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# flacNews

FREE LEGAL ADVICE CENTRES

## Time to repair austerity damage to civil legal aid scheme:

### “Accessing Justice in Hard Times” report launched



Photo: Collins Photo Agency

L-R: PILA Legal Officer Eithne Lynch, FLAC Director General Noeline Blackwell, FLAC Legal & Policy Officer Ciarán Finlay & FLAC Volunteer Manager Zsé Varga.

**F**LAC published its latest report on the civil legal aid system in Ireland, *Accessing Justice in Hard Times*, in February. The report was officially launched at the Carmelite Centre on Aungier Street following the conclusion of a legal education session for NGOs and community organisations on the civil legal aid scheme in Ireland, organised by PILA (see page 11).

Speaking on the day were FLAC Director General, Noeline Blackwell, and FLAC

Legal & Policy Officer, Ciarán Finlay, who authored the report. Over 60 individuals representing over 25 organisations attended the launch.

While FLAC has produced a number of analyses of the legal aid scheme over the past decade, our latest report delves into the impact of the economic crisis on a system that was already struggling. The aim of the report was to shed light on how the civil legal aid scheme in Ireland was affected by the economic crisis, what

changes were made to the scheme in response to the recession and what were the consequent effects of these changes on those seeking access to justice.

FLAC also assesses whether the State complied with its obligations under domestic and international human rights law to ensure equal access to justice for those on low incomes during the economic downturn. The report makes the case for maintaining funding of civil legal aid services in

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# DIT collaboration yields impressive legal research from students

**T**his year, FLAC worked with the Department of Law at Dublin Institute of Technology (DIT) as part of two community-based learning modules entitled 'Law & Research Clinics'. The modules, facilitated by Dr Deirdre McGowan, involve students working on a legal research project with a non-governmental organisation, in this instance FLAC.

At the beginning of the academic year, FLAC's Legal & Policy Officer Ciarán Finlay commissioned two research projects and delivered a talk to students about FLAC's work and why the research was necessary. The assigned projects were a study on the impact of the recession on housing rights and an

assessment of the Irish social welfare appeals system.

Following completion of the projects, the students were invited to FLAC's Head Office on Dorset Street where they presented to staff on the research they had undertaken. Attendees were extremely impressed with both the quality of the presentations and the amount of work carried out by the students.

In recognition of FLAC's engagement with the project and the support provided to the students, the organisation received an award from DIT President, Prof. Brian Norton, at the 2016 "Students Learning with Communities" annual awards event, held in April. 



Law student Rachel Power, FLAC Legal & Policy Officer Ciarán Finlay, President of DIT Prof. Brian Norton & Dr Deirdre McGowan.

# In the Shadow of O'Casey: First FLAC fundraiser for new HQ in honour of literary and social giant

**F** LAC has been based on Lower Dorset Street in Dublin's North Inner City since 2003. A very generous parting gesture from our former funder, The Atlantic Philanthropies, has allowed us to buy a larger building on Upper Dorset Street in which we can carry out our work and which can accommodate an in-house legal advice clinic for the public.



Colm Mac Con Iomaire

The new building will allow us to have a space where we can host information seminars and meetings and reach out to local groups and communities, as well as our telephone information line and our work on law reform, volunteer support and public interest litigation.

This building has a special significance: renowned playwright Sean O'Casey was born on the original site in 1880. Through his writing O'Casey campaigned for justice: for ordinary people to have the resources to control their own lives, something that FLAC strongly believes in and works for.

FLAC has begun a campaign to raise funds for the extensive renovation required by the building. We kicked off this initiative with a fantastic evening of music and drama honouring O'Casey's heritage in the new building on 1 May. Places at the fundraising event were limited due to venue capacity, but it was a unique chance to hold the event in the building prior to construction. The atmosphere was, accordingly, very special, as FLAC Chairperson Peter Ward acknowledged on the evening.

FLAC was immensely fortunate to have the help of archivist, artist and broadcaster Catriona Crowe in organising the event

and she was MC for the evening, educating and entertaining the capacity crowd with a description of O'Casey's life and heritage.

Internationally acclaimed actors Stephen Rea, Sinéad Cusack and John Kavanagh, with highly regarded members of theatre company ANU Productions, Robbie O'Connor and Alex Conlon, performed scenes from O'Casey's iconic play, *Juno & the Paycock*. ANU Productions managed the staging of this special event under its Director, Louise Lowe, as well as her team of Leanna Cuttle, Fiona Keller and Sorcha Ní Fhloinn.

**FLAC is continuing to raise funds to renovate the new building and we would be delighted to talk to anyone who would like to contribute to realising our vision of a modern, fit-for-purpose headquarters that is sustainable and independent far into the future – contact Catherine at [fundraising@flac.ie](mailto:fundraising@flac.ie) for more information.**

Musical entertainment was from the wonderful Maighréd and Triona Ní Dhómhnaill, who performed some pieces from O'Casey's era to intersperse with scenes from the play to a delighted audience. Closing the night with a superb selection of his own compositions was musician Colm Mac Con Iomaire.

FLAC was especially honoured to have the daughter of Sean O'Casey, Shivaun O'Casey, with us on the evening. She spoke movingly of her father, his work and beliefs, and in a spine-tingling moment read one of his semi-autobiographical pieces about his birth in the actual place where he was born.

FLAC is extremely grateful to these performers who gave their time to support FLAC. We are also thankful to graphic designer Grainne Murray, photographer Pat Redmond, Anthony White of Whitewashed films and calligrapher Noeleen Frain. We want to thank Margaret Dorgan who worked with us to ensure the event was such a success.

Finally, we would like to thank all who attended this fundraising event and hope it was an enjoyable and memorable occasion for one and all. 🍷

R: Peter Ward and Shivaun O'Casey



Alex Conlon as Mary and Sinéad Cusack as Juno/Mrs Boyle



L: Stephen Rea and John Kavanagh



Stephen Rea (Capt Boyle), John Kavanagh (Joxer) and Sinéad Cusack (Juno)



L: Catriona Crowe R: Maighréd Ní Dhómhnaill



All photos by Pat Redmond

## Accessing Justice in Hard Times

(Continued from front page)

times of economic constraint and formulates recommendations for improving access to justice.

The report shows that as the recession took hold, pressures on the Legal Aid Board increased, reducing already limited capacities and straining a system which was never comprehensive to begin with. With poverty levels rising during the downturn, more people found themselves eligible for services provided by the Legal Aid Board and, consequently, demand for such services increased dramatically. Between 2007 and 2011, the number of applications for legal services provided by the Board, excluding asylum-related applicants, rose from 10,164 to 18,657. Despite this heightened demand, however, the Board's funding and staffing levels were actually cut.

Inevitably, and despite the dedication and hard work of its staff, the Legal Aid Board's capacities were severely diminished. As the scheme became more over-stretched, it buckled.

Between 2007 and 2013, the number of people waiting on a first consultation with a solicitor increased by 335% from 1163 to 5067. Furthermore, between 2007 and 2012, the maximum waiting time in a Law Centre for a first consultation with a solicitor surged from 6 months to 15 months. These chronic delays had massive adverse consequences for those in need of timely access to justice.

In response to greater levels of demand, the State sought to limit the growing numbers of people eligible for the scheme through a variety of measures. One example of this was that the minimum cost of legal advice rose from €10 to €30, and for legal representation from €50 to €130. The inevitable effect of raising costs

for legal services was both to deter and deny our poorest, most vulnerable people access to the scheme. FLAC's principal concerns relate to the impact of this move on those whose primary source of income is a social welfare payment, including those under the age of 26 who receive reduced payments, as well as people at risk of or



L-R – PILA Legal Officer Eithne Lynch, FLAC Director General Noeline Blackwell, FLAC Volunteer Manager Zsé Varga and FLAC Legal & Policy Officer Ciarán Finlay.

Photos by Collins Photo Agency

subject to domestic violence.

Victims of domestic violence are particularly vulnerable during periods of austerity due to higher levels of financial abuse and a greater inability to escape violent relationships. Furthermore, victims of domestic violence – and those at risk of it – will often have to make recurring applications for legal aid which can be very costly, especially given the rise in required financial contributions.

During the course of the economic crisis, the restrictive nature of the civil legal aid scheme also came into sharp focus. Issues related to social welfare payments, mortgage arrears, housing repossessions, redundancies and unfair dismissals are in large part excluded from the remit of the

civil legal aid scheme. However the reality is that legal need in these areas grew considerably during the recession, which is supported by statistics from FLAC's telephone information and referral line and from volunteer lawyers in the network of free legal advice centres all over Ireland.

The Board's failure to expand its remit to cover more areas of civil law, especially to include issues which became more prevalent during the recession, created extra barriers for vulnerable and marginalised

groups seeking to access justice. It also calls into question Ireland's compliance with international human rights law.

The European Court of Human Rights has ruled that the blanket exclusion of any area of the law from a civil legal scheme breaches Article 6 of the European Convention on Human Rights. Furthermore, during Ireland's June 2015 examination under the International Covenant on Economic, Social and Cultural Rights, the UN Committee on Economic, Social and Cultural Rights expressed concern at the restrictive nature of the Irish civil legal aid scheme. The Committee's view was that the system "prevents especially disadvantaged individuals and groups from claiming their rights and obtaining app-



*Measures must be taken to ensure that legal fees for victims of domestic violence are abolished, that sufficient human and financial resources are allocated to the Legal Aid Board and that the remit of the civil legal aid scheme is expanded.*

ropriate remedies, particularly in the areas of employment, housing and forced evictions, and social welfare benefits". It recommended that the remit of the civil legal aid scheme be expanded.

While the need for ensuring an efficient, accessible and sustainable system of civil legal aid is always important, it assumes even more importance in times of economic difficulty. The report stresses that schemes must be well equipped to ensure that vulnerable groups, who often suffer disproportionately in times of economic constraint, can access the legal support they need. They also provide people on low incomes with an avenue to vindicate their socio-economic rights, which are more likely to be violated in recessionary times as budgets tighten. Moreover, in times of economic difficulty, demand for state-subsidised legal aid will inevitably increase. People become poorer and need legal advice and representation to negotiate new and greater problems.

In Ireland's case, restrictions, cuts and delays disproportionately impacted on vulnerable and marginalised groups seeking to access justice during the economic crisis.

FLAC's view is that now, as pressure on the system abates, measures must be taken to ensure that the scheme is fit for purpose. In the report, we propose a number of actions to that end, including that legal fees for victims of domestic violence are abolished, that sufficient human and financial resources are allocated to the Legal Aid Board and that the remit of the civil legal aid scheme is expanded.

Inaction means that when the next crisis hits, those on the margins will once again fall through the cracks.

FLAC would like to acknowledge the financial support provided by the International Bar Association Foundation for this report. The report, together with an executive summary and a key facts sheet, drawn from FLAC's latest research, are available on the FLAC website. [flac.ie](#)



Noeline Blackwell



Noeline Blackwell & Ciarán Finlay



Ciarán Finlay



Noeline Blackwell addresses attendees.

# Borrowers urgently need support to stay in homes

In May 2015, with the mortgage arrears situation still a grave and intractable problem for thousands of households around the country, the government announced a three-point plan to strengthen measures supporting troubled borrowers. This was followed in January 2016 with a further announcement that the state would provide financial and legal assistance to insolvent debtors in mortgage arrears.

FLAC has long called for such a mechanism to assist over-indebted people to address their situations and so was very interested in how the scheme was to roll out. As of the time of writing, the legal aid component has not yet commenced. However the earlier part of the scheme had entailed the Money Advice & Budgeting System (MABS) building on its outreach work and setting up a physical presence on the ground at some courts around the country.

FLAC decided to send some observers to attend County Registrar proceedings in a number of courts around Leinster in order to ascertain how this 'court mentoring' service is working in practice. This also provided the opportunity to make some observations on trends in the arrears cases we witnessed.

Outside some of the courtrooms we visited, MABS had a banner and a desk so that people could easily identify and approach them should they require financial advice. The Insolvency Service of Ireland were also available to assist people in some locations.

Inside the court, at least two MABS representatives and one employee from the Insolvency Service were in attendance for most proceedings. Feedback from the MABS advisors gave a bigger picture of how the service is impacting on people in practice. Most debtors in attendance were already engaging with MABS or were receiving some form of assistance. MABS



would attempt to speak with debtors attending for the first time outside of the courtroom, and said they frequently followed up with people after initial contact.

In the main, County Registrars took care to draw attention to MABS and the upcoming legal aid scheme, urging debtors to seek expert advice where they were not already doing so. Where debtors attended court, County Registrars explained the importance of remaining engaged with their lender and the meaning of various legal terms such as the Practice Direction Adjournment, which is an automatic postponement of proceedings for those who have been summoned for the first time. County Registrars frequently permitted adjournments where the debtor was clearly engaging with the process, making payments or at least making an effort to explain their situation.

Nonetheless, critically, overall attendance of debtors was low, averaging around 10% in most proceedings. In some instances, where one party was in attendance, the other named defendant was not present due to ongoing family law issues. It is clear that possession orders are granted most often in circumstances where debtors have shown no sign of engagement in the process.

What also became clear is that the psychological effects of debt are an

overwhelming factor where debtors disengage with services such as MABS and the Insolvency Service after initially engaging with them. The low level of awareness among debtors around the availability of expert advisory schemes also impacts on the service.

The approach of County Registrars combined with the services of MABS and the Insolvency Service, both inside and outside the courtroom, have been helpful to debtors thus far. The hope is that the new government scheme, if well publicised and clearly articulated, will help to further alleviate the pressure on debtors and enable a long-term, sustainable solution for people faced with this kind of debt.

However, a lack of awareness and low attendance are proving a barrier to people getting help. Eight years after the onset of the financial crisis, mortgage arrears continue to be a source of great distress for people. Central Bank figures at the end of March showed that overall mortgage arrears had fallen by the end of 2015 to around 12% of all those with mortgages on their main homes in Ireland. A large number of mortgages have also been restructured. But the situation for the more than 30,000 mortgage accounts in arrears for two years or more is not being resolved fast enough. There are also concerns that restructuring options being offered to people are tailored more to suit lending institutions, that they are inconsistent and that repossession is not a viable solution to the problem – particularly given our current housing emergency.

With the increasing prevalence of 'vulture funds' buying impaired loans, and the ongoing wider housing and homelessness crisis, there will continue to be a need for comprehensive legal supports to achieve an appropriate and lasting solution to debt issues and, given the persistent threat of homelessness, keep people in their family homes where at all possible. 

### What does the state offer to assist over-indebted people facing legal proceedings?

While overall coordination of assistance for borrowers in mortgage arrears is by the Department of Social Protection and the Department of Justice and Equality, the gateway state agency is the Money Advice and Budgeting Service (MABS). Other key government agencies involved include the Insolvency Service of Ireland and the Legal Aid Board.

There are four main components to the scheme, the first three announced in May 2015 and the last in January 2016:

- ▼ Courts now have the power to review and, where appropriate, to approve personal insolvency arrangement proposals that have been rejected by banks. However this only applies to family homes and to those

in mortgage arrears or in an alternative repayment arrangement as of 1 January 2015. People falling into arrears after that time will not be eligible.

- ▼ Court rules and procedures have been streamlined. This includes MABS and Insolvency Service personnel making themselves available in the courts directly as mentors, to provide support and advice to borrowers on court proceedings. This also includes a direct referral back to MABS if a case is adjourned.
- ▼ An enhanced mortgage-to-rent scheme was also promised, which to date has not materialised.
- ▼ A dedicated civil legal aid scheme for people in mortgage arrears is being established; as of May 2016 FLAC understands it is close to finally coming into being.

### How will the new scheme work?

While the final details are not yet available, it seems that legal aid will be available to the insolvent borrowers seeking a new court review under the Personal Insolvency (Amendment) Act 2015, where a creditor, such as a lending institution in the case of a mortgage on a family home, refuses a personal insolvency proposal.

- ▼ A panel of 'duty solicitors' operated by the Legal Aid Board will be available to provide greater assistance and representation to insolvent borrowers in such repossession proceedings.
- ▼ This will be administered through a 'voucher' system and will not require the borrower to pay anything.
- ▼ At a fixed cost, assistance will also be available from solicitors drawn from panels set up by the Legal Aid Board. 

## O'Casey Fundraising Event for FLAC's new Headquarters: See page 3 for details



Top: L to R: Catriona Crowe, Sinéad Cusack, Peter Ward and Stephen Rea. Bottom Left: L to R: Stephen Rea (Captain Boyle), Sinéad Cusack (Juno/Mrs Boyle) and Robbie O'Connor (Johnny). Right: Triona Ní Dhómhnaill

Photos by Pat Redmond

# New guides promote access to justice at international level

In its work, FLAC encounters many people who do not have equal access to justice in Ireland because of poverty and inequality. The period of austerity which prioritised the stability of the economic system over the needs of society has not ended.

The value of shining an international spotlight on domestic human rights issues has long been recognised by civil society organisations working in Ireland. Prior experience has shown that international scrutiny by United Nations (UN) bodies and experts can yield tangible results in the form of positive state action.

However, while domestic actors place much emphasis on periodic reporting to UN Human Rights Treaty Bodies and the Universal Periodic Review mechanism, considerably less focus is placed on engagement with UN Special Procedures mandate holders and taking individual complaints to UN Treaty Bodies.

To bridge this gap, FLAC has developed two guides which aim to better equip civil society actors seeking to engage with UN Special Procedures mandate holders and individuals taking complaints to UN Treaty Bodies as well as civil society actors taking cases on their behalf.

The first guide is intended for civil society organisations seeking to engage with UN Special Procedures mandate holders. Mandate holders are independent human rights experts who examine, monitor, advise and publicly report on human rights situations in specific countries, or on certain thematic human rights issues such as migrants, minorities, education and violence against women.

Drawing on case studies from Ireland, the guide describes the tools available to mandate holders to fulfil their functions, explains how civil society organisations can engage with these experts and identifies the criteria which must be satisfied in order to do so.

In terms of powers, mandate holders can, first of all, send communications to states concerning alleged human rights violations. Mandate holders will often mobilise on the basis of information received from civil society. For example, in April 2015, acting



Magdalena Sepúlveda Carmona

upon information provided by civil society, the Working Group on the issue of discrimination against women in law and in practice and the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health transmitted a joint communication to the Irish Government concerning the potential discriminatory effects of the Gender Recognition Bill.

Second, mandate holders can undertake country visits which allow them to assess the human rights situation on the ground. In January 2011, then Independent Expert on extreme poverty and human rights, Magdalena Sepúlveda Carmona, undertook a country visit to Ireland. Her visit focused on the impact of the economic crisis in Ireland and the effect of austerity measures on the enjoyment of human rights. She looked in particular at how vulnerable groups were impacted by recovery measures.

During her visit, civil society actors raised awareness of the visit through the media, met directly with Ms Sepúlveda Carmona and provided her with briefings on issues relevant to her mandate. In May 2011, Ms Sepúlveda Carmona published her mission report on Ireland. She made a range of recommendations including to reverse austerity measures which had disproportionately impacted on the most vulnerable, and to strengthen the social protection system, infrastructure and social services.

Thirdly, mandate holders frequently undertake detailed studies on specific

human rights violations or situations affecting a certain vulnerable group. Civil society can provide information for inclusion in these reports. For example, the UN Special Rapporteur on the right to adequate housing presented a report on homelessness to the UN Human Rights Council in March 2016. The Special Rapporteur's report notes that, in Ireland, families with children have become the fastest growing group within the homeless population. To support her argument, the Special Rapporteur referenced a submission she received from an Irish organisation working with people who are homeless.

FLAC's second guide is a toolkit for individuals taking complaints to UN Treaty Bodies as well as civil society actors taking cases on their behalf. UN Treaty Bodies are committees of independent experts which are responsible for monitoring compliance with international human rights treaties. The guides specify which mechanisms people in Ireland can access, the procedures involved and the requirements which must be fulfilled.

Thus far, Ireland has ratified six core international human rights treaties. Of these, individuals can bring complaints to five UN Treaty Bodies, the sole exception being complaints to the UN Committee on Economic, Social and Cultural Rights. Despite signing the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights in March 2012, Ireland has yet to ratify this instrument. Ratification would enable individuals to bring complaints alleging violations of the International Covenant on Economic, Social and Cultural Rights which protects basic rights such as health, housing and social security.

The guide also contains case studies on complaints which have been brought against Ireland to UN Treaty Bodies. To date, five complaints have been made against Ireland. All of these petitions have been filed with the Human Rights Committee alleging violations of the International Covenant on Civil and Political Rights. 

**The guides are available on the FLAC website at <http://bit.ly/HRguides2016>**

# ECRI calls for social welfare appeals decisions to be published

**T**he European Commission against Racism and Intolerance (ECRI) is a human rights body of the Council of Europe which monitors racism and the treatment of ethnic minorities in 47 European countries. ECRI publishes periodic reports on manifestations of racism and intolerance in each Council of Europe Member State, including Ireland.

In its 2016 follow-up conclusions on Ireland published on 1 March, ECRI noted that the Irish authorities had only published a very low number of social welfare appeals cases related to the Habitual Residence Condition (HRC), and that no certain level of regularity in publishing such decisions could be observed. ECRI reiterated its 2013 call to publish appeals decisions related to the HRC in order to ensure “a sufficient level of predictability” in decision-making.

Introduced in 2004, the Habitual Residence Condition is an extra qualifying condition for social welfare payments by which applicants must show a connection to the State. It has been found to have a disproportionate impact on certain groups in accessing social security benefits.

The Social Welfare Appeals Office, the agency responsible for deciding appeals where a social welfare application is refused, does not maintain a database of previous decisions. At present, only a limited number of cases are published each year in its annual reports, usually on a thematic basis.

This contrasts with other quasi-judicial tribunals, where full databases of decisions are available. A complete archive of previous decisions is accessible to appellants in the Refugee Appeals Tribunal and their legal advisors. The Workplace Relations Commission also provides a full and searchable public database of decisions and determinations.

The lack of such a database presents all individuals taking social welfare appeals with practical difficulties, especially those taking appeals related to the HRC. In the absence of a database, individuals taking appeals are forced to prepare their cases within a vacuum of information. For example, they may be unclear as to how



legislation is applied and interpreted. Furthermore, in the absence of a system of precedence, appeals staff must make decisions in isolation, resulting in inconsistencies in decision-making.

In its 2013 recommendations, ECRI noted that the Department of Social Protection’s Guidelines on the HRC were complicated and difficult to understand. Accordingly, the ECRI considered that it was necessary to have access to previous decisions of the Appeals Office to see how these rules are interpreted and applied in particular cases. With this in mind, the ECRI recommended that the Irish authorities ensure foreseeability in the application of the HRC by publishing social welfare appeals decisions dealing with the requirement in question.

Civil society actors and human rights bodies have long emphasised the need for consistency in social welfare appeals decision-making and the adverse impact of failing to provide a database for appellants. The issue was first highlighted in Community Law & Mediation’s 2005 report, “*The Social Welfare Appeals System: Accessible and Fair?*” The Dublin-based legal rights organisation then established ‘Casebase’, which provides a database of over 70 decisions. However, while this is an excellent resource, the need for a fully accessible and searchable database of appeals decisions maintained by the Social Welfare Appeals Office remains.

FLAC’s 2012 report, *Not Fair Enough*, which made the case for reform of the social welfare appeals system, recommended that appellants and their representatives be given access to any previous social welfare decisions relevant to their case. FLAC

called for an anonymised searchable database to be established and made available to the public by the Social Welfare Appeals Office: these calls have yet to be heeded.

Efforts by FLAC to compel the Appeals Office to create an

appeals database through the courts have proved unsuccessful. In *Jama v Minister for Social Protection*, Mr Justice Hedigan held that the Department of Social Protection was not obliged to maintain a publicly available database.

United Nations experts and bodies have also voiced concerns regarding the absence of a social welfare appeals database. Following her 2011 visit to Ireland, then UN Independent Expert on the question of human rights and extreme poverty Magdalena Sepúlveda Carmona stated that the transparency of the social protection system should be enhanced so that beneficiaries have access to clear information about the criteria and process by which decisions are made. She recommended that decisions of the Appeals Office be published in a form which allows for broad dissemination and understanding among existing and potential beneficiaries.

Similarly, in its 2015 Concluding Observations, the UN Committee on Economic, Social and Cultural Rights expressed concern at the large number of social welfare appeals “owing to the lack of clear understanding and consistent application of the eligibility criteria” in Ireland. The Committee recommended that decisions on appeals be made in a consistent and transparent manner.

To ensure greater transparency and consistency in the social welfare appeals system, FLAC backs the calls of regional and international rights bodies to establish an anonymous, searchable database of appeals decisions, including appeals related to the Habitual Residence Condition. 

FOCUS ON PILA



PUBLIC INTEREST LAW ALLIANCE  
UPDATE

**Prohibition of Third Party Funding: Chilling effect on Public Interest Litigation?**

Public interest litigation is litigation that seeks to establish a new point of law, while also securing a benefit for the individual involved. By its very nature, public interest litigation has the potential to be innovative and to effect significant social change. As a corollary, because such litigation charts new terrain there is a real risk that a plaintiff may be unsuccessful. Civil legal aid is not available in such cases and for many litigants the financial cost of mounting such a case is simply too great. Furthermore, under Irish law the general rule is that costs follow the event and an unsuccessful plaintiff could be faced with the entire costs of the litigation. This in itself can act as a barrier, making it difficult for public interest issues to have their day in court.

The High Court recently considered the legality of litigation funding arrangements with a professional third-party funder in *Persona Digital Telephony Ltd v the Minister for Public Enterprise*. It was the first case to come before the Irish courts directly concerning professional third party litigation funding. The Court was asked to consider whether such arrangements contravene rules on maintenance and champerty. The law of maintenance and champerty renders it unlawful for a third party to provide financial support to litigation where the supporter has no direct or legitimate interest or to provide such support in return for a share in the proceeds of the litigation. Both have been criminal and civil offences in Ireland in legislation dating back to the 1600s.

The High Court examined the authorities and also issues around public policy. Observing that maintenance and champerty continue to be torts and offences in this jurisdiction, the Court ruled that there is a prohibition on any entity funding litigation in which it has no independent or bona fide interest for a share of the profits. The plaintiff submitted that the question should be asked whether, in the round and on the whole, the transaction amounts to unlawful maintenance or champerty, or



whether it would enable a claim of great public importance to proceed and ensure the attainment of the constitutional guarantee of access to justice.

While the Court acknowledged that the law should consider contemporary legal realities so as to guard against any disproportionate interference with the rights of individuals to access justice, it had not been asked to consider the constitutionality of the Irish rules of maintenance and champerty. As such, the wider issue remains unanswered and the final determination of issues around access to justice, and whether maintenance and champerty are truly in accordance with Irish law, will await such a challenge.

However, the attitude of Irish courts to third-party litigation funding is seen to be evolving with the decision in *Greenclean Waste Management v Leahy*, where the Court of Appeal upheld 'After the Event' insurance, finding it not to be in breach of maintenance and champerty rules. As this judgement was made in the absence of any legislative change to deal with the issue of litigation funding generally, an update to the law in this area is indeed possible. 

**PILA Seminar: Public Interest Litigation and the Costs Barrier**

On 2 March, PILA held a practitioner seminar on costs as the single greatest barrier to public interest litigation in Ireland. There was a particular focus on protective costs orders, which currently remain underutilised by the Irish courts.



Tom Flynn BL

The seminar heard from Tom Flynn BL, author of the book *Irish Planning and Environmental Law*, who looked at the Aarhus Convention which stipulates that challenges to certain environmental decisions by State bodies are subject to the requirement that legal costs should not be prohibitively expensive.

David Hawkins of The PILS Project in Northern Ireland spoke of developments in law and practice in the North, outlining the experience of The PILS Project in applying for protective costs orders or costs agreements, which are increasingly common in their work.

Noel Travers SC also gave an overview of his role in the first protective costs order granted in Ireland in a public interest matter – the *Max Schrems v Data Protection Commissioner* case on the 'Safe Harbour' rules. This case saw Austrian student, Max Schrems, enabled to pursue a preliminary reference to the European Court of Justice by capping his costs at €10,000. 

**For more on protective costs orders, visit [www.pila.ie](http://www.pila.ie) for PILA's report 'The Costs Barrier & Protective Costs Orders'.**

## Frontline issues dominate session on civil legal aid

To coincide with the February launch of FLAC's most recent report *Accessing Justice in Hard Times*, which examines the impact of the economic downturn on the system of civil legal aid in Ireland, PILA hosted a Legal Education session for NGOs and community organisations on the civil legal aid scheme. The session took place at the Carmelite Centre on Dublin's Aungier St. and was delivered by FLAC Director General, Noline Blackwell, Legal & Policy Officer, Ciarán Finlay, and Chief Executive of the Legal Aid Board, John McDaid.

The primary aim of the session was to ensure that frontline organisations working with vulnerable and disadvantaged individuals and groups have a thorough understanding of the civil legal aid system to ensure their stakeholders are able to access justice when needed. The event also sought to identify ways in which the civil legal aid scheme could be used as an anti-poverty, empowerment tool.

The session was very well attended, with over 60 individuals from 25 organisations present. Almost all of those who attended work directly with people who experience high levels of poverty and social exclusion,

such as single-parent families, older persons, persons with disabilities, migrants, Travellers and Roma. Representatives from frontline organisations working in areas such as unemployment, social welfare, children's rights, family breakdown and domestic violence were also present.

The speakers provided a general overview of the civil legal aid scheme, and detailed information on the operation of the system, areas excluded from the scheme, eligibility criteria and the cost of legal aid, including applications for hardship, waivers and instalments. They also covered the application procedure for legal aid as well as the Board's review and appeals processes.

In addition to the law governing this area, Noline and Ciarán also highlighted practical issues with the scheme. For example, the majority of the work undertaken by the Board relates to family law, despite its broader remit. Additionally, applicants for legal aid frequently encounter long waiting time for consultations at law centres.

Furthermore, participants were provided with a number of practical information

documents, including a FLACsheet and Guide to Civil Legal Aid in Ireland, as well as – hot off the presses – a copy of FLAC's latest report, *Accessing Justice in Hard Times*.

Following the three presentations, a lively questions-and-answers session ensued, with those in attendance posing a range of interesting questions such as the implications of the enactment of the Assisted Decision-Making (Capacity) Act 2015 on access to legal aid, whether Travellers facing eviction from halting sites fall within the ambit of the scheme and how the new legal aid scheme for those in mortgage debt will operate.

Feedback from the session was very positive, with participants saying the information from the session would benefit their clients. The event also proved very useful for FLAC, with many organisations sharing valuable insights on the legal needs of their particular communities and clients. FLAC hopes to work with organisations who attended the session in the near future to push for positive reform of the civil legal aid system and promote the basic human right of access to justice. 

## Subsidiary Protection applicants must be placed in effective position

### CJEU Advocate General Opinion advocates right to be heard

On 3 May 2016, Advocate General Mengozzi delivered an opinion in the case of *M – v The Minister for Justice & Equality Ireland* and the Attorney General, regarding the interpretation of provisions of Directives 2004/83/EC and 2005/85 relating to the procedure for awarding subsidiary protection.

The Court of Justice of the European Union (CJEU) was asked whether the right to be heard in EU law required that an applicant for subsidiary protection be allowed an oral hearing to support his or her application, including the right to call or cross-examine witnesses, when the Member State concerned operates two separate procedures, one after the other, for examining applications for refugee

status and applications for subsidiary protection.

The Advocate General's opinion in the case is important, as the 'bifurcated' system which operates in Ireland has come under criticism. The AG's opinion, although lacking binding effect, is very useful as it provides a thorough analysis of the right to be heard in EU law.

The AG referred to the Court's judgement in the 2012 case of *MM (C-277/11)*, where it was held that when a Member State has chosen to establish two separate procedures, one following the other, for examining asylum and subsidiary protection applications, it is important that the applicant's fundamental right to be heard is fully guaranteed in each of those procedures.

In the present case, the AG considered the nature of subsidiary protection and compared it to refugee status. He considered that while the requirements for the two statuses are different, central to both is the applicant. He stated that an applicant 'must be placed in a very effective position [AG's emphasis] to exercise the right to be heard' in the subsidiary protection procedure.

He concluded that 'the right to be heard in all proceedings, as it exists in EU law, must be interpreted as meaning that that right requires, in principle, a personal hearing of the applicant which can be omitted only in exceptional cases'. He qualified this right by adding that it does not necessarily include a right to call and cross-examine witnesses, but that Member States could enact their own safeguards in this regard.

The Court of Justice is expected to deliver its judgment shortly. 

▼ You can read the text of the opinion at [bit.ly/1T9IAiF](http://bit.ly/1T9IAiF)

# Legal changes ahead following Assisted Decision-Making (Capacity) Act 2015

On 30 December 2015, very significant and modernising changes were made to the law on capacity in the Assisted Decision-Making (Capacity) Act 2015. The legislation is currently awaiting enactment. When this new law commences, although we as yet do not have any date for this, it will repeal the Lunacy Regulation (Ireland) Act 1871 and will replace the Wards of Court system. This Wards of Court system, which affects almost 3,000 individuals, will be phased out over a three-year period once the new law is in force.

The new Act will be of particular relevance to those with intellectual disabilities and older people with diminished capacity or dementia. The Act is not specific to those with a disability or impairment, but rather applies to anyone whose decision-making capacity is in doubt.

Underlying the Act is the recognition that support may mean different things to different people, depending on their needs in specific circumstances.

Below is a summary of some of the main changes. It must be borne in mind that they are still not in effect and, it has been speculated, may not be in force until next year. Until that time the existing law stands.

## ▼ **Presumption of Capacity**

Fundamental to the new Act is the statutory presumption of capacity: in other words, the person is presumed to be able to make a key decision, with or without support, unless there is clear evidence to the contrary. Capacity shall be assessed on the basis of the person's ability to understand, at the time that a particular decision must be made, the nature and consequences of the decision in the context of the available choices at the time. The new Act recognises that capacity is both time and issue-specific.

## ▼ **Informal Decision-Making Will Not Be Allowed**

While many people with capacity difficulties are currently Wards of Courts, the majority of those with difficulties are not. For those who are not, there has been no formal system for supporting decision-making. Con-



sequently, a swathe of informal decision-making customs has developed. These include joint banking, signing medical consent forms on behalf of a family member and co-signing a lease or contract of care. From a legal perspective, such practices fall short.

## ▼ **New Systems of Formal Support**

Where a person is unable to make an autonomous decision, the new legislation will provide structures and support to assist in the decision making. The Act will establish a new Decision Support Service. It will introduce roles of Decision-Making Assistant, Co-Decision Maker and Decision-Making Representative. People will have to apply to court to register as one of these roles for a person.

Note that the new Act keeps the option for people to arrange an Enduring Power of Attorney. An EPA allows a person to appoint someone to make decisions on his or her behalf at a future date when/if he or she does not have capacity.

## ▼ **Advance Healthcare Directives**

The Act will permit those with capacity to register in advance their wish not to receive medical treatment, except for mental health treatments.

## ▼ **Adults only**

The new Act applied only to those aged over 18. Parents or guardians will act as decision-makers for children and young adults under that age.

Updates will be made to FLAC's information leaflet on Enduring Powers of Attorney when the legislation is commenced.

## ▼ **Existing Arrangements**

The Act introduces changes to enduring powers of attorney (EPAs). It distinguishes between enduring powers of attorney created under the Powers of Attorney Act 1996 and those created under this Act. This new legislation will govern EPAs created under the 1996 Act that are both registered and unregistered as well as EPAs created under this Act.

Under the Act, provisions have been put in place to allow for complaints to be made against attorneys. It also allows for the Director of Decision Support Services to carry out investigations and for the matter to be referred to court and the EPA revoked or the attorney no longer permitted to act. This relates to all EPAs whether made pursuant to the 1996 Act or under his Act.

The Wards of Court system will be phased out over a three-year period and replaced with the Office of the Public Guardian. The existing Wards will be reviewed during this period and will be either discharged or transferred to the new structure. 

▼ We will be posting more detailed information on the new Act on the FLAC website in due course – keep an eye on [www.flac.ie](http://www.flac.ie)!

# FLAC policy round-up

## UPR Fact Sheets

Ireland's second examination under the UN's Universal Periodic Review process, whereby other UN member states question the Irish state on how it is upholding people's fundamental rights, took place on 11 May (see full report in the next issue of *FLAC News*). In advance of Ireland's review, FLAC compiled a number of factsheets which helped to focus our lobbying efforts. FLAC worked closely with the 'Your Rights, Right Now' coalition, which is led by the Irish Council for Civil Liberties, in organising targeted lobbying meetings with diplomats based in Dublin. The fact sheets concentrated on six priority issues, namely the protection of economic, social and cultural rights, protections for victims of domestic violence, combating racial discrimination, the protection of civil society space, access to justice and the right to social security. The fact sheets are available to download from our website.

In addition, in March, FLAC updated its original UPR submission, which was first submitted to the Office of the UN High Commissioner for Human Rights in September, and circulated it to over 350 embassies and diplomatic missions located in both Dublin and Geneva.

## Submission to Oireachtas Sub-Committee on Dáil Reform

In April, FLAC provided the Oireachtas Sub-Committee on Dáil Reform with a submission containing several key asks. The cross-party Sub-Committee, chaired by the Ceann Comhairle, has been tasked with agreeing a programme of reforms for how the Dáil should operate. Amongst the specific issues being discussed are matters related to financial scrutiny and the scheduling of legislation and related matters.

With this in mind, FLAC's submission addressed three key issues, namely the need for human rights and equality budgeting, the creation of greater avenues for consultation with civil society organisations in policy-making and ensuring that the Oireachtas sets aside adequate time for consideration of legislation. On the topic of budgeting, FLAC proposed a number of reforms, including the intro-



duction of systematic human rights and equality impact assessments of budgetary measures in all government departments, a greater role for civil society involvement in budgetary decision-making and ensuring that the budgetary process is underpinned by human rights principles such as participation, transparency and accountability.

## Submission to the Legal Aid Board on new website

To assist the Legal Aid Board in its plans to launch a new website, FLAC made a submission to the Board which includes proposals seeking to ensure that the new website is user-friendly and accessible, and contains clear and readily available information on the civil legal aid scheme in Ireland. The document also covers the need for information on the distinction between civil and criminal legal aid, guidance on issues covered and excluded from the scheme, a visual pathway of how the review and appeals systems work and the introduction of an online applications system.

The submission also recommends that the Board provide more web-based information concerning the system of waivers for legal aid fees on grounds of hardship. The Legal Aid Board is permitted to waive an applicant's legal fees where failure to do so would cause "undue hardship", however the Board does not actively promote the existence of this system. Furthermore, no

guidance exists on the website as to what constitutes "undue hardship" and what factors are considered in making a decision on an application, such as personal circumstances and financial resources.

## Migrant Consultative Forum

FLAC, together with partners Crosscare, New Communities Partnership, Doras Luimní and Dublin City Centre Citizens Information Service, is continuing to work to advance the implementation of recommendations contained in *Person or Number? 2*, a report published in 2015 which examined issues faced by migrants in accessing social protection. At present, each of the migrant stakeholders are concentrating on specific work packages which aim to secure improvements in a number of key areas.

FLAC's work over the past few months has focused on arrears issues facing migrants. FLAC has raised a number of issues with the Department of Social Protection, including full arrears owed not being paid, arrears payments delayed, payments and correspondence lacking sufficient detail, difficulties in sourcing information on arrears payments online and migrants with entitlements to arrears far in excess of the general 6 month limit. Work connected to the Forum will continue throughout 2016.

## Follow-up Guide to the ICESCR Examination

In January, FLAC published a follow-up guide to Ireland's examination by the UN Committee on Economic, Social and Cultural Rights in 2015. FLAC, together with PILA, coordinated the civil society response to the UN Committee through two reports, *Our Voice, Our Rights* and *Our Voice, Our Rights: An Update*.

The guide reflects on the successes which have been achieved from the ICESCR examination to date, highlights case studies which demonstrate the value of UN Human Rights Treaty Body recommendations and proposes a range of potential follow-up actions for civil society organisations striving to progress the implementation of the UN Committee's recommendations. It is available to download at <http://bit.ly/ICESCRjan16> 

# FLAC VOLUNTEERS



## Volunteer training and induction session

As part of our efforts to better support volunteers in FLAC clinics, FLAC provides training on issues that arise in the course of advice work with the public.

During our training courses we aim to cover topics that come up more frequently in the FLAC centres. Topics covered are usually suggested by feedback from our Data Collection Programme, previous training events and from discussions with volunteers in the clinics during FLAC coordination visits.

We ran our first volunteer training event of the year on 24 February in Wynn's Hotel in Dublin city centre. This event saw three topics addressed by our speakers:



### Induction session for new volunteers

In February, FLAC held a volunteer induction event in order to welcome new volunteers on board.

The event provided an oversight of FLAC's work and how the work of the volunteers and legal advice clinics fits into the overall mission and aims of the organisation. We spoke about the civil legal aid scheme to ensure that new volunteers felt confident about the work of the Legal Aid Board and about referring callers on to the Board where possible. The event also provided a great opportunity for volunteers to get to know FLAC and its staff in person, and to connect with fellow volunteers in a relaxed atmosphere.



## Inaugural FLAC Intersociety Public Interest Law Moot Court Competition



This year saw the FLAC societies from Maynooth University, University College Cork, Dublin City University and Trinity College Dublin team up to organise the inaugural FLAC Intersociety Public Interest Law Moot Competition.

Two teams from each university took part in the intersociety competition held in Blackhall Place on 26 February, where they were judged by Ms Justice Mary Laffoy. The overall winners, Conor Forde and Ailbhe Lawless of Maynooth University FLAC Society received an internship with leading Irish criminal and human rights law firm KOD Lyons, as well as a very generous cash prize.



## Volunteer lawyers needed

- ▼ Practical bite-size update on recent changes to Landlord and Tenant law by FLAC legal assistant and intern Katie Timmins;
- ▼ Landmark changes to Guardianship, Custody, Access & Maintenance Rights under the newly enacted Children and Family Relationships Act 2015, given by solicitor Keith Walsh, a Dublin-based FLAC volunteer advisor;
- ▼ Focus on criminal law queries in FLAC centres, by solicitor John Hussey, a Cork-based FLAC volunteer advisor.

There were over 50 volunteers at the event, which was followed by an informal networking event where volunteers were given the space to meet and chat – to discuss their volunteering experiences. We are very grateful to our volunteers for their commitment.

FLAC is recruiting fully qualified barristers and solicitors to become FLAC volunteer advisors.

Volunteer advisors provide free legal advice and information to some of the most marginalised people in Irish society through legal advice clinics, usually held in the local Citizens Information Centre.

Advisors do not take on cases, give second opinions or write letters on behalf of callers to the clinics. Clinics are usually held in the evening time, and most advisors usually attend once a month. Advisors are also invited to free CPD events to update their knowledge of different areas of law and network with other volunteers.

Please get in touch – we'd be very happy to answer any questions you might have. You can reach us at 01-887 3600 or by e-mail at [volunteers@flac.ie](mailto:volunteers@flac.ie)

We are currently seeking lawyers to join the FLAC Volunteer teams in the following areas:

### In Dublin:

- ▼ Balbriggan
- ▼ Ballyfermot
- ▼ Tallaght
- ▼ Stillorgan (daytime clinic)

### In Co Kildare:

- ▼ Newbridge

### In Co Wicklow:

- ▼ Bray (Employment Law) and
- ▼ Arklow

## FOCUS ON FLAC

# Claire Macken, Executive Officer

Claire joined FLAC in June 2015 as she was interested in working on human rights issues on a national level. She had been aware of FLAC's access to justice movement during her time working in Amnesty International where both organisations were a part of the Economic, Social and Cultural Rights Group, which campaigned around basic human rights such as health, housing and education in Ireland.

After some time as a legal assistant on FLAC's national telephone information line, she moved to the role as acting Executive Officer, covering maternity leave until August 2016. Claire holds responsibilities across areas such as funding, reporting, governance, risk management and event management. As she says, "My day tends to be quite varied – it could involve anything from dealing with an IT issue, to organising an event or working on a funding application. It's been a huge learning experience for me to see how an independent law centre is run and to witness the dedicated work of FLAC staff and volunteers in ensuring the organisation's continued success."

Claire has a law degree from University College Dublin, and a Masters in Public Relations from DIT. After her time in university, she worked in Amnesty International Ireland as a Communications Assistant and Fundraising Assistant which



gave her an insight into legal and human rights work in Ireland.

She then went on to work as a paralegal in London with two firms specialising in immigration law. Here she assisted clients with their immigration needs mainly with regard to inbound moves to Ireland and the United States. While the firms mainly focused on corporate immigration, she also had the opportunity to work on pro bono cases involving family-based and deportation matters.

After returning to Ireland in 2015, Claire passed the FE-I examinations (the Law Society entrance exams). She hopes to commence the next stage in her solicitor training by attending Blackhall Place in September 2016.

Claire enjoys her work which involves interaction with staff across the organisation: "Day to day, I really enjoy working with my colleagues in the FLAC office, as there is a real buzz and energy to the place and where there is a fantastic support system.

"A highlight for me was being involved in the team that organised our recent event 'In the Shadow of O'Casey', an evening of entertainment aimed at raising funds to refurbish FLAC's future headquarters. It was a vital project as we were looking to secure support to allow FLAC become more independent and sustainable into the future," she says.

The project culminated in a very special event on 1 May, where friends and supporters of FLAC joined staff and board members for an evening of world-class musical and theatrical entertainment.

Claire sees funding as the biggest challenge facing FLAC over the coming years. As she says, "I hope that FLAC will still be in a position to continue its work in making a real difference to access to justice in Ireland. FLAC contributes significantly to Irish society through informing and advising the public on legal issues, as well as campaigning and challenging social injustice in its core campaign areas. FLAC will need continued support to maintain this activity in challenging times for funding." 

## A fond farewell to Noeline

We were sorry to say goodbye to Noeline Blackwell who had given FLAC almost 11 years of dedicated service as Director General. Noeline left FLAC at the end of February to join the Dublin Rape Crisis Centre as CEO.

Noeline, who had been a solicitor in private practice and a human rights campaigner throughout her career, brought her legal and human rights advocacy skills to FLAC, when she joined FLAC as Director General in April 2005.

She led FLAC in the campaign to advance equal access to justice and oversaw many of the organisation's milestone achievements. These included the establishment of the PILA pro bono referral scheme, FLAC's

contribution to policy and legislative reform in dealing with consumer over-indebtedness including mortgage arrears, personal insolvency and bankruptcy, and the landmark Lydia Foy case, which put Ireland at the forefront of transgender recognition in Europe.

Noeline ensured that FLAC was at the forefront of debate on access to justice issues and endeavoured to ensure that the rights of the most marginalised were protected in recessionary times.

Noeline's impact on FLAC was transformative and we greatly appreciate her contribution to the organisation. We wish Noeline every success in her new role. 



# Legal Aid in Ireland – a tale of two systems

**L**egal aid' is a hot issue at the moment, arising from reports of recent situations where people who appear to earn more than even the average wage qualifying for state assistance. The public outrage might be attributed to some degree to a lack of information and transparency about the legal aid schemes in place in Ireland. There are considerable differences between the legal aid schemes for criminal versus civil matters such as family law or employment law. For example:

- ▼ Criminal legal aid is usually considered and granted or refused by a judge in court on the first mention of the case; there are no set financial eligibility criteria, meaning it is at the judge's discretion to determine if a person is unable to meet their legal costs.
- ▼ With civil legal aid, the person applies to a state body called the Legal Aid Board and joins the queue for a first appointment with a solicitor. Applicants must have an annual 'disposable income' of less than €18,000 and their case must be something that one would normally take to court if they had sufficient means to pay for their own legal representation.



The term 'free legal aid' is the source of a lot of confusion for most people. It implies that all legal aid is free. However civil legal aid is not free, except in the rare case of a waiver being granted. A minimum fee of 30 euro – called a 'contribution' - applies for civil legal advice and a minimum 130 euro for legal representation, with a sliding scale of charges being applied depending on the person's income and capital assets. By contrast, there are no fees for criminal legal aid.

Plans have been long afoot to transfer the criminal legal aid scheme to the Legal Aid Board so that the subjects of criminal prosecution will be held to account for a portion of their fees. In fact, the Board currently administers three ad-hoc criminal legal aid schemes.

However, for this transfer to be successful there is a need for a serious overhaul of the legal aid system; any added burden placed on an already over-stretched Legal Aid Board, where many applicants already face considerable delay in accessing representation, would be catastrophic for access to justice in Ireland.

*Accessing Justice in Hard Times*, FLAC's recent report on civil legal aid in austerity, makes it clear that people in Ireland are being let down by the state in terms of fulfilling their fundamental right of equal access to justice. Our Constitution and international human rights law uphold the right of every person to equality before the law and an equality of arms for those who seek to avail of legal protections.

FLAC hopes that there will not be a 'levelling down' of criminal legal aid to tally with our seriously under-funded civil legal aid service, but rather a real attempt to meet the needs of those who require help on legal matters in the interests of fairness, equality and social justice. 

- ▼ Read our short infographic on the main differences between civil and criminal legal aid at [bit.ly/LAdiffs](http://bit.ly/LAdiffs)



## Balkan lawyers visit FLAC

FLAC hosted a group of 12 lawyers from the Balkans on 26 February as part of the 'Triple A' Project, an EU-funded project which aims to spread the Citizens Advice model to the Western Balkans and Turkey.

FLAC works closely with the Dublin City Centre Citizens Information Centre which has been involved in this project on behalf of the National Association of Citizens Information Services for the last three years. The Triple A project – denoting Access to Information, Advice and Active Help – commenced in December 2012 and there are now pilot services operating in Bosnia, Serbia, Kosovo, Croatia & Turkey. The project has recently been extended to include Albania, Macedonia & Montenegro and participants from pilots in these countries were in Dublin for a study visit on 25 & 26 February.

Participants spoke to FLAC colleagues about FLAC's history, ethos and core working areas, including the legal advice clinics and the telephone information line. The group also visited law firm McCann Fitzgerald. Lawyers from McCann Fitzgerald have generously volunteered their time and legal skills to support the local community of inner city Dublin over the past 10 years, making them a great example of Corporate Social Responsibility in action. 



- ▼ Read more about the Triple A project at <http://triplecitizens.eu/> or scan the QR code.

