

FLAC Annual Statistics Report 2008

I. Introduction

FLAC, as an independent human rights organisation, is dedicated to the realisation of equal access to justice for all. To promote this, FLAC offers some basic, free legal services to the public. From our head office, FLAC operates a telephone information and referral line, which is open to individuals, local organisations, advice agencies and social workers during office hours, Monday to Friday. Advice is not given over the phone line, but legal information is provided as well as referral to appropriate agencies and/or FLAC centres.

FLAC currently provides legal information and advice through the 70 legal advice centres, 21 of these centres it administers directly, with the remaining centres run through Citizens Information Centres. These advice centres are open in the evening and the service is provided by volunteer solicitors and barristers. The volunteer legal advisors help callers to establish whether there is a legal solution to their problem, explain what options are open to them and direct them to where they may obtain further assistance.

To provide this service effectively, it is essential for FLAC to have an accurate picture of the legal needs of its callers. With the view to having uniform records, FLAC keep a record of the areas of law discussed over the phone line, and operate a Data Collection Programme where the volunteer legal advisors in the centres record some basic information regarding the legal matters they discuss during each clinic. The information collected from FLAC's telephone line and network of centres is intended to assist FLAC in its development and in its ongoing research and campaigning efforts to improve the provision of State civil legal aid and access to justice in Ireland.

II. Calls to FLAC's Information and Referral Line in 2008

In 2008 FLAC head office received 9,244 telephone enquiries to its information service. This trend is up 53% from 6,034 calls in 2007, 5,786 calls in 2006, 4,480 calls in 2005 and 4,303 calls in 2004, showing an increase in the need for legal information and a growing awareness of FLAC's service. Family law was again last year the largest area of enquiry, with one-in-five calls to the information line being in this sector. The number of employment law queries was also up to one-in-five calls during 2008. The next largest area of enquiry was legal services, followed by consumer law.

Table 1 shows that during 2008 the phone lines were busiest during the period from July to September. The number of debt related calls increased steadily over the year, with figures for October to December double those for January to March. The number of calls received relating to legal aids also increased as the year went on.

The number of calls received regarding employment law and housing and landlord issues fell somewhat as the year passed. Calls about company law concerns also fell towards the end of the year.

Table 1 Information and Referral Line 2008

	Jan-March 2008	Apr-June 2008	July-Sept 2008	Oct-Dec 2008	Total Calls 2008	% of Total Calls 2008
Childrens Rights	10	3	1	5	19	0.2%
Civil	102	54	114	160	430	4.6%
Company	17	13	11	2	43	0.5%
Consumer	136	150	271	118	675	7.3%
Contract	30	36	60	29	155	1.7%
Criminal	124	131	160	111	526	5.7%
Debt	23	38	45	52	158	1.7%
Discrimination/Equality	2	4	0	1	7	0.1%
Employment	618	705	339	199	1861	20.1%
Family	491	504	483	439	1917	20.7%
Housing	27	21	11	6	65	0.7%
Immigration	37	51	40	37	165	1.8%
Landlord & Tenants	50	38	46	73	207	2.2%
Legal Aids	37	79	103	107	326	3.5%
Legal Services	223	232	331	202	988	10.7%
Personal Injuries	44	53	54	49	200	2.2%
Probate	129	110	192	112	543	5.9%
Property	94	93	138	78	403	4.4%
Social Welfare	22	18	23	23	86	0.9%
Solicitor/Client Issues	68	102	98	80	348	3.8%
Torts	21	53	37	11	122	1.3%
Total Number of Calls	2305	2488	2557	1894	9244	100%

The number of calls made to FLAC’s information and referral line has almost doubled since 2004. Table 2 compares the breakdown in calls between 2006 and 2008. The most noticeable increase is the rise in employment law queries, which rose from 6.7% of calls to the information line in 2006 to 20.1% in 2008, accounting for one in every five calls during 2008.

While the actual number of family law calls increased between 2006 and 2008, as a percentage of total calls family law queries fell from one quarter of all calls in 2006 to just one fifth of all calls in 2008, showing an increase in demand for legal assistance in non-family law matters.

The period from 2006 to 2008 also saw a fall in the actual number of calls relating to both housing and property issues.

Table 2 Information and Referral Line 2006-2008

Areas of law discussed on Telephone Information Line		2006	2007	2008	
Civil law	Family	25.1%	22.8%	20.7%	
	Non-family	Children's Rights	-	0.1%	0.2%
		Civil	5.3%	5.0%	4.6%
		Company	-	0.8%	0.5%
		Consumer	14.4%	5.7%	7.3%
		Debt		1.5%	1.7%
		Contract	0.8%	2.5%	1.7%
		Discrimination/Equality	-	0.2%	0.1%
		Employment	6.7%	14.1%	20.1%
		Housing	1.6%	0.9%	0.7%
		Immigration	2.0%	1.8%	1.8%
		Landlord & Tenant	2.5%	2.1%	2.5%
		Legal Aid	1.8%	4.5%	3.5%
		Legal Services	12.4%	18.1%	10.7%
		Personal Injuries	2.5%	1.3%	2.2%
		Tort		-	1.3%
		Probate	6.9%	5.4%	5.9%
		Property	6.2%	3.7%	4.4%
		Social Welfare	1.1%	0.9%	0.9%
Solicitor/Client Issues	3.0%	4.0%	3.8%		
Miscellaneous	2.7%	-	-		
Criminal law		5.0%	4.6%	5.7%	
Total legal queries		5,786	6,034	9,244	

III. Data Collection Programme – FLAC Centres 2008

Concerned that civil legal aid was prioritising family law over other civil matters, FLAC began the Data Collection Programme in 2004 to highlight the need for legal support in other areas. The precise information supplied by our volunteer legal advisers has supported FLAC's representations to government, as well as provided FLAC with suggestions for what areas of training and support our volunteers may be interested in.

Centre Participation

By the end of 2008, 47 legal advice centres were participating in the Data Collection Programme, and 7,233 data collection forms were returned to FLAC head office in 2008. This was a substantial increase on the 4,815 data collection forms returned in 2007. While these statistics do not reflect all FLAC centres, they account for 19 centres in the Dublin area, and 28 centres outside of Dublin. With the numbers of callers to FLAC centres volunteer legal advisors do not always have time to complete the data collection forms as their main job is to provide legal advice. Table 3 shows the returns for each centre during 2008.

Table 3 Data Collection Programme Centre Participation 2008

Centre	D.C.F.s	Centre	D.C.F.s	Centre	D.C.F.s
Aungier Street	177	Pearse St	104	Athlone	126
Ballyfermot	328	Ballymun	262	Mullingar	112
Blanchardstown	414	Rathmines	217	Castlebar	44
Athy	15	NAD	27	Lucan	274
Clondalkin	385	Clonmel	133	Longford	46
Crumlin	342	Thurles	63	Killarney	38
Dundrum	224	Tullamore	124	Killester/Raheney	162
Finglas	483	Newbridge	135	Waterford	13
Listowel	57	Naas	33	Meath St. (Fam&Empl)	274
North King Street	438	Navan	63	Boyle	2
Prussia Street	50	Sligo	140	Balbriggan	92
Tallaght	459	Tralee	70	Drogheda	3
Bray	316	Wexford	98	Ennis	94
Cork	341	Bantry	28	Ashbourne	4
Galway	38	Leitrim	50	Blackpool	24
Ballina	59	(SICCDA) Meath St.	252	Total	7,233

Areas of Law

Callers visiting FLAC’s network of centres seek legal information regarding one or more areas of law. The total number of queries recorded in 2008 was 7,733. Table 4 shows the type of legal queries that FLAC callers brought to its network of centres over the period from 2004 to 2008.

The quantity of family law queries presented to legal advisors have increased over the period from 2004 to 2008, yet as a percentage of total queries has fallen slightly from 35% of all queries in 2004 to 31.5% of all queries in 2008. This trend is also reflected in the number of family law queries received on the telephone information and referral line, again highlighting an increase in demand for legal assistance in non-family law matters.

There has also been an increase in the level of employment law queries brought to the legal advice centres. In 2008 employment law queries accounted for just over 14% of all legal queries, and was the second largest area of law discussed at the centres. The centres also saw an increase in the number of credit and debt related queries. 259 credit and debt queries were recorded in 2008, compared with 159 in 2004.

2008 also saw a significant rise in the number of wills and power of attorney related issues, negligence and personal injury cases, and client-solicitor relations problems. The number of criminal queries brought to the centres rose over the period from 2004 to 2008, but have remained at roughly 5.6% of the total queries brought to the centres over that period.

Interestingly the percentage of queries relating to property or interest in land and housing/ landlord and tenant issues fell in 2008 compared to previous years. So also did the percentage of queries brought to the centres relating to succession and probate.

The group ‘other civil matters’ in 2008 included 46 queries under civil litigation, 38 queries regarding defamation, 28 insurance related queries, 26 issues about contract, 25 company law questions, 25 problems with road traffic accidents, 24 health related issues, and 22 enquiries about education matters.

Table 4 Areas of Law Discussed at FLAC centres, 2004-2008

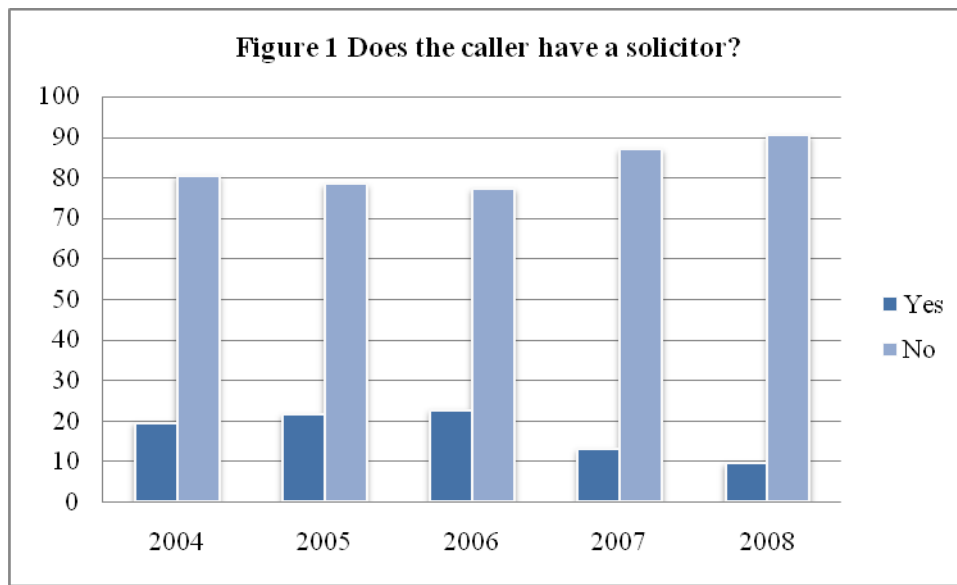
Areas of law discussed at FLAC centres		2004		2005		2006		2007		2008		
		Count	%	Count	%	Count	%	Count	%	Count	%	
Civil law	Family	1249	35.3	1425	37.4	1504	33.7	1,741	32.7	2438	31.5	
	Non-family	Employment Law	361	10.2	343	9.0	455	10.2	508	9.5	1094	14.1
		Succession/Probate	293	8.3	342	9.0	395	8.8	393	7.4	275	3.6
		Property	265	7.5	288	7.6	389	8.7	436	8.2	439	5.7
		Housing/landlord	247	7.0	275	7.2	336	7.5	330	6.2	521	6.7
		Consumer Law	179	5.1	192	5.0	265	5.9	348	6.5	505	6.5
		Credit and Debt	123	3.5	120	3.1	135	3.0	153	2.9	259	3.4
		Neighbour Dispute	-	-	-	-	-	-	205	3.9	157	2.0
		Immigration/Refugee Law	95	2.7	83	2.2	83	1.9	222	4.2	258	3.3
		Negligence/Personal Injury	-	-	-	-	102	2.3	165	3.1	413	5.3
		Wills/ Power of Attorney	3	0.1	1	0.03	13	0.3	14	0.3	268	3.5
		Client-Solicitor Relations	41	1.2	49	1.3	34	0.8	20	0.4	89	1.2
		Social Welfare Law	63	1.8	58	1.5	68	1.5	99	1.9	139	1.8
		Other civil matters	420	11.9	445	11.7	444	9.9	392	7.4	446	5.8
		Total non-family	2090	59.1	2196	57.6	2719	60.8	3,285	61.7	4863	62.7
Criminal law		197	5.6	190	5.0	245	5.5	297	5.6	432	5.6	
Total legal queries		3536	100	3811	100	4468	100	5,323	100	7,733	100	

Has the client engaged a solicitor in relation to the present legal query?

Callers to FLAC centres in 2008 were asked whether they had engaged a solicitor in relation to their query¹. Of the 6,670 callers who answered this question 90.5% had not already discussed their matter with a solicitor. Compared with previous years, the percentage of callers who already had a private solicitor had fallen to less than one-in-ten (Figure 1).

In total, 635 clients said that they had engaged a solicitor in relation to their query. The majority of these queries that had already been discussed with a private solicitor were family law issues. Other areas where clients appeared to require a second opinion were property, succession and probate, negligence/personal injury and client solicitor relations (Table 5).

¹ FLAC does not supply a second opinion service. However, callers sometimes have queries relating to costs or other questions which for reasons of expense or embarrassment they do not feel comfortable bringing to their solicitor.



Of the 635 clients who had engaged a solicitor in relation to their query, 290 were referred back to their own solicitor. 27 callers were advised to contact the Law Society with regard to client-solicitor relations problems that they had discussed the volunteer legal advisor. Considering there were 89 client-solicitor relations queries to FLAC centres in 2008, only one-third of them were referred on the Law Society. 80 callers to FLAC centres during 2008 who already had a solicitor were referred on to the Legal Aid Board.

Table 5 Areas of Law where client had engaged a solicitor, 2008

Areas of law previously discussed with a private solicitor		No. of clients	
Civil law	Family	213	
	Non-family	Employment Law	44
		Succession/Probate	56
		Property	72
		Housing	42
		Consumer Law	24
		Credit and Debt	13
		Neighbour disputes	10
		Immigration/Refugee Law	34
		Social Welfare Law	6
		Wills/Power of Attorney	47
		Negligence/Personal Injury	49
		Client-solicitor relations	49
Other civil matters	28		
Criminal law		40	

Client referral

Callers attending FLAC centres receive first stop/ initial legal information and advice relating to their query. Where further legal advice or legal representation is needed FLAC advisors make referrals to appropriate agencies. The data collection form for 2008 asked the legal advisors

whether they referred the client on to another agency or body. This information was gathered in 6,779 cases, and showed that of these 4,443 (61.4%) clients were referred on to another body.

20% of callers to FLAC centres during 2008 were referred on to the Legal Aid Board for further advice or representation (Table 6). 1,996 of the callers to FLAC centres during 2008 (28%) were advised to consult a private solicitor, 230 of these were being referred back to their own solicitor. 225 clients were informed about family mediation, and 215 were sent to the district courts. Other agencies to which clients were referred in 2008 included the Small Claims Court, the Gardaí, PIAB and the District Court Office.

Of the 1,435 clients referred on to the Legal Aid Board in 2008, 70% of these cases were family law issues (Table 7). The next largest area referred on to the Legal Aid Board was employment law issues, which accounted for only 6% of cases referred on to the LAB, followed by housing and landlord and tenant issues at 5%.

Of the 1,996 clients referred on to a private solicitor in 2008 only 27% of these cases were family law issues (Table 8). Examining the 535 clients who were referred to a private solicitor with a family law query, 191 of these were also advised to contact the Legal Aid Board to explore an application for civil legal aid. This would imply that the remaining 344 clients who called to FLAC centres during 2008 were referred onto a private solicitor rather than the Legal Aid Board with a family law query. Assuming that the volunteer legal advisor decided not to refer these clients to the Legal Aid Board because they felt they would not satisfy the means test, the question still remains as to whether these clients can afford a private solicitor.

The remaining 1,461 clients who were referred on to a private solicitor with matters other than family law concerns, may not have had the option of applying for civil legal aid due to the list of matters excluded from the civil legal aid scheme, such as defamation, disputes concerning rights and interests over land, civil matters in the jurisdiction of the Small Claims Court and criminal matters. Again the question remains as to whether these clients can afford a private solicitor.

Table 6 Client referrals, 2008

Client referred to:	Number of clients:
Legal Aid Board	1,435
Private solicitor	1,996
Family mediation	225
MABS	71
FLAC	53
CIC	79
District Court	215
Other	1,068

Table 7 Areas of law referred on to the Legal Aid Board, 2008

Areas of law referred on to Legal Aid Board			No. of clients
Civil law	Family		1,014
	Non-family	Employment Law	82
		Succession/Probate	25
		Property	34
		Housing	75
		Consumer Law	34
		Credit and Debt	38
		Neighbour disputes	10
		Immigration/Refugee Law	28
		Social Welfare Law	28
		Wills/Power of Attorney	32
		Negligence/Personal Injury	49
		Client-solicitor relations	3
Other civil matters	38		
Criminal law			59

Table 8 Areas of law referred on to a private solicitor

Areas of law referred on to a private solicitor			No. of clients
Civil law	Family		535
	Non-family	Employment Law	274
		Succession/Probate	128
		Property	199
		Housing	123
		Consumer Law	126
		Credit and Debt	72
		Neighbour disputes	59
		Immigration/Refugee Law	42
		Social Welfare Law	19
		Wills/Power of Attorney	114
		Negligence/Personal Injury	206
		Client-solicitor relations	28
Other civil matters	110		
Criminal law			152

IV. Summary

2008 was a busy year both on the telephone information and referral line and in the centres. Statistics for the telephone lines showed an increase of 53% of the number of calls received in 2007, and showed that twice as many calls were received in 2008 than in 2004.

Two-thirds of FLAC legal advice centres contributed to the Data Collection Programme in 2008, up from just half of our centres in 2006. The number of data collections forms received in 2008 through the Data Collection Programme was also 50% higher than in 2007.

Family law continues to be the largest area of enquiry on both the phone lines and in the centres. However, while the actual number of family law calls increased between 2006 and 2008, as a percentage of total calls family law queries fell from one quarter of all calls in 2006 to just one fifth of all calls in 2008, showing an increase in demand for legal assistance in non-family law matters.

Employment law queries and credit and debt queries also increased both on the phone lines and in the centres in 2008 compared with previous years. In 2008 employment law queries accounted for just over 14% of all legal queries, and were the second largest area of law discussed at the centres.

There were marked increases in queries related to our specialized areas of work including debt and credit as well as social welfare. From 2004 to 2008 there was a 55% increase in people attending FLAC centres with social welfare issues (29% increase from 2007 to 2008) and the number of people with debt and credit queries more than doubled in 2008 from the 2004 figure (53%). These increases may be due in part to the change in economic climate but they may also be due to a greater media profile and campaigning work which means that other organisations working in these areas may also refer people to FLAC.

In relation to our campaign for a comprehensive civil legal aid scheme there has been an increase in property queries in FLAC centres which would suggest this is an issue which needs to be addressed by the Legal Aid Board who should reconsider their position on disqualifying people who need assistance in a dispute or right over land.

Also in queries related to immigration or refugee law, despite the drop in asylum applications and the enlargement of the EU in 2004, the figures for 2007 and 2008 were significantly higher than the previous 3 years. There is a need to ensure that persons with such queries are able to access appropriate legal advice and representation through the legal aid board if necessary.

One in ten callers to FLAC centres in 2008 already had a private solicitor. Only 8% of callers who already had a solicitor called to a FLAC centre to discuss problems they were having with their own solicitor. Most of these callers came to a centre to discuss a family law, property, succession/probate or wills and power of attorney issue.

During 2008, one in every five callers to a FLAC centre was referred on to the Legal Aid Board for further advice or representation. 70% of these callers referred on to the Legal Aid Board were referred on with a family law matter.

One in every four callers was advised to contact a private solicitor. However, only one quarter of these callers referred on to a private solicitor were referred on with a family law query. Other areas where callers were referred on to a private solicitor were employment law, negligence//personal injury and property issues.

FLAC would like to take this opportunity to thank all those who contributed to the collation of the above information for their commitment to the data collection programme, which provides valuable insights to the wider community on the gaps that remain in meeting legal need in Ireland.