after the consultation.
- ▶ 81% said they better understood what next steps they could take.
- ▶ 76% said their confidence to take those next steps had improved.
- ▶ 72% said they felt less isolated/worried/anxious/stressed about their legal situation.



*The Golden Pin Award acknowledges the commitment of our volunteers and celebrates the role of the volunteer in FLAC. We were delighted to honour 11 of our Legal Advice Volunteers with the FLAC Golden Pin Award at our Annual FLAC Justice Lecture 2024.*

*L-R: Róisín Fitzpatrick (FLAC Chair), Ingrid Colvin (FLAC Clinics Co-Ordinator & Assistant Chief Executive), Seán O'Dea, Ailbhe Burke, Joan Williams, Feidhlim Mac Roibin, Rebecca Tierney, Craig Philips and Bartholomew Begley*

## Legal Assistance for Social Justice & Community Organisations:

### PILA, the Public Interest Law Alliance

PILA (Public Interest Law Alliance) is a project of FLAC that engages the legal community and civil society in using the law to advance positive social change.

The demand for PILA's services has grown far beyond what was anticipated in 2009 when it was established. PILA has positively impacted the work of NGOs and the lives of those they represent. We thank all our dedicated staff, volunteers, corporate partners and stakeholders for supporting our work over the past 15 years; we could not have had this impact without your contribution.

In 2024:

- ▶ **PILA assisted 36 social justice organisations** in accessing legal assistance from pro bono lawyers through our Pro Bono Referral Scheme.
- ▶ 28 signatories to PILA's 'Pro Bono Pledge' reported a total of **44,906 hours of pro bono legal work**.
- ▶ PILA took on **49 new legal advice and litigation referrals** from partner NGOs.
- ▶ PILA continued work on two Impact Projects, including the **Ukraine Legal Panel**.
- ▶ PILA hosted the first in-person **NGO Pitch Event**, giving NGOs the opportunity to pitch the legal needs of their organisations to Pro Bono Pledge Signatories.
- ▶ 24 issues of the PILA Bulletin (which has a circulation of over 2,700) were published.
- ▶ PILA supported an alliance of over 250 partner NGOs, 52 law firms, 350+ barristers and 9 in-house legal teams.

Breakdown of Referrals	
Area of Law	Total
Admin	2
Charity Law	7
Company Law	2
Criminal	2
Data Protection	3
Defamation	1
Disability	6
Employment	7
Family	2
Housing	4
Human Rights	3
Immigration	2
Property	3

## Pro Bono Referral Scheme

The Pro Bono Referral Scheme remains the centrepiece of PILA's work, facilitating access to pro bono legal services for social justice organisations. Since 2009, PILA has supported over 1,600 referrals through the Scheme and has provided over 350 social justice organisations with direct legal assistance.

PILA continues to work hard to make sure that organisations offering support to Ukrainians in Ireland have access to the pro bono legal support that has helped them survive and thrive in delivering their crucial work.

### Pro Bono Pledge Ireland

PILA has continued in its role as coordinator of the Pro Bono Pledge Ireland. The Pledge provides a common definition of pro bono legal work, a commitment to a minimum aspirational target of 20 pro bono hours per lawyer per year, and a mechanism to benchmark progress through annual reporting of anonymous pro bono data. The pledge is open for signatories by solicitors, barristers, law firms and in-house legal departments. Since the launch of the Pledge in November 2020, signatories now include:

- ▶ 51 law firms
- ▶ 6 individual solicitors
- ▶ 40 Barristers
- ▶ 2 in-house legal teams

28 signatories reported under the pledge during 2024 and undertook 44,906 hours of pro bono legal work. In terms of those delivering pro bono support, 64% was provided by law firms, 32% by barristers and 4% by law firms working in conjunction with barristers from the outset. A Pro Bono Pledge Ireland Info Graphic was launched in December 2024. [Read the Pro Bono Impact Report for 2024 here.](#)

### Sustaining Partners

The work that PILA does would not be possible without the support of PILA's sustaining partners; Arthur Cox, A&L Goodbody, McCann Fitzgerald and Matheson.

*"Arthur Cox is proud to be a sustaining partner of PILA and to work with the fantastic FLAC team. Arthur Cox was delighted to support the FLAC Information Line and FLAC Employment Clinic. By partnering together on these initiatives last year, Arthur Cox lawyers were able to help close to 1,000 FLAC service users gain access to legal information and to understand their rights.*

*FLAC, through the Public Interest Law Alliance, plays a critical role in bringing the legal sector together to deliver pro bono services to NGOs which provide essential front-line services to marginalised and vulnerable people and in turn helps them gain access to justice."*

**- Carolann Minnock, Of Counsel & Head of Pro Bono at Arthur Cox**



## PILA Bulletin

During 2024, PILA published 24 issues of the PILA Bulletin which has a circulation of over 2,700. You can subscribe to the Bulletin by emailing [pila@flac.ie](mailto:pila@flac.ie).

The Bulletin aims to provide a resource bridging the fields of law and social justice, and shines a spotlight on domestic and international caselaw, policy issues,

legislation and legal trends. The PILA Bulletin is an excellent source of legal and human rights news.

## Pro Bono Week 2024

### Ireland Pro Bono Week 2024



**Promoting and supporting  
access to justice**

Join us in celebrating a week long  
of online and in person events.

**JUNE 10-14**

FOR REGISTRATION & FURTHER  
INFORMATION VISIT  
[WWW.PILA.IE/PBW](http://WWW.PILA.IE/PBW)

Pro Bono Week Ireland 2024 took place from 10 to 14 June and celebrated the vital role that lawyers play in supporting civil society and human rights organisations and in promoting equal access to justice. FLAC was delighted to participate in the organisation of Pro Bono Week as a member of the Pro Bono Week Committee. In advance of Pro Bono Week, FLAC Chief Executive Eilis Barry was featured in the [Irish Times](#), where she discussed the value of pro bono work.

The week was a great success with unprecedented numbers in attendance at each of the events that took place. The week of events was supported by A&L Goodbody, Arthur Cox, DLA Piper Ireland, Mason Hayes & Curran, Matheson, McCann FitzGerald, and Philip Lee.



The Central Theme of Pro Bono Week 2024 was the harmonisation of Pro Bono. Events included:

- ▶ **Reflection from a Pro Bono Partnership with KIND (Kids in Need of Defence).**
- ▶ **The Irish Pro Bono Ecosystem - Celebrating Impact and Horizon Scanning for New Opportunities.** This event included the first ever in-person PILA NGO Pitch, during which two social justice organisations, Voice of Vision Impairment and Atheist Ireland, outlined their legal needs to attending legal practitioners.

*"Pro bono is a vital component of the access-to-justice architecture and an important tool in redressing the imbalance of a justice system weighed against those who face multiple barriers to access to justice. I want to pay tribute to the pioneering lawyers who have transformed the pro bono landscape in Ireland in recent years and for their inspiration and commitment."*

**– Eilis Barry, FLAC Chief Executive**

## Legal Education and Training

### FLAC Volunteer Training

282 FLAC Volunteers attended 6 training events in 2024 on topics including: The Assisted Decision-Making Act, Employment Law, Family Law, Housing Law, and Consumer Law and Rights.

We are grateful to the trainers who generously shared their expertise and experience: Ciarán Aherne, Emma Slattery BL, Keith Walsh SC, Owen Keany BL, and Finn Keyes BL. We also thank Kieran O'Callaghan BL, Michael Owens, Jack O'Sullivan, and Edyta Manachiewicz of the Competition and Consumer Protection Commission for providing training to our volunteers and FLAC staff on Consumer Law and Rights.

### FLAC Student Societies

There are eight active FLAC student societies at universities around Ireland, along with the UCD Student Legal Service. They operate independently of FLAC. However, FLAC works with them as part of our aim to support legal education and to complement the academic training that law students receive.

Throughout 2024, FLAC met regularly with FLAC society representatives both individually and as a group in order to offer support and to connect the societies with one another. This has resulted in an active network of FLAC societies whose members will hopefully carry the ethos of FLAC into their future legal careers. FLAC provided support to one society re-starting again after a period of dormancy, and a number of FLAC society members attended the FLAC Justice Lecture with Blinne Ní Ghrálaigh KC.

In summer 2024, FLAC took on two interns as prizes for winning Maynooth FLAC and Trinity FLAC's mooting competitions. We were delighted to welcome Ethan Johnson and Leah Bernasconi to FLAC for a month each.

**FLAC believes that Clinical Legal Education, should be a core part of the curriculum for all law students. Access to justice and legal aid should be core subjects in the curriculums of all Irish third-level law schools, as well as the Kings Inns and The Law Society.**



*FLAC was delighted to make a presentation to Trinity FLAC at the Annual Justice Lecture, in recognition of their fundraising for FLAC throughout the year.*

*Picture L-R: Tara Brady and Daria Jedruch (Trinity FLAC) with Conall Cahill (FLAC).*

## Section 2: Legal Representation

FLAC's Independent Law Centre takes on a number of **cases in the public interest** each year. These cases are taken on with the aim of benefiting a wider community, as well as being important for the individual client.

Throughout 2024, FLAC continued to run **three dedicated and targeted legal services** which are tailored to the needs of groups who do not typically access FLAC's Telephone Information & Referral Line and Free Legal Advice Clinics or other mainstream services:

- ▶ **The Traveller Legal Service**
- ▶ **The Roma Legal Clinic**
- ▶ **The LGBTQI+ Legal Clinic**

While these services cannot act as an alternative to a comprehensive system of civil legal aid, they seek to identify and respond to unmet legal need to the greatest extent resources allow, and undertake strategic litigation which has the potential to benefit the wider community.

**FLAC believes that a reformed Legal Aid Board should provide dedicated and targeted legal services, including a properly resourced national Traveller Legal Service, and Community Law Centres.**

FLAC's Independent Law Centre provided **224 people with legal representation** during 2024. This includes 109 new clients (whose files were opened during 2024). **110 clients had a legal problem in the area of equality/discrimination. 100 had a housing issue and 11 had a social welfare issue.** FLAC's experience indicates that these areas of law are very common amongst people and communities experiencing poverty, discrimination and disadvantage.

### **A message from an NGO who referred a case to the FLAC Legal Team:**

*"Where, after all, do universal human rights begin? In small places, close to home – so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person... Such are the places where every man, woman, and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere." – Eleanor Roosevelt.*

*Thank you to Karan and the FLAC team for all your work in making rights real for the family we work with!"*

2024 Legal Representation				
Area of Law	Continuing Clients	New Clients	Total Clients	% Total Clients
Discrimination/ Equality	68	42	110	49.1
Housing	35	65	100	44.7
Social Welfare	11	0	11	4.9
Other	1	2	3	1.3
<b>Total</b>	<b>115</b>	<b>109</b>	<b>224</b>	<b>100%</b>

## Dedicated & Targeted Legal Services



### Traveller Legal Service

The Traveller Legal Service was founded in 2020 to address the enormous unmet legal need that exists within the Traveller community through representation in strategic litigation and through the provision of training and support to advocates working with the community. The Traveller Legal Service

is supported by the Community Foundation of Ireland. A Steering Group of Traveller Organisations provides the service with guidance and oversight.

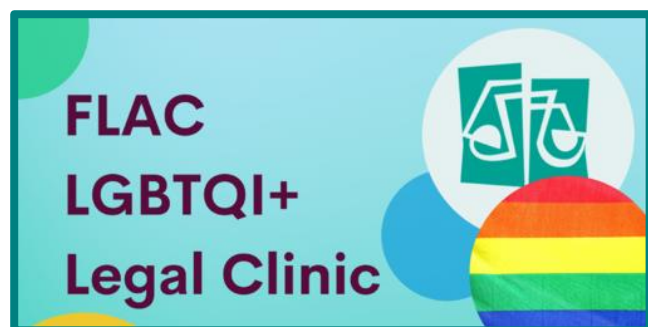
- ▶ The Traveller Legal Service provided representation to 151 people during 2024. 71 were new clients whose files were opened during 2024. 80 clients (whose cases were opened prior to 2024) continued to receive legal representation.
- ▶ 56.3% of clients' legal issue concerned accommodation and 43.7% concerned discrimination.
- ▶ In addition to cases where legal representation was provided, the Traveller Legal Service provided legal advice and advocacy in response to queries from Traveller advocates and organisations.

### Roma Legal Clinic

FLAC continued to operate its Roma Legal Clinic in 2024. The clinic is funded by the Department of Children, Equality, Disability, Integration and Youth's National Traveller and Roma Inclusion Strategy.



- ▶ Legal advice and information were provided through 52 consultations with members of the Roma community. Information and advice was also provided to Roma people via community and advocacy organisations who were working directly with them. FLAC provided this 'second-tier' support through 82 consultations (concerning housing, discrimination and social welfare issues) with staff of those organisations.
- ▶ 43 clients of the Roma Clinic received legal representation during 2024. 30 were new clients whose files were opened during 2024. 13 clients (whose cases were opened prior to 2024) continued to receive legal representation.
- ▶ Clients of the Roma Clinic represent 19.2% of the total number of people represented by FLAC during 2024.
- ▶ 62.8% of clients' legal issue concerned discrimination, 23.3% concerned social welfare and 13.9% concerned housing.



### LGBTQI+ Legal Clinic

The LGBTQI+ Legal Clinic was established in 2022 to meet the specific needs of the gay and trans community. It was funded by the Department of Children, Equality, Disability, Integration and Youth until mid-2024. The weekly clinic recorded a total of 59 consultations in 2024:

- ▶ 20 consultations concerned family law issues.
- ▶ Another 11 consultations concerned discrimination, 15 concerned gender identity (including access to gender affirming care / documentation) and 12 concerned immigration.
- ▶ During 2024, FLAC provided legal representation to 5 clients in cases which emerged from the LGBTQI+ Legal Clinic. This included 1 in the area of equality/discrimination, 1 in relation to housing and 3 in relation to access to trans healthcare.

## Housing / Homelessness Casework

### Overview

FLAC provided legal representation to 100 people in housing/homelessness cases during 2024.

Most of these cases emerged from the Traveller Legal Service (85 clients) with another 10 housing/homelessness clients emerging from the Roma Clinic and 1 client coming from the LGBTQI+ Clinic.

The vast majority of the housing/homelessness cases taken by FLAC related to access to emergency accommodation or social housing supports, or the adequacy of the social housing supports which clients were being provided.

FLAC continued to act in a number of High Court judicial review and plenary cases concerning social housing during 2024.

**There is no expert and accessible independent tribunal which deals with cases concerning social housing or emergency accommodation.** High Court litigation is often the only recourse available to clients. In many cases, it is the threat of such proceedings which results in a favourable outcome for the client.



**The Legal Aid Board does not provide legal advice or representation in the areas of housing and homelessness to any significant extent.**

*In November 2024, FLAC Managing Solicitor Sinéad Lucey spoke at a 'Rights Aware Seminar' organised by the Traveller Equality & Justice Project in UCC.*



## Significant Outcomes in Traveller Accommodation Cases:

**1. High Court judicial review proceedings settled in favour of a homeless Traveller family when Wexford County Council agreed to provide the family with suitable Traveller-specific housing within six months and to pay compensation.** In the long-running case, the family challenged a decision of the local authority to revoke an allocation of a specific house and to suspend them from the housing list after receiving local objections (but on the stated basis that a member of the family had been convicted of two minor public order offences). The family also challenged the constitutionality and compliance with the ECHR of the legislation allowing for the suspension. In 2024, the High Court refused an application to split the case into a ‘modular trial’ (read the FLAC legal blog about that decision [here](#)). A mediation process failed to resolve the case but a settlement was reached after a hearing date was set in the High Court. The High Court declared that the Council’s decision to withdraw the allocation to the family was “*unreasonable and disproportionate*” and ordered them to “*use all reasonable endeavours to provide the Applicants with Traveller-specific accommodation*”.

**2. A local authority and the Department of Housing agreed to build a Traveller-specific group housing scheme for three Traveller families.** An advocate working with the three Traveller families contacted FLAC after learning that the local authority was proposing to house them in a scheme that was integrated into a standard housing development. It became apparent that, after the Council had sought funding from the Department of Housing, the Department had sought changes to the design of the development that would make the proposed Traveller-specific group housing indistinguishable from standard housing. FLAC engaged with the Council and eventually threatened legal proceedings concerning their failure to comply with their legal duty to provide Traveller-specific accommodation to the families. The local authority then agreed to alter their plans and to provide culturally appropriate group housing for the families.

### Significant Outcomes in Traveller Accommodation Cases (continued):

**3. A local authority provided social housing to a Traveller woman and her children who had become homeless after fleeing domestic abuse.** The Council had previously withdrawn an offer to house the family on the basis that the woman had been convicted of a crime 14 years previously. After correspondence from FLAC, she was restored to the housing list and offered accommodation shortly after.

**4. A Traveller family was provided with appropriate temporary accommodation suitable to the needs of their son who uses a wheelchair and who has significant disabilities pending the construction of a specially adapted house to meet their long-term housing needs.** The family had been on the Council's accessible housing list since the birth of their son (almost a decade previously). They were living in an apartment that could only be accessed by stairs and the mother had developed back problems as a result of carrying her son up and down. The agreement to transfer them to appropriate temporary accommodation was reached after extensive engagement and correspondence with the Council undertaken by FLAC.



*FLAC Managing Solicitor Sinéad Lucey speaks to NUIG Advocacy, Activism & Public Interest Law students.*

## Equality & Anti-Discrimination Casework

### Overview

FLAC provided legal representation to 110 people in equality/discrimination cases during 2024.

66 of these clients came from the Traveller Legal Service, 27 from the Roma Legal Clinic and 4 from the LGBTQI+ Clinic (with 3 of those relating to trans healthcare).

FLAC provided representation in relation to 102 complaints (or potential complaints) under the equality legislation.

Cases under the equality legislation involved alleged discrimination in employment and by shops, hotels, schools, healthcare providers, childcare providers and providers of public transport.

During 2024, FLAC's clients in discrimination cases received a total of €62,200 in financial compensation.

The majority of cases concerned discrimination on the grounds of ethnicity and/or membership of the Traveller Community.

FLAC also acted in a number of cases concerning disability discrimination, including cases about access to education.

### Discrimination against Roma in Shops

Roma people, in particular Roma women and girls, who have encountered discrimination while shopping and running daily errands frequently seek the assistance of the Roma Clinic.

In 2024, FLAC acted for a significant number of Roma people who had experienced discrimination in a retail context. 6 Roma people received compensation pursuant to settlement agreements after making discrimination complaints. This includes a Roma woman who received €4,000 in compensation from Dunnes Stores after she was refused access to the supermarket's off-licence. This was the second occasion on which she was refused access to Dunnes Stores.

## Traveller Discrimination in Pubs, Hotels & Restaurants

In 2024, 7 Travellers represented by FLAC received compensation on foot of settlement agreements after making discrimination complaints.

FLAC continues to see many Traveller families deprived of the opportunity to mark significant life events (including weddings, funerals and Communions) as a result of discrimination.

## Successful Defence of Cases against the NWCI

In 2023 and 2024, FLAC acted on behalf of the National Women's Council of Ireland in discrimination cases taken against them by people excluded from the organisation's AGM. The complaints against the NWCI (which were taken on the religion ground) were each dismissed. One of the complainants was a member of an organisation which had issued a press release prior to the NWCI event which "*targeted [an NWCI] Board Member who is transgender*".

The WRC found that the NWCI's actions were based on the "*substantial risk of criminal or disorderly conduct or behaviour*" and that "*there was no discrimination*" as the NWCI were entitled under the legislation to exclude people from events on that basis.

**NGOs cannot access civil legal aid from the Legal Aid Board.**



**FLAC Staff & Volunteers with family and friends marching at Pride 2024**

## High Court quashes “*Unfair*” Circuit Court Decision in Traveller Family’s Hotel Discrimination Case

FLAC continued to act for a young Traveller family in a discrimination case against Charleville Park Hotel. In 2022, the Workplace Relations Commission found that the hotel discriminated against the family (on the Traveller Community and Housing Assistance grounds). The hotel had refused to honour their booking at the hotel (for a three-night stay during a period when they were homeless) for the stated reason that they could not provide a personal credit card. The family were awarded a total of €22,000 in compensation by the WRC.

The hotel successfully appealed the WRC ruling to the Circuit Court. In judicial review proceedings taken by the family, the High Court decided that the Circuit Court hearing “*was unfair as a result of excessive intervention*” by the Circuit Judge and “*remitted to the Circuit Court to be dealt with by a different judge.*”

**Read FLAC’s full statement about the High Court judgment [here](#).**

The hotel appealed the High Court decision to the Court of Appeal on the basis that judicial review should not have been granted in circumstances where there was a statutory ‘point of law’ appeal available. In 2025, that appeal was dismissed.



*Barristers often accept instructions in cases taken by FLAC with no expectation of being paid for their work. We were proud to honour them with the FLAC Golden Pin at the 2024 Justice Lecture.*

*L-R: Kiwana Ennis, Ciara Landy, Nuala Egan SC, Deirdre Moore, Seán Beatty, Colm O’Dwyer SC, Caoimhe Ruigrok, Céile Varley, Leonora Frawley, Finn Keyes, Michael Lynn SC, Lewis Mooney, John O’Donnell SC, Colin Smith SC, Sharon Dillon-Lyons and Helen Callanan SC.*



## WRC finds that exclusion of blind student from Summer Provision Scheme constituted Disability Discrimination

- ▶ FLAC's client, a secondary school student with a visual disability, made discrimination complaints to the Workplace Relations Commission about his exclusion from the Summer Provision Scheme in 2020, and the failure to provide him with additional supports during Covid-19 school closures.
- ▶ In September 2024, the WRC upheld his complaint about the Summer Provision Scheme and ordered the Department of Education to pay him €5,000 in compensation. The WRC also held that the student was not provided with reasonable accommodations to support his education during school closures.
- ▶ **Read FLAC's full statement about the case [here](#).**

At the hearing of the case in November 2023, the student gave evidence of “[losing] 11 or 12 weeks of school between March and November 2020” (beginning when he was in his third year of secondary school) and noted that “once you fall behind, it’s very difficult to catch up”. This caused significant difficulty for him in his progression to third level education.

The Minister argued that the WRC could not hear complaints about Government policy decisions or the allocation of resources. These objections were rejected by the WRC Adjudicator. The WRC’s ruling firmly establishes that a public body cannot rely on a claim that its actions involve decisions on spending public funds to justify a form of discrimination.

*“The system often makes you feel you are being unreasonable; ‘Mad mother syndrome’. All I wanted for my son and others was access to what he was entitled to, not next year, not in the future, but then when it mattered most.*

*Had FLAC not stepped in to guide me in this process, to explain to me I was not mad, that this was not fair, that I could fight this, it would have been just another set of emails and phone calls going into the bureaucratic abyss... FLAC’s support and this case has been so significant for my son, not just for his education but also for how he sees his place in the world. It has been significant for all the other parents of blind and vision impaired students who have come on this journey with us.”*

**- Eithne Walsh, the complainant’s mother and Disability Rights Activist**



## Social Welfare Casework

FLAC provided legal representation to 11 people in social welfare cases during 2024. All but one of FLAC's 2024 social welfare casefiles were connected to the **habitual residence condition for access to means-tested social welfare payments and Child Benefit**.

FLAC has repeatedly highlighted the **disproportionate negative impact the Habitual Residence Condition has on Roma** and their ability to access basic social welfare payments. We are also concerned that the condition acts as a **barrier to accessing Supplementary Welfare Allowance** (which is supposed to operate as a social safety net).

**In 2024, there were two significant positive outcomes in cases concerning the habitual residence condition. Both cases concern the Department of Social Protection adopting rigid and narrow interpretations of the law concerning EU Citizens' right to reside in Ireland:**

### Habitual Residence Condition: Case Study 1

FLAC represented an older, Lithuanian man with a disability in High Court judicial review proceedings. The case concerned his right to reside in Ireland as the dependent relative of his daughter, an EU worker in Ireland, and his resulting entitlement to Disability Allowance. The Department had refused his application for the payment on the basis that people who have a right to reside as dependent relatives cannot also receive social welfare payments. However, in 2023 (in the *Voican* case), the Court of Justice of the European Union found that the Department's position was contrary to EU law. As a result of that decision, FLAC's client's judicial review case settled in his favour and he was awarded Disability Allowance

## Habitual Residence Condition: Case Study 2

FLAC acted for a Roma family with no form of income after the father became unemployed due the deterioration of his health. His application for Disability Allowance was refused on the basis that he had lost his status as an EU worker. His son, who has a complex developmental disorder, is in full-time education. The son also applied for Disability Allowance after 'aging out' of entitlement of Domiciliary Care Allowance. That application was also refused.

The EU *Teixiera* case establishes that EU workers retain **a right to reside when they are the primary carers of children in education**. The Department argued that the *Teixiera* rule only applies to single parents. In two linked social welfare appeals, FLAC argued that the Department's interpretation would render our clients' rights under EU law meaningless. Both appeals were successful and our clients were awarded Disability Allowance with significant arrears.



*FLAC's Managing Solicitor Sinéad Lucey addressed the Oireachtas Social Protection Committee*

## Section Three: Policy & Law Reform

Fair and just laws are an essential overarching component of access to justice. FLAC develops policy and law reform recommendations on all aspects of access to justice, human rights, and equality, and in areas such as housing/homelessness, social welfare, and equality/discrimination. These are the areas where people and communities experiencing discrimination, disadvantage and poverty are most likely to have a legal issue or multiple legal issues (i.e. the problems encountered by people experiencing 'clustered injustice').

Our recommendations are informed by FLAC's first-hand experience of providing legal assistance. They draw on insights from individual cases to promote systemic reforms. Our policy work seeks to ensure that FLAC's casework benefits a wider community, in addition to the individual client.

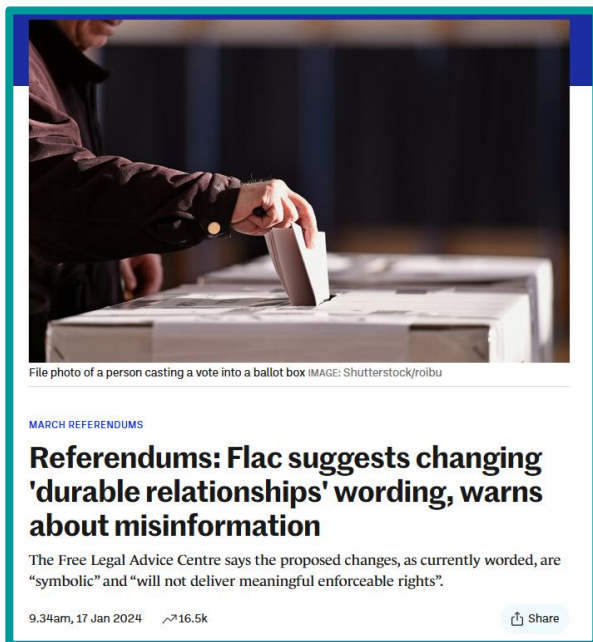
### Equality & Discrimination

#### Family & Care Referendums

Beginning in 2022, FLAC undertook a considerable amount of policy, research and advocacy work concerning the proposals to make amendments to the Constitution in the areas of Equality, the Family and Care. FLAC sought to ensure that any proposed constitutional amendments would contain the best and most effective wordings - which would require changes in law and policy and, as a result, practical improvements in the lives of women, paid and unpaid carers (who are mostly women), older people, people with disabilities, single parents and diverse families.

*"The Constitution is not just about symbolism. It is our fundamental, overarching legal document - setting out the core rights of citizens and defining and setting the parameters of the role and responsibilities of the State. The wording of the amendments is key and will determine whether the new provisions require the State to provide real improvements in people's lives and rights. The Repeal and Marriage Equality amendments did this by requiring substantial and historic legislation to be introduced."*

**– FLAC Chief Executive, Eilis Barry**



In January 2024, FLAC published a submission with [proposed improvements to the wording for the Family and Care amendments](#) (which had been published in two Government Referendum Bills). FLAC highlighted that the Care amendment was not likely to provide carers, people with disabilities or older people with any new enforceable rights or to require the State to provide improved childcare, personal assistance services, supports for independent-living, respite care or supports (at home or in school) for children with disabilities. The submission also set out matters which needed to be addressed by Government to provide clarity on

the rationale for and intended effects of the proposed new constitutional provisions.

FLAC highlighted that the Family amendment was not accompanied by any draft legislation to define who would come within the new definition of 'the family' in the first instance and setting out the amendment's legal and practical consequences in areas such as family, taxation, succession and social welfare law.

FLAC met with members of both the Dáil and the Seanad to discuss our recommendations and concerns. Those matters were raised by multiple opposition politicians as the Bills proceeded through the Oireachtas.

FLAC sought to act as a source of much-needed independent legal analysis during the referendum campaigns. On 19 February 2024, FLAC published our [Legal and Human Rights Analysis of the Proposed Family & Care Constitutional Amendments](#).

FLAC supported the Family amendment but not the Care amendment which was "implicitly sexist", contrary to the principles enshrined in the United Nations Convention on the Rights of Persons with Disabilities and "seemed to have been carefully worded to ensure that it would have the most minimal of legal consequences". That amendment was also criticised by IHREC and Disabled Persons' Organisations. FLAC's analysis

*"Its wording keeps care behind closed doors, and does the same for those who need it. As the Free Legal Advice Centre (Flac) has pointed out, the only consideration of people with disabilities in the Constitution would be 'an implicit reference to them as the subject of family care'. John Charles McQuaid would have heartily approved."*

– Fintan O'Toole, [The Irish Times](#)

received a significant amount of national media attention. There was also very positive feedback from many people with disabilities and carers.

Both the family and care referendums were rejected by the electorate on 8 March 2024.


In November 2024, the Supreme Court decision in the *BM* case confirmed that words such as “endeavour” or “strive” do not “[commit] the State to the provision of any particular form or level of support or [give] individual mothers any legally enforceable right to support from the State” as FLAC had warned in our legal analysis of the proposed Care amendment.

Opinion

### Failed referendums can be the starting point for real reform

Many are disappointed that Article 41.2 remains and diverse families did not get constitutional protection. But overwhelming No-No vote in referendums does not mean social change has stalled

✕ Expand



People from the Equality Not Care group, who campaigned for a No vote. The emergence of a strong disability justice movement became very clear during the referendum campaigns. Photograph: Damien Storan/PA Wire

Eilis Barry

Mon Mar 18 2024 - 06:30

***“What we have learned from the referendums can be used as the starting point for creating law reform programmes that aim to achieve substantive change for families, carers and people with disabilities.”***

– Eilis Barry in an Irish Times [opinion piece](#) which was published on 18 March 2024

## Gender Equality

On 21 May 2024, Eilis Barry delivered the keynote speech at the Treoir AGM. The speech focused on FLAC's experience and what it can tell us about rights and equality for diverse families in Ireland in 2024 and how they can be strengthened. In particular, it examined two major areas of work for FLAC which culminated in defining events for the rights of diverse families: the judgment of the Supreme Court in the *O'Meara* case and the 'family' referendum in March.

In October 2024, building on our work around the Referendums, FLAC made a [submission to the Department of Children, Equality, Disability, Integration and Youth to inform the next National Strategy for Women and Girls](#). The submission emphasises that equality/non-discrimination, access to justice, and human rights should be pillars of the new strategy and made recommendations in each of those areas. It repeated FLAC's call for stronger equality and anti-discrimination provisions in the Constitution and highlighted that the new strategy should respond to the clear demands that emerged during the 2024 'family' and 'care' referendums for practical improvements in law and policies for groups including carers and people with disabilities.

## Review of the Equality Acts

In 2021, on foot of a campaign by FLAC, the Minister for Children, Equality, Disability, Integration and Youth announced that his Department would undertake a comprehensive review of Ireland's equality legislation. FLAC supported civil society engagement with the Review and made detailed submissions (including draft amendments to the equality legislation). In late 2024, the Minister received Cabinet approval for a draft Bill to amend the Equality Acts

The draft Bill arises would make a number of very significant and welcome changes to Ireland's equality legislation which will have a positive impact especially for Travellers and people with disabilities, and in promoting access to justice. FLAC believes that the publication of the scheme is a very important opportunity and that issues and gaps in the General Scheme (such as the absence of a proposal to introduce a new 'disadvantaged socio-economic status' ground) should be addressed through the pre-legislative scrutiny process. FLAC will engage with that process and support civil society engagement with it as the Bill progresses.



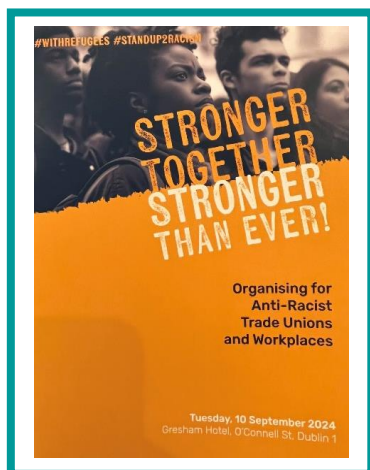
## Anti-Racism

On 10 September 2024, Eilis Barry spoke at an event organised by the Irish Congress of Trade Unions on the work undertaken by FLAC in the area of anti-racism.

FLAC, along with representatives of the Irish Council for Civil Liberties (ICCL) and the Irish Network Against Racism (INAR),

briefed a delegation from the European Commission against Racism and Intolerance (ECRI) on 4 November 2024.

In November 2024, FLAC participated in IHREC's Roundtable on the Experiences of People of African Descent in Ireland on 14 November 2024. We highlighted the need for dedicated legal services for minority ethnic and migrant communities.



*FLAC, INAR and ICCL with the ECRI Delegation*

## Social Welfare

### Legislating for O'Meara: The Bereaved Partners Pension Bill

FLAC made a [submission to the Oireachtas Social Protection Committee regarding the General Scheme of the Bereaved Partner's Pension Bill 2024](#). The legislation outlined in the General Scheme gives effect to the O'Meara judgment by expanding entitlement to social welfare schemes that are aimed at bereaved partners and families to qualified cohabitants and their children. FLAC represented John O'Meara and his children in their successful challenge to the legislation that excluded them from access to a Widower's Contributory Pension.

FLAC very much welcomes the Government's implementation of the O'Meara decision through the 2025 Bill. In particular, we welcome the inclusion of bereaved cohabitants who do not have children in the expanded scope of the relevant schemes. This is not strictly required by the O'Meara judgment but represents a compassionate and generous response to its findings. The 2025 Bill will have a significant positive impact for cohabiting couples and families who, like the O'Meara family, suffer a bereavement and the emotional and financial impact that that inevitably entails.

FLAC's Sinéad Lucey and Christopher Bowes appeared before the Committee on 2 July 2024. In her [opening statement to the Committee](#), Sinéad Lucey (FLAC Managing Solicitor) stated that FLAC welcomes the legislation which *"gives effect to the O'Meara judgment by expanding entitlement to social welfare schemes aimed at bereaved partners and families to qualified cohabitants and their children"*.

However, FLAC also expressed concerns about provisions in the draft legislation which would prevent certain families from accessing social welfare payments after a bereavement:

*"At present, people who are separated or divorced from a spouse or civil partner may access a survivor's pension if that spouse or civil partner dies, provided that they (the surviving partner) have not remarried and are not cohabiting with someone else. The General Scheme would remove this entitlement... There is no clear rationale for this change and it may run contrary to the principles underpinning the O'Meara decision... We do not see any objective justification for the introduction of legislation which distinguishes between the children of separated or divorced parents and children whose parents were married, in a civil partnership or cohabiting."*

In its report to the Minister for Social Protection, the Committee endorsed FLAC's recommendations for strengthening and expanding the Bill.

### **Social Welfare Decision-Making: All Island Social Security Network Conference**

FLAC participated in the All-Island Social Security Network's (AISSN) inaugural conference on 20 June 2024. Christopher Bowes presented a paper entitled ["A human rights and equality analysis of social welfare decision-making in Ireland"](#).

The paper has since been published on the AISSN website. It includes recommendations for improving the quality of social welfare decision-making drawn from FLAC's practical experience in this area.

## Traveller Accommodation

FLAC was invited to appear before the Joint Oireachtas Committee on Key Issues affecting the Traveller Community in March 2024. In advance, we made a [submission on access to justice, human rights, and equality in the context of Traveller Accommodation](#).

In her [opening statement to the Committee](#), Sinéad Lucey expressed disappointment about the absence of “meaningful legal changes in the areas of Traveller accommodation [and] equality

*law [in recent years]... This is despite the introduction of the Housing For All plan, the establishment of the Housing Commission, a Government commitment to a referendum on housing, the initiation of a comprehensive review of the equality legislation, and the development of a landmark Planning and Development Bill.”*



FLAC & CLM with Senator Eileen Flynn

## Housing

In April 2024, FLAC (along with Mercy Law, CLM, and Crosscare) wrote to the Minister for Housing and Oireachtas Housing Committee to express our grave concerns about proposed legislation which would introduce ‘right to reside’ and ‘habitual residence’ conditions for access to social housing supports.

FLAC subsequently made a [submission to the Oireachtas Housing Committee](#) which called for the proposals to be abandoned: “*The current proposals could prevent access to social housing supports (including the Housing Assistance Payment) and massively increase the risk of homelessness for non-Irish nationals and minority ethnic and migrant communities who already experience discrimination and disadvantage.*”

The submission called for an overall review of the social housing and homelessness legislation: “*At present, the law in these areas is not informed by a recognition of adequate housing as a right. FLAC believes that rights-based reform of housing and homelessness law is needed to address the current housing and homelessness crisis and as an important precursor to the introduction of a constitutional right to adequate housing.*”

## Access to Justice

### Review of the Civil Legal Aid Scheme

Throughout 2024, Eilis Barry continued to participate in the Review of the Civil Legal Aid Scheme as FLAC's nominee to act as a member of the Review Group. The Review is a golden opportunity for fundamental Civil Legal Aid reform and the reimagining of public legal assistance in Ireland.

### The Irish Human Rights and Equality Commission

FLAC made a submission to inform the Irish Human Rights and Equality Commission's new Statement of Strategy and engaged with IHREC on its work promoting access to justice for people with disabilities.

FLAC's views are reflected in IHREC's 2024 [report on access to justice for people with disabilities](#).

### Access to Justice for People in Prison

Eilis Barry and Christopher Bowes both spoke at Irish Penal Reform Trust (IPRT) events about access to justice and public interest litigation for people in prison. A [report by Dr Amina Adanan for IPRT](#) adopted several of FLAC's recommendations on access to justice and public legal assistance including by calling for a survey of the legal needs of people in prison and the "*establishment of a pilot scheme to provide targeted information to people in prison*".

The IPRT have published an account of Christopher's contribution at their [Know Your Rights: Information, Advocacy and Remedies Conference](#) in August 2024.



*Christopher Bowes (FLAC) at the IPRT Know Your Rights Conference*

## Access to the Courts

FLAC made a [submission to the Courts Service on their Strategic Plan for 2024-2027](#).

The submission is centred around access to the courts – which is an essential element of the right of access to justice.

Justice has not traditionally been viewed as a vital public service like health and education. For example, Ireland is one of the few OECD countries that does not measure legal need – the assessment of which should inform how our justice system is organised and resourced. Reform needs to be data-driven, user-centric and outcome-focused and we believe that the recommendations in our submission would support such an approach.

The submission discusses access to legal information, data collection and publication, and the need for measures to promote equal treatment of all court users. Those measures include the need for an ‘Equal Treatment Bench Book’ to provide guidance on how minority groups should be treated in court, the reform and simplification of court rules, forms, and procedures, and the inclusion of court users and representative NGOs on Courts Rules Committees.

**FLAC believes that Court Rules Committees should be diversified to include representatives of court users and relevant NGOs (such as those which work with victims of domestic violence). There should be a transparent and participatory process for the reform and simplification of court rules, forms and procedures.**

**FLAC believes that a publicly-available ‘Equal Treatment Bench Book’ should be developed which provides guidance to judges, lawyers and court users on equal treatment in the courts and tribunals.**



## Section Four: Access to Justice Events

FLAC organises events and participates in initiatives which promote the right of access to justice.

### Blinne Ní Ghrálaigh KC delivers annual FLAC Justice Lecture



*Blinne Ní Ghrálaigh in conversation with Eilis Barry*

Blinne Ní Ghrálaigh KC delivered FLAC's Annual Justice Lecture (in memory of Dave Ellis) on 4 December 2024 at the King's Inns. There was a huge interest in and turnout for the event.

Blinne Ní Ghrálaigh KC, a barrister with Matrix Chambers, London, came to international attention in 2024 when she presented part of South Africa's case against Israel under the Genocide Convention in the International Court of Justice. Her talk covered her practice as a barrister in several significant cases concerning the right to protest. She

also outlined the extent of Ireland's obligations in light of the ICJ Advisory Opinion on the Occupied Palestinian Territory.



### FLAC Evening in Fordham University, New York

In May 2024, FLAC and the Fordham University Irish Law Students Association co-hosted a 'FLAC Evening' in Fordham University, New York. At the event, former FLAC Chairperson Peter Ward SC and Professor Philippe Sands KC spoke on the highly topical subject of international law and human rights. FLAC was represented by Eilis Barry at the event.





## Section Five: Staff, Governance & Funding

FLAC is committed to the principles of transparency and accountability and works hard to ensure that all funding is put to the best possible and most efficient use in our efforts to maximise impact and promote access to justice.

FLAC (Free Legal Advice Centres) is a company limited by guarantee not having a share capital and is registered in Dublin (Company Reg. No. 49413). It is recognised by the Revenue Commissioners for charitable tax exemption (CHY No. 6097).

FLAC is registered with the Charities Regulator (Registered Charity Number 20010256), and is fully compliant with the Charities Governance Code. It submits its accounts and annual report to the Charities Regulator each year.

FLAC is an independent law centre under the terms of the Solicitors Acts 1954-2002 (Independent Law Centres) Regulations 2006, S.I. 103/2006.

As a campaigning organisation, FLAC is registered as a lobbyist in line with Regulation of Lobbying Act 2015 and makes returns to the Lobbying Regulator every four months.

FLAC is governed by its Council/Board of Directors who provide guidance on the strategic direction of the organisation. It has a Governance Sub-Committee and a Finance and Audit Sub-Committee which also meets regularly.

### FLAC Council

- ▶ Róisín Fitzpatrick (Chair)
- ▶ David Fennelly (until January 2024)
- ▶ Fiona Donson (joined February 2024)
- ▶ Maria Elena Costa Sa
- ▶ Owen Keany
- ▶ Áine Maguire (until July 2024)
- ▶ Joanne Hyde
- ▶ Don Crewe
- ▶ Julie Herlihy



*FLAC Council members Maria Elena Costa Sa, Owen Keany and Róisín Fitzpatrick with Blinne Ní Ghrálaigh KC*

## FLAC Staff

<b>Junaid Abdulkarim – Pila Legal Research Officer</b>	<b>Deirdre Curtis – Information Line Officer</b>	<b>Kelsey Lee – Legal Officer (until December 2024)</b>
<b>Karan Ahluwalia - Public Interest Litigation Solicitor (since June 2024)</b>	<b>Emily Dornan – PILA Legal Officer (until December 2024)</b>	<b>Stephanie Lord – Legal &amp; Policy Officer (until January 2024)</b>
<b>Eilis Barry – Chief Executive</b>	<b>Catherine Eagers – Legal Secretary</b>	<b>Sinéad Lucey – Managing Solicitor</b>
<b>Christopher Bowes – Legal Officer</b>	<b>Lauren Flanagan – Case Worker (since September 2024)</b>	<b>Oluwatosin Makanjuola – Information Line Support Officer (since November 2024)</b>
<b>Cillian Bracken – LGBTQI+ Clinic Advisor</b>	<b>Samantha Foley – Policy &amp; Legal Researcher (July to December 2024)</b>	<b>Nijole Matiukiene – Housekeeper</b>
<b>Leah Bernasconi - Legal &amp; Policy Researcher (July to August 2024)</b>	<b>Jackie Heffernan – Information Line Officer</b>	<b>Mary McMorland - Information Line Officer (since September 2024)</b>
<b>Erin Brogan – Telephone Information &amp; Referral Line Development Manager</b>	<b>Laura Horan – Information Line Officer</b>	<b>Anne McSharry – Information Line Officer</b>
<b>Kate Brosnan – Information Line Officer</b>	<b>Ethan Johnson - Legal Intern (July 2024)</b>	<b>James Rooney – LGBTQI+ Clinic Advisor</b>
<b>Corina Byrne – Finance, HR &amp; Office Manager</b>	<b>Paul Joyce – Senior Policy Analyst (until August 2024)</b>	<b>Eoin Ryan – Legal &amp; Policy Researcher (June to August 2024)</b>
<b>Molly Byrne – Legal Intern (May to June 2024)</b>	<b>Demetra Herdes – Pila Legal Officer</b>	<b>Maria Saracut - Information Line Officer</b>
<b>Luke Cantwell - Legal &amp; Policy Researcher (until March 2024)</b>	<b>Marie Keating – Information Line Officer</b>	<b>Sinéad Scales - Volunteer Rostering &amp; Support Officer</b>
<b>Conall Cahill – Volunteer Assistant &amp; Information Line Officer</b>	<b>Gillian Kernan – Research Officer</b>	<b>Caroline Smith - Media &amp; Communications Officer</b>
<b>Ingrid Colvin – Clinics Co-Ordinator &amp; Assistant Chief Executive</b>	<b>Liz Lee – Receptionist &amp; Administrative Assistant</b>	

## Funders

FLAC is grateful to all our funders and supporters who have shown their commitment to access to justice through donations and grants. This support enables FLAC to promote access to justice through all of our various work programmes. In 2024, FLAC's funders included:

- ▶ Citizens Information Board
- ▶ Department of Children, Equality, Disability, Integration and Youth.
- ▶ Community Foundation for Ireland
- ▶ Department of Justice
- ▶ Members of the Law Society of Ireland
- ▶ Department of Rural and Community Development through SSNO (2022-2025)
- ▶ Law Centre NI.
- ▶ European Union – DG: JUST Rights Equality & Citizenship Programme
- ▶ St Stephens Green Trust
- ▶ Mabs
- ▶ Embassy of France
- ▶ Members of the Bar of Ireland

FLAC also thanks all the individual barristers, solicitors, donors and Friends of FLAC for their financial support. In addition, PILA was supported by a number of law firms who demonstrated their commitment to pro bono and law in the public interest by becoming Sustaining Partners. Sustaining Partners in 2024 were: A&L Goodbody, Arthur Cox, Matheson, and McCann Fitzgerald.

## FLAC Income & Expenditure 2024

FLAC's accounts are prepared in accordance with FRS102, the Financial Reporting Standard applicable in the UK and Republic of Ireland. FLAC's 2023 accounts were audited by KPMG and our 2024 accounts will be audited by PKF Brenson Lawlor. Our audited accounts are made available in full on FLAC's website. FLAC's financial year runs from 1 January to 31 December. The following extracts are from FLAC's accounts for the year ending 31 December 2024.

<i>Income</i>	<b>2024</b>	<b>2023</b>
Philanthropic Funding	123,158.00	83,178.00
Bar Council & Law Society Members' Contributions	345,843.00	327,726.00
Statutory Funding	844,571.33	682,333.05
Fundraising and Donations	145,284.61	138,282.90
Legal costs received	1,062,184.86	18,478.08
European Funding	39,283.00	0.00
<b>Total</b>	<b>2,560,325.00</b>	<b>1,249,998.00</b>
<i>Expenditure</i>		
Staff costs	1,203,054.75	1,274,078.00
Programme of work	861,192.00	116,999.00
Overheads, equipment & depreciation	148,400.00	189,474.00
	<b>2,212,646.75</b>	<b>1,580,551.00</b>