

flacNews

FREE LEGAL ADVICE CENTRES

Human Rights: “We have to be able to afford them”

ELECTION 2011

In the context of an impending general election FLAC has reflected on its priority areas of work and calls on all political parties to make concrete commitments to ensure that human rights are protected. Fundamental human rights are not expendable and cannot be disregarded in times of economic uncertainty. In fact, this is the time when people become even more susceptible to potential infringements of their basic rights.

While there are some excellent services provided by the State and people within the public service who are committed to ensuring that people are treated with respect and dignity, in all areas of our work FLAC encounters people who seek to access state services but are met with a lack of consistency, a lack of respect for their dignity and who are denied their fundamental human rights.

Those working within these administrative systems must recognise people's rights and entitlements not only to access services but to ensure that their rights are upheld in a fair and efficient way.

Furthermore, reliable up-to-date statistical information is essential to ensure that fair policies which address



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“Now if you're going to get a cut in civil legal aid and a dwindling neighbourhood law centre, effectively you're going to get a population that is disempowered”

Michael Mansfield QC, who delivered the fourth annual Dave Ellis Memorial Lecture on Tuesday 23 November in the Pillar Room of the Rotunda Hospital.

the actual needs of people are put in place. Currently the information and statistics available from the State in relation to most of our areas of work are outdated and do not represent the current situation for people affected by the drastic changes caused by the economic crisis.

We ask all those seeking election in 2011 to commit to implementing changes to address these two core issues which affect all aspects of public services in Ireland. In addition, we have a number of specific requests in relation to FLAC's core areas of work, which are articulated on pages 8 and 9.

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Contributors: Noeline Blackwell, Roisin Boyd, Saoirse Brady, Emer Butler, Siobhán Cumiskey, Deirdre Duffy, Michael Farrell, Peter Harper, Paul Joyce, Jo Kenny, Gillian Kernan, Colin Lenihan, Sarah McCabe, Doreen Mescal, Zsé Varga.

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Michael Mansfield gives

With a legal career spanning more than 40 years, Michael Mansfield is probably best known here in Ireland for his work with the Birmingham Six and the families of the Bloody Sunday victims. A man who has, as FLAC Council Chairman, Peter Ward, described, “challenged the long-held assumptions of the legal and political establishment,” Mansfield chose to speak on the dangers the economic crisis poses to the human rights of ‘the indivisible humanity’ and the ‘universal community’.

Mansfield presented the creation of the Welfare State in the United Kingdom as a watershed moment when a threshold, the equality of opportunity and access, was set. Originally the Welfare State was meant to be built on four pillars – health, education, employment and social security. However, only the National Health Service – worth every penny contends Mansfield – was fully realised:

“The object, I think of much of our striving is to establish a humanity across the world – that we reach out to the plight of others, that we understand the plight of others and we don’t just write them off as the flotsam and jetsam of a material world... We cannot afford not to construct a place in which we’re proud to live, as opposed to a battleground of the marketplace.”

In his address, Mansfield also touched upon the importance of making the law as accessible as possible to the public and tendered the ‘shop front’ style law centre as the way forward: “The idea was you had a shop front. Not some glossy city firm, but just an ordinary place where you feel you can go in and feel comfortable and there’s a sofa by the door. You can sit down. You’re attended to. Nobody’s going to be pompous about it or expect you to

fill in lots of forms and they want to know what it is that’s concerning you.”

However, that accessible and approachable style of ‘community law’ is under threat, particularly in the UK, as Mansfield explained: “The law centres are struggling to keep open. Two thirds of them are at economic risk of closure”.

“We cannot afford not to construct a place in which we’re proud to live, as opposed to a battleground of the market place”

Furthermore, cuts to the legal aid budget in the UK are threatening to effectively limit access to justice: “£400 million is going to come off the £2 billion legal aid budget. These are the areas that are likely to get no legal assistance in terms of aid... family, divorce, medical negligence, education, employment, immigration, welfare benefits and some housing issues. Not much left. Now if you’re going to get a cut in civil legal aid alongside a dwindling neighbourhood law centre, effectively you’re going to get a population that is disempowered”.

Mansfield also advised, “that if you want to change something, then you can and you must. And you must stand together to see it through. Because they, the authorities, are absolutely depending on you being quiet, retiring to your homes and saying nothing.”

Mansfield recounted passionately his involvement with the families of those murdered by British forces in Derry on Bloody Sunday, who against all criticism persisted in their pursuit of justice: “I was in the Guild Hall in Derry, locked in there with the

the Dave Ellis Memorial Lecture

families who were allowed a preview of the report... and if you've ever watched somebody reading a letter which tells them something they've really been waiting to hear for 10, 20, 30 years, there's trembling, there are tears, there's emotion welling up because the taint of terrorism which had in a sense shadowed their lives fell away as they sat there. And you can't sit there as a lawyer and not be affected by the same thing – you feel at last that you have achieved something which was thought to be impossible at the beginning.”

On the current situation of cuts and curtailments, Mansfield declared that he “will not accept the financial argument. The frontline services are not the ones responsible for the situation we are now in. They did not construct the shadow economy. They're not the ones who did irresponsible speculative trading”.

Vigilance and a willingness to defend human rights against the onslaught of cuts are required as Mansfield emphasised: “Unless we're prepared to say we're living in a world where the marketplace rules, in a few years time I think we'll wake up and realise how much has been lost that was fought for by generations before”.

Such past achievements include the vitally important document, *The European Convention of Human Rights*, as well as the *Irish Constitution*. Mansfield unflinchingly believes that “we need to read them on a weekly basis just to remind ourselves of what the struggle was to establish the right to life... the right to liberty which is effectively due process, fair trial, privacy, assembly and association. They trip off the tongue. They're easy to say. But they are the qualities of our lives. And we have to be able to afford them.”



© Photo by Derek Speirs

Former Supreme Court Judge Mrs Justice Catherine McGuinness and FLAC co-founder, former EU Commissioner and Attorney General, David Byrne.



© Photo by Derek Speirs

Michael Mansfield, Michael Finucane and Yvette Vanson.



© Photo by Derek Speirs

Michael Mansfield, Yvette Vanson and Sarah Flynn, wife of the late Dave Ellis.

FLAC CASEWORK UPDATE

Top criminal judge backs deaf jurors

The State's top criminal court judge, Mr Justice Paul Carney, ruled last November that a deaf man could serve on a jury. Judge Carney dismissed objections to having a sign language interpreter in the jury room but the DPP has told state solicitors to oppose deaf persons being allowed to serve on juries.

Within days of Judge Carney's ground-breaking decision, the DPP had sent a circular to state solicitors saying that his decision was not binding and advising them to rely on an earlier High Court judgment in order to resist deaf persons being sworn in as jurors.

Senan Dunne, the deaf man in the case dealt with by Judge Carney, was the first deaf person in the history of the state to be told he could serve on a jury but, as it happened, he did not get to serve on the jury after all. He was objected to by defence lawyers under a rule that allows each side in a trial to object to seven jurors without having to give reasons.

Mr Dunne, a teacher in a school for deaf children and a former producer with RTE's 'Hands On' programme for deaf viewers, was called for jury service in the Central Criminal Court, presided over by Judge Carney, a High Court Judge. It is the court where all the most serious criminal trials are heard.

Senan Dunne required the assistance of a sign language interpreter and the state opposed him being allowed to serve on the basis of an old common law rule against having a "13th person" in the jury room.

Judge Carney remarked that it was unusual to have someone asking to be allowed to serve on a jury instead of asking to be excused. In a considered ruling, he dealt with the '13th juror' argument, saying:



Mr Justice Paul Carney

"[I]f the signer is allowed in the jury room, first of all, it would be the foreman's responsibility to see that the signer simply communicated to the jury what was going on and didn't participate in any fashion in the deliberations or make any communication of any kind to the other jurors".

On the issue of keeping the jury's decisions confidential, which had been raised by the state, he said:

"I would be entirely prepared to have the signer participate in this case as an interpreter on taking, first of all, the ordinary interpreter's oath and then going on to take a further oath in relation to confidentiality".

The DPP's circular claimed that Judge Carney's ruling was not binding because he had been told that Mr Dunne was going to be objected to anyway. Ironically, however, the DPP's circular itself relied on an opinion by Mr Justice Dan O'Keefe in the Joan Clarke case, which did not form part of his ruling in that case and so should not be binding either. Judge O'Keefe had said it was his opinion that the "13th juror" rule would prevent deaf people from serving on juries, but his actual ruling dealt only with how decisions about potential jurors should be made.

This issue will not go away because deaf people are no longer willing to be treated as inferior to their hearing counterparts

In the period between the Senan Dunne case and Christmas, FLAC is aware of at least two other deaf persons who were called for jury service and turned up ready to serve but no jury was required. This issue will not go away because deaf people are no longer willing to be treated as inferior to their hearing counterparts.

The Law Reform Commission has already said in a consultation document that the presence of sign language interpreters in the jury room would not interfere with jury deliberations. The Commission is expected to issue its final report on this issue shortly. And in September 2010 in a case from the UK (*Szybusz v. UK*), the European Court of Human Rights said that "post-retirement contact with a non-jury member who was not associated with the prosecution" was not likely to give rise to serious concern where the jury was given appropriate instructions by the judge.

US courts long ago agreed to let deaf and blind persons serve on juries and have had no problems since then. Serving on a jury is, like voting, one of the duties and privileges of citizenship. It is high time that this country treated deaf and blind persons as full citizens of this republic.

Deaf man “mortified” by jury decision

Damien Owens, a deaf man working for DeafHear in Tullamore, was asked to leave the jury box when a judge ruled he could not serve on a jury. He said he was mortified having to walk out through a packed courtroom in the town where he works.

Damien was the first deaf person to try to sit on a jury following the decision in the Joan Clarke case (see main story) that there could be no blanket ban on deaf jurors and that each case must be decided on by a

judge.

He was called for jury service in the Circuit Court in Tullamore in November. His name was selected and he took his place in the jury box. He was represented by FLAC solicitor Michael Farrell who outlined the effect of the Clarke decision to the Court.

Counsel for the DPP then opposed him being allowed to sit on the jury because he would need a sign language interpreter and because of

the traditional rule against a ‘13th juror’ in the jury room.

Judge Michael White was sympathetic but felt he was bound by the ‘13th juror’ rule – Judge Carney’s ruling (see main story) had not been given at that stage. He refused to empanel Damien Owens, who was then asked to leave. Damien had to walk out through the courtroom which was packed with other people called for jury service, witnesses in trials due to start, lawyers and Gardai.

Law Reform Commission Launches Debt Reform Report

The final report of the Law Reform Commission on Personal Debt Management and Debt Enforcement was launched at the Commission’s annual conference held in Dublin Castle on 16 December last. This followed the issuing of a detailed consultation paper in September 2009 which sought submissions on an array of proposed recommendations for changes to the system of debt enforcement in Ireland and an Interim Report in May 2010 that suggested a number of changes that might be implemented immediately.

Following the launch of the report by Mr Justice Brian McGovern, judge of the High Court and some preliminary remarks by the President of the Commission, former judge of the Supreme Court, Mrs Justice Catherine McGuinness, full-time Commissioner Patricia Rickard-Clarke took the audience through the proposals. In brief summary, the new structure suggested is as follows:

- Though initial judgments in debt cases would still be obtained in the courts, debt enforcement would be taken out of the courts and a new Debt Enforcement Office (DEO) would be created to oversee debt enforcement and debt settlement in Ireland;

- A new non-judicial debt settlement option would be introduced through legislation to act as an alternative to judicial bankruptcy. An indebted person would be able to enter into such a scheme if 60% of his or her creditors in value voted in favour of a proposal. Over five years, the debtor would pay an agreed portion of debts and would earn a fresh start at the end of that period. The proposals for debt settlement would be made by a ‘personal insolvency trustee’ to the debt settlement section of the DEO who would oversee its implementation. Where a debtor has neither assets nor disposable income, a Debt Relief Order may be granted effectively discharging the debts;

- The judicial bankruptcy legislation (i.e. the Bankruptcy Act 1988) would be overhauled and would be available for large and complex cases not amenable to non-judicial debt settlement. The minimum debt level would be €50,000 and the automatic discharge period would in principle be fixed at three years;
- Existing methods of debt enforcement – Instalment Orders, Execution Orders to seize goods and

Garnishee Orders – would be overhauled and modernised. Attachment of Earnings Orders would be introduced and imprisonment related to civil debt completely removed. The DEO would decide on the most appropriate form of enforcement in any case having regard to the principle of ‘proportionate’ enforcement – selecting the form of enforcement that is appropriate and least restrictive of the debtor’s rights;

- Debt collection undertakings would be licensed with statutory codes of practice applying to their activities. Money advice/debt management would also be regulated and one regulatory body should be responsible for both.

It should be noted that the recent support programme agreed by the government with the European Union and the International Monetary Fund commits the State to introducing new legislation in the bankruptcy area by early 2012. However, it is hoped that this process will begin long before that. Other speakers at the conference included Michael Culloty of MABS, Bernard Sheridan from the Central Bank and FLAC’s Paul Joyce who addressed the conference on the future of debt enforcement in Ireland. Paul’s paper can be viewed at www.flac.ie.

Implementation the key challenge for NGOs

At the PILA organised seminar on Protective Cost Orders, held at the Law Library in October, Iain Byrne of the international human rights organisation, 'Interights' gave a compelling talk on the challenge of implementation for non-governmental organisations – that is the task of ensuring that rulings and decisions of both the judiciary and other rights' bodies are properly introduced into law.

Based in London, *Interights* works with a staff of 20 in partnership with local, indigenous groups and NGOs around the world in the area of international human rights law. The organisation works by examining an issue to investigate whether it falls within the *Interights*' strategic remit and to see if it can add value by getting involved. It intervenes when all domestic legal routes have been exhausted and works in diverse areas such as: economic and social rights; health and education; equality



including LGBT (Lesbian, Gay, Bisexual and Transgender) matters; and security and the rule of law. Ultimately, it brings international legal standards and laws to domestic situations.

More recent cases include one against

Romania, taken in partnership with relatives of individuals who suffered alleged human rights abuses in mental health facilities.

While it is no small task in having a case admitted to the relevant court of law, Iain Byrne pointed out that the major challenge, for both *Interights* and other human rights organisations, is ensuring that the court rulings and decisions are subsequently implemented properly. To address this issue, some organisations have dedicated officers who follow up to ensure and press for the amendment of existing laws or the introduction of new ones as necessitated by successful judicial outcomes.

Echoing the contention made by Iain Byrne on the magnitude of implementation, FLAC's Michael Farrell commented: "For campaigning NGOs, work continues long after legal success to ensure the implementation of decisions."

Irish Traveller Movement Law Centre Wins Landmark Equality Case on Travellers and the Right to Education

By Siobhan Cummiskey

(Managing Solicitor, Irish Traveller Movement Independent Law Centre)

On 7 December 2010, the Equality Tribunal found that the admissions policy of a secondary school that prioritised places for the children of past pupils indirectly discriminates against members of the Traveller community. Indirect discrimination is where an apparently neutral provision puts a person protected under one of the nine grounds of the Equality Acts 2000-2008 at a particular disadvantage compared with other persons, unless the provision is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary (section 3(1)(c)).

The Tribunal found that the complainant, a member of the Traveller community, was disproportionately affected by the 'child of a past pupil' criterion as his father was statistically much less likely to have progressed to second level education than the rest of the population at that time. The Tribunal heard that just 10 percent of Travellers who attended primary school progressed to second level in 1983 as against 66.4 percent of the general population in 1982 (the time when the complainant's father would have progressed to second level).

Furthermore, the policy could not be "objectively justified by a legitimate aim". The aim of the policy was to foster family loyalty to the school and promote a family ethos with education. While the aim was considered legitimate, the Tribunal held that the "blanket priority" was not proportionate or necessary and that

there are other ways of achieving this aim which would not disadvantage children whose fathers did not attend the school, (e.g. a past pupils' union). The impact on Travellers was found to be disproportionate to the benefit of the policy.

Upholding the complaint, the Tribunal ordered that the complainant be offered a place in the school immediately and that the school review its policy to ensure that it does not indirectly discriminate against pupils on any of the grounds covered by section 3(2) of the Equal Status Act. This decision has implications for all schools with a similar policy and may also affect other groups covered by the nine grounds in the Equality Acts 2000-2008. Importantly, it serves to avoid compounding past prejudices and disadvantages suffered by Travellers in the education system.

Volunteering at FLAC

FLAC depends heavily on the work of volunteers. The majority of our volunteers are qualified barristers and solicitors who give advice at the network of legal advice centres. However, FLAC is fortunate enough to have other volunteers who assist with administrative and campaign work, which does not demand legal qualifications but which provides invaluable support for FLAC's work.

In our FLAC centres we have a growing number of assistant volunteers, who support the work of the advisors. They help the advisors find necessary leaflets and brochures, do research online and help with our Data Collection Programme. The Assistant Volunteers not only help the advisors, but also gain a lot of experience and knowledge as they are present when advice is given.

In some of our centres we also have volunteer receptionists. Without these receptionist volunteers some centres would not be able to operate. We are truly grateful to our receptionists for their continuous commitment.

We also involve assistant volunteers in research that supports our campaigns. FLAC manages the work of its campaign volunteers through different working groups.

CASE STUDY

Fintan Bannon – From Assistant Volunteer to Fully Qualified Volunteer

After finishing my Business and Law Degree in UCD in 2008, I went on to sit the New York Bar exam and planned to study for a Masters Degree in Trinity College the following year. However, in the meantime, I found myself with a lot of free time and it was suggested to me by a friend to look into volunteering. I thought, if anything, it would be a great way to pass the time and hopefully I would pick



up some good experience on the way. It was then that I saw the notice from FLAC calling for a volunteer to work as a receptionist in a city centre clinic once a week. I literally jumped at the chance!

At that time I would have given anything to get experience in a legal environment and was really excited to be helping the community at the same time. I then got my first taste of legal advice one quiet evening at the centre when one of the solicitor volunteers invited me to sit in with him and from then on I just wanted to be more and more involved. I informed Zsé (Zsé Varga – FLAC Volunteer and Centres

Manager) that I was close to qualifying [I was half way through sitting the Qualified Lawyers Transfer Test at the time] and she gladly gave me the chance to visit two other centres in the city on a regular basis to assist the qualified volunteers. Once I qualified, earlier this year, I was able to give advice in one of the centres while still working on reception and assisting in two of the other centres.

The range of queries and clients is staggering so it is a real test of your legal knowledge not to mention a great way to enhance your client relations skills. People come to FLAC from all walks of life and there is nothing like the feeling of helping someone who is in distress.

As a law student, it all seems so distant, as if it only happens in the law reports or in a casebook. But every evening, you can see how the law affects people's lives and the essential service a lawyer can provide. To be in a position to provide that service free of charge to those who would be helpless without it is immensely gratifying.

Mortgage Arrears Expert Group Report will help homeowners if implemented

On 17 November, the Expert Group on Mortgage Arrears and Personal Debt published its final report. FLAC, through its Senior Policy Researcher, Paul Joyce, represented the interests of consumers by participating in the Expert Group. The Report contained many recommendations which aim to keep people in their homes and spare as many as possible from repossession.

Among the main recommendations were:

- A new Mortgage Arrears Resolution Process which all lenders are obliged to introduce;
- The Mortgage Interest Supplement scheme be widened and some of the more restrictive qualifying conditions be relaxed;

- The introduction of a new Deferred Interest Scheme which would allow a borrower to arrange with a lender to pay a minimum of two-thirds of the mortgage interest payment until either 18 months interest has been accumulated in total or for five years, whichever occurs first.

Commenting on the proposals, Noeline Blackwell, FLAC Director General said: "FLAC is aware of the very serious economic situation the country faces but it is in the interests of all of us that the mortgage debt problems be addressed. These recommendations go some distance to help those in mortgage arrears and represent the first step on the road to tackling this crisis. It is important that we do not become paralysed by the enormity of the problem."

Human Rights – an election priority

SOCIAL WELFARE

Given the difficult financial circumstances in which many people currently find themselves, it is imperative that social welfare payments are protected and remain at a level which will allow a person to have a minimum income and maintain an adequate and dignified standard of living.

Jobseekers supports, Supplementary Welfare Allowance, rent supplement, and child benefit were all reduced in Budget 2011. These cuts will have a huge impact on the very people who are already the most susceptible to poverty.

The high rate of unemployment has inevitably led to a huge increase in the numbers claiming social welfare payments. In FLAC's experience, this has resulted in delays, inconsistencies and unfair decision-making, which has in turn led to increased pressure on the Social Welfare Appeals Office. Administrative systems in the Department of Social Protection and the Health Service Executive should be restructured to ensure that people can access all payments to which they are entitled in a timely way.

DEBT

The issue of over-indebtedness must be addressed urgently. FLAC is calling for the implementation of the recommendations published by the Expert Group on Mortgage Arrears as an urgent priority, including:

- Reform of the Mortgage Interest Supplement scheme;
- Early assessment of housing need where houses are voluntarily surrendered;
- A commitment to continuously review the Code of Conduct on Mortgage Arrears;
- Establishment of a Mortgage Arrears Resolution Process;
- Sufficient access to financial and legal information and advice where necessary;
- The overhaul of personal debt and bankruptcy systems in line with the Law Reform Commission's recommendations;
- Regulation of debt collection and management.

CONSUMER CREDIT

Consumer credit legislation currently consists of the Consumer Credit Act 1995 and Statutory Instrument No. 281 of 2010, European Communities (Consumer Credit Agreements) Regulations 2010 which transposed the latest European Union Directive on consumer credit. This has resulted in a body of law which is extremely difficult to navigate. The law needs to be updated and consolidated to produce a piece of comprehensive and straight forward legislation which will protect consumers.

REFUGEE PROTECTION AND IMMIGRATION

The Immigration, Residence and Protection Bill, first introduced in 2007, has been reintroduced into the Oireachtas on three separate occasions. A change in Government presents the opportunity to consider the law pertaining to immigration and protection separately. Both areas need to be addressed in updated legislation but they must not be put together in the same statute. The focus of refugee law is the protection of an individual from persecution in his or her country of origin whereas provisions dealing with general immigration matters are primarily concerned with the State's security and entrance to and permission to remain in the State for non-Irish citizens.

As outlined in FLAC's submission on the IRP Bill, provisions in the existing draft legislation which restrict migrants' access to public services, the courts and remedies should be removed forthwith.

An improved single procedure which will be carried out fairly and efficiently will also ensure that people who seek the State's protection will not be left to endure the direct provision system for years on end. The direct provision and dispersal system, which provides food and board for people seeking protection, should be abolished but while it remains in place, it should be administered in a fair and transparent way.



HOUSING

Arising from our work on mortgage arrears, FLAC has become aware of serious flaws in the State's social housing policy. The Government must take a coordinated approach to the economic crisis and ensure that no one is left without a home because of difficulties such as family breakdown, over-indebtedness or unemployment. The State has ultimate responsibility for all those who are left destitute; however government departments currently seem to work independently of each other in addressing a person's housing needs. A harmonised response to the problem of homelessness as a result of repossessions and evictions needs to be adopted and implemented as a matter of urgency. In addition, any review of the Rent Supplement Scheme should ensure that no person in need of the supplement will be deprived of it and left without somewhere to live.

LEGAL AID

In this anxious time the State should, at a minimum, commit to maintaining current levels of funding and resources to those providing legal aid. Cutting legal aid will discourage and deny people on low incomes access to the courts and dispute resolution systems that other people will still be able to access. To deny people access to the system, or to the people who can explain and interpret the system to them, is to deny a very basic right and should not be tolerated in a system



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based on the rule of law. In November 2010, two State-run law centres had waiting lists to see a solicitor of more than eight months with nine more having waiting lists of five months or more substantially beyond the maximum waiting period of two to four months set down by the High Court in a 2004 case.

CONCLUSION

FLAC is calling on politicians and policy-makers to remember that the State has voluntarily signed up to international human rights treaties and we call on the new Government to renew the State's commitments under these international instruments as well as ratifying the UN

Convention on the Rights of Persons with Disabilities and the UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. 2011 will highlight these commitments as Ireland will undergo examinations on its human rights record under the Universal Periodic Review (UPR) and the UN Committee on the Elimination of all forms of Racial Discrimination (CERD).

FLAC will continue to develop proposals in the run up to the election, and looks forward to discussing them with candidates – if readers have ideas or suggestions that they would like to input, please contact us at info@flac.ie

Economic crisis provides opportunity to examine principles and values

At the Dave Ellis Memorial Lecture, FLAC Council Chairman, Peter Ward, took the opportunity to reflect on the work of FLAC in the context of the recession and economic crisis.

Noting that Dave Ellis “would be surprised to realise that ... we appear to be back in the same economic condition that we were in, in the 1980s when Dave carried out much of his pioneering legal work,” Ward outlined the task facing organisations such as FLAC who must now more than ever before strengthen and widen their work to provide services to marginalised, impoverished and isolated communities.

“In 1969, FLAC was established,” he recalled to the assembled guests, “around a core principle of equal access to justice and that principle of equal access to justice encapsulates an attempt to place the concept of equality

which is enshrined in our Constitution at the heart of any analysis of how our legal system works.

“...FLAC as an organisation has never just been about ensuring that a poor person is put in contact with a charitable lawyer although it has importantly been that. But our work in isolated and marginalised communities and our work with other community organisations and fellow NGOs have ensured that we are engaged in a process of an examination about how our society is structured and how so many people are excluded from full participation in the society.”

However, despite the challenges posed by the economic situation, there is one positive which Ward singled out – the opportunity for an examination of the principles and values which underpin society.



© Photo by Derek Speirs

FLAC Council Chairman, Peter Ward S.C.

“We do have an opportunity to radically examine these fundamentals. If we are to survive and to thrive, rather than succumb to the mass emigration of our youth abroad, as we have done in this country for centuries, then we must attempt to harness all of the talents and energy and creativity of our people equally... We must use these opportunities to unlock [the] potential and we are committed in this organisation to working in a deeper and more effective way to achieve these goals.”

FLAC CAMPAIGNS UPDATE: Inconsistencies and unfairness caused by the Habitual Residence Condition

On 27 October Saoirse Brady, FLAC's Policy and Campaigns Officer, and Joe O'Brien, Policy Officer with Crosscare Migrant Project, highlighted to the Joint Oireachtas Committee on Social Protection, ongoing issues in relation to the maladministration of the Habitual Residence Condition – a condition which applies to all means-based social welfare payments and child benefit. While Crosscare's presentation focussed on the impact of the condition on returning Irish emigrants, FLAC spoke about the negative effect the condition is having on a number of particularly vulnerable groups including Travellers, victims of domestic violence, EU migrant workers made redundant and asylum seekers. The rigid application of the condition to members of these groups without any consideration of their individual circumstances is leading to hardship and, in some cases, destitution.

In advance of the meeting, FLAC circulated its recently-published Guide to the Habitual Residence Condition to clarify the law in this area. However, the Guide will only work in practice if the law is understood by those applying it and the Condition is then administered in accordance with the law.

In its presentation, FLAC argued that the lack of fair practice and procedure in social welfare administrative systems is leading to bad or inconsistent decision-making which has in turn put even more pressure on the already strained Social Welfare Appeals Office. FLAC recommended that:

- the obsolete two-year rule be removed from the legislation;
- comprehensive training be made available for Deciding Officers and Community Welfare Officers which adequately explains people's rights to payments subject to the HRC and
- a common sense approach be taken and each case decided on its

individual circumstances .

Following the presentation from the NGOs, Ms Anne Vaughan and Mr Philip Melville, representatives of the Department of Social Protection, outlined the operation of the Habitual Residence Condition and referred to the intricacies of EU law which make "the condition complex to understand for our customers and staff". In this light, Ms Vaughan announced that the department is currently reviewing its own operational guidelines on the condition "with the intention of making these clearer and more user-friendly for deciding officers and customers alike". Ms Vaughan also commended FLAC's work on its information leaflet on the HRC which she said had set down the material "very succinctly" and will be taken into account in the review.

"The lack of fair practice and procedure in social welfare administrative systems is leading to bad or inconsistent decision-making"

Mr Dan Kavanagh, Deputy Chief Social Welfare Appeals Officer discussed the increased workload of that Office and summarised the steps taken to deal with the unprecedented number of cases with which it is currently dealing. He said that it is expected that the office will have received up to 33,000 appeals by the end of 2010 and that average processing times were currently 27.5 weeks and extra staff has been taken on to deal with this increase in demand.

Deputy Michael Ring, Fine Gael Spokesperson on Social Protection highlighted problems encountered by returning Irish emigrants and requested clarification on the position of a person moving to the State from another part of the Common Travel Area. The Department representatives

indicated that this issue would be addressed in the revised guidelines. In relation to the delays in the Social Welfare Appeals Office, Deputy Ring stated that the fact that people are waiting for up to a year for the result of an appeal "is wrong and deprives them of natural justice".

Roisin Shortall, Labour Spokesperson on Social Protection asked the officials for details of the training provided to decision-makers while pointing out the "significant inconsistency in the application of the HRC across the country". She recognised the pressure that departmental staff and Community Welfare Officers are under and said that the proposal to have a "reference centre" for processing complex HRC decisions "seems to make a lot of sense".

Deputy Bernard Durkan of Fine Gael stated his long-standing opposition to the HRC and emphasised "that shortage of money is not an excuse for abusive or repressive legislation and can never be used as a basis for such".

Fianna Fáil Deputy Thomas Byrne highlighted the "deeply unfair" situation whereby an individual needs an NGO to advocate on his/her behalf in order to make a successful claim on HRC grounds rather than having a decision reached in a fair and efficient way. He claimed this was a "failure of the system".

The department officials said they would reflect on the comments made in relation to the administrative nature of the system but that issues of policy are a matter for the Minister for Social Protection.

FLAC's presentation, submission and Guide to the Habitual Residence Condition are available at www.flac.ie and a transcript of the Committee hearing is available at: <http://debates.oireachtas.ie/FAJ/2010/10/27/00005.asp>

Dáil Committee examines difficulties with Direct Provision

The Joint Oireachtas Committee on Health & Children invited the Health Service Executive (HSE) and the Reception and Integration Agency (RIA), (the administrative section of the Department of Justice & Law Reform responsible for coordinating the provision of services to asylum seekers), to appear before the Committee on 12 October. Members of the Committee visited accommodation centres for asylum seekers in Mosney and Monaghan in August this year. The Committee members expressed concerns arising from their visits to both accommodation centres.

FLAC contacted each member of the Committee prior to the meeting and raised a number of questions which focused on the rights of the child, the right to health of the residents in accommodation, and the impact of the operational administration of the direct provision system on residents. The cross-party Committee was chaired by Sean Ó Fearghail TD, and was well attended with most political parties represented.

The importance of establishing an independent complaints procedure was a strong concern raised by many Committee members. Under the current system, complaints are dealt with by RIA with no further right of appeal as RIA states that its decision is binding. This leads to a lack of transparency and independence in the complaints mechanism.

The specific wording in RIA's 'House Rules and Procedures' document states "if you deliberately make false or malicious complaints, it could reflect on your character. This could have legal consequences and, for example, could affect an application for 'leave to remain'". Committee members argued that having such wording in the House Rules discourages complaints and could have a serious impact on individuals or families considering making a complaint.

Chairman Ó Fearghail TD (Fianna Fáil) identified the important responsibility of the State and its departments in light of our history and the history of our institutional abuse, where there was a lack of openness and transparency in the past. Kathleen Lynch TD (Labour) emphasised the lack of record keeping regarding complaints made. Caoimhghín Ó Caoláin TD (Sinn Féin) argued that RIA had a "see no evil" mindset in relation to residents' complaints.

The inspection of centres was also a point of concern for many of the members including Charlie Flanagan TD, (Fine Gael), who referred to the standards set by the Health Information and Quality Authority (HIQA), and the absence of HIQA's involvement in RIA's accommodation.

In the course of the hearing, Noel Dowling, Principal Officer (RIA), agreed to speak with centre managers with a view to ensuring that from January 2011, they will have an ad hoc complaints recording system in place, which will be publicly available. He also agreed to "take another look" at the House Rules to see if the issue regarding false and malicious complaints can be rephrased in a manner that will serve not to suppress a complaint.

FLAC welcomes this focus on direct provision and dispersal. However, the commitment to reviewing the recording of complaints will have very little impact if an independent and transparent system is not put into place. If people do not have faith in the system and are reluctant to use it, then any records kept will not accurately reflect the number of and type of issues direct provision residents face.

FLAC will continue to lobby for substantive changes in the direct provision system to improve the living conditions of people who are in the care and control of the State while they seek protection in Ireland.

Seminar on Free Movement of Workers

On 5 November, FLAC was invited to speak at a seminar on the free movement of workers in Ireland which took place at the Law Society of Ireland. The meeting was chaired by John Handoll, Partner with William Fry Solicitors, who is the Irish representative on the European Network on Free Movement within the European Union coordinated by the Centre of Migration Law, Radhoud University, Nijmegen, (and supervised by the European Commission).

Jo Kenny, PILA Legal Officer, made a presentation on behalf of FLAC about the impact of the Habitual Residence Condition on EU nationals. Other speakers included Les Allamby of Law Centre NI, Catherine Cosgrave and Hilka Becker of the Immigrant Council of Ireland, Mr Joe Shiels of the Centre for Cross Border Studies, Eva Massa of the Law Society's Law School as well as a number of other prominent lawyers and academics. The Joint Secretaries of the North-South Ministerial Council, also attended the seminar.

The speakers covered a range of EU-related matters including the recognition of qualifications, the 'Residence Directive' [Directive 2004/38/EC], reverse discrimination, cross-border issues, the situation for Romanian and Bulgarian workers as well as the position of third country nationals.

For more information on the European network on free movement of workers within the European Union see:

<http://ec.europa.eu/social/main.jsp?catId=475&langId=en>.



PUBLIC INTEREST LAW ALLIANCE UPDATE

Examining Cost as a Barrier to Justice

On 29 October PILA hosted the third in its successful seminar series. This time the focus was on the barriers to public interest litigation and positive experiences of public interest litigation.

Patrick Dillon-Malone BL, Counsel for the Irish Human Rights Commission in the recent 'Digital Rights' litigation, noted the courts' legitimate concerns with granting standing, e.g. the allocation of judicial resources; the need to avoid "busybody" plaintiffs; and the reluctance to deal with abstract matters. Patrick nevertheless

noted that the non-governmental organisation plaintiff, Digital Rights had been granted standing in a case which concerned protection of the right to privacy. A full handout of Patrick Dillone-Malone's talk can be found on www.pila.ie.

Iain Byrne, Senior Lawyer with Interights, discussed strategic litigation and the challenge of implementation (see page 6).

Jo Kenny, Legal Officer with PILA, launched the PILA report on 'The Costs Barrier and Public Interest Litigation'. Jo observed that the threat of an adverse costs order remains a barrier to public interest litigation and that all the common law jurisdictions

discussed in the report had identified means of addressing that barrier, for example the protective costs order. Jo expressed the hope that the report would stimulate discussion and debate as to how Ireland will tackle the costs barrier.

The report and further online resources on barriers to public interest litigation are available on www.pila.ie.

If any readers are interested in contributing to the ongoing discussion on costs and public interest litigation, please contact PILA at info@pila.ie. The next step will include convening a group of practitioners to discuss law reform in this area.

Marriage Equality Civil Marriage for Gay and Lesbian People

On 15 November 2010, PILA welcomed Evan Wolfson, lawyer and long-time civil rights leader in the movement for marriage equality in the US, to talk about his work as a lawyer in the movement for justice and equality for same-sex couples.

PILA and Marriage Equality, an initiative working for civil marriage for gay and lesbian people in Ireland, co-hosted a roundtable to discuss issues of justice and equality for same-sex couples. Encouraging discussion and dialogue, the roundtable provided opportunities for the attendees to share learning and to discuss what is next for same-sex couples and children with gay and lesbian parents.

Following the roundtable, PILA and Marriage Equality held a reception at which Geoffrey Shannon, family law solicitor, addressed the need to legislate for the children of same-sex parents, emphasising the importance of a child-centred approach, whilst Brian Barrington BL outlined various gaps in equivalence with marriage in the Civil Partnership Act 2010.

Public Interest Law Institute 2010: European Pro Bono Forum

PILA staff attended the Public Interest Law Institute 2010 European Pro Bono Forum in Paris on 18-19 November. Some 280 international attendees were at the forum and heard from a wide range of speakers on a variety of pro bono initiatives around the world. PILA Manager Larry Donnelly spoke about the role of *pro bono* in combating poverty and social exclusion in Europe. He discussed the theme in an Irish context and reflected on those who now find themselves poor and socially excluded for the first time in the wake of the economic meltdown.

Larry highlighted PILA's efforts to overcome barriers to public interest litigation; to expand *pro bono* legal work; and to reach out to current law students, the next generation of Irish lawyers. PILA also took part in the NGO Marketplace at the forum and introduced a new global audience of *pro bono* advocates to its work.

'Know Your Rights' PILA and Irish Council for Civil Liberties (ICCL) Launch New Guide

On 24 November, PILA Manager Larry Donnelly and ICCL Director Mark Kelly co-launched ICCL's latest Know Your Rights pack on the European Convention on Human Rights. The pack was formally launched by Anthony Lester QC, who later addressed the ICCL's annual dinner for legal practitioners.

PILA supported the publication of the pack and Larry Donnelly commented that: "One of PILA's main objectives is to make the law and legal system more accessible to all. The ICCL's Know Your Rights packs, which strive to inform people about their legal rights and entitlements in plain language, play a vital role in achieving this objective. As such, we are delighted to co-launch this pack on the European Convention on Human Rights."

The 'Know Your Rights' Guide is available at:
www.pila.ie and
www.iccl.ie

Continuing education underpins FLAC's service to the public

Legal interns are integral to the day-to-day work of FLAC. Nine interns currently call FLAC their professional home, contributing to different aspects of FLAC's campaigns and responding to the legal queries of the general public through our telephone information service.

An intern's work requires strong general legal knowledge, particularly of family and employment law; these areas are heavily queried by the public. Thus interns receive regular training, attending Family

Law and Employment Law courses run by both the Ballymun Community Law Centre and Northside Community Law Centre in Coolock. These courses are accredited by FETAC and require regular project submissions and the completion of a final examination. They are not limited to legal professionals. Eoin Coffey, one of the FLAC interns studying Family Law through the Northside Community Law Centre, is full of praise for the courses: "They are a great way for the public to increase their knowledge of family law."

By undertaking these courses FLAC interns stay up to date with developments in the law and ensure they are confident and capable in assisting the public with their legal questions.

Child Benefit Discrimination Challenged

A mother and her two Irish citizen children who have been refused Child Benefit have been given leave to judicially review the decision. The mother, who is an asylum seeker from West Africa, is in a relationship with the father of the children, who is Irish, but they are not co-habiting because she and the children are in direct provision.

The Child Benefit claim was refused because the mother does not satisfy the Habitual Residence Condition (HRC), even though the father does and FLAC is aware of other cases where mothers who do not satisfy the HRC have been allowed to benefit from the father's status. FLAC, which represents this family, has been told that the reason for this difference in treatment is that the parents are not co-habiting and therefore are not recognised as a "family unit". The family are claiming that the children, for whose benefit Child Benefit is supposed to be provided, are being discriminated against compared with other Irish citizen children because of their parents' living arrangements. The couple's relationship is stable and has lasted for six years and the father takes

an active part in the children's upbringing and contributes financially to their upkeep.

The case raises a number of issues, including what constitutes a "family unit", which is much more widely interpreted under the *European Convention on Human Rights* than by the Department of Social Protection, and whether couples have to co-habit to be recognised as a family. It also raises the question of access to previous decisions of the Social Welfare Appeals Office – already raised in another judicial review case. Access to such decisions would allow the applicants to see how similar cases have been dealt with in the past and whether decision-making is consistent.

On this issue, however, the Appeals Office has claimed that it does not keep copies of its own decisions – it is not clear whether they deliberately delete them from their computers! Instead, they send the decisions off to the Department of Social Protection, which is the respondent in this and other cases. And the Department in turn says it does not keep a database of such decisions and that it would be far too difficult and costly to do so, despite the fact that the British and Northern Ireland authorities file and publish similar decisions without apparent difficulty.

Irish Human Rights Commission Roundtable on Direct Provision

The Irish Human Rights Commission held a roundtable on the subject of direct provision and dispersal for asylum seekers on 12 October, the same day as a Joint Oireachtas Committee meeting on the same subject. Officials from the Department of Social Protection, the Health Service Executive and the Office of the Ombudsman attended the roundtable. No representative from the Department of Justice and Law Reform attended.

The event was attended by a number of NGOs working on asylum and migrant issues. Issues discussed included social welfare provision, mental health difficulties, education and the length of the asylum process. This event presented a useful opportunity for those representing direct provision residents to engage with statutory bodies on some of the key issues and it also provided the chance to feed into the Commission's work on the CERD shadow report which is available at :

www.ihrc.ie/download/pdf/20101210101458.pdf

New Specialised Services at FLAC Centres

FLAC, in cooperation with the Citizen's Information Service for Dublin 2,4 and 6, has opened two new specialised services in the Carmelite CIC on Aungier Street. There is a specialised Family Law centre operating on the first and third Thursday of the month. We also run a specialised Employment Law advice centre on the second and fourth Thursday of each month. The centres are by appointment only and bookings can be made by telephoning 01 400 5971.

Our volunteers in these specialist clinics are experts in the relevant area of law, namely Family, Employment and Immigration law. Approximately, one third of all enquires at FLAC centres are Family law related with employment law accounting for a significant number also. As a result, FLAC also runs specialised centres in Dublin and Galway.

Focus on FLAC: Gillian Kernan, FLAC Research Officer

Gillian joined FLAC in 2007 as an intern, assisting Marcela Rodriguez Farrelly with the Data Collection Programme which she had created in 2004.

Marcela envisaged a way of collecting data from FLAC centres and the Telephone Information Line to support FLAC's campaign work, to enhance the service FLAC provides and to highlight areas of unmet legal need, particularly areas not covered by the Legal Aid Board.

When Marcela left FLAC in 2007 to take up a post with UNHCR in Botswana, Gillian was assigned the position of Research Officer and took on responsibility for the programme.

Prior to working at FLAC, Gillian completed a B.A. (hons) in Economics and Geography, a master in Economic Science and an MSc (research) in Housing Policy in University College Dublin. While undertaking the research masters on the provision of affordable housing in Ireland she spent three months as an intern with UN HABITAT in New York. It was there that she developed an interest in human rights which ultimately led to her interest in FLAC's work.

Gillian's role at FLAC involves supplying the FLAC centres with Data Collection Forms which legal advice volunteers complete, recording the area of law the client needed assistance with, whether the client had already spoken to a solicitor, as well as a synopsis of the advice given and referral made.

The form also gives volunteer legal advisors a chance to highlight any cases brought to a centre which bring to light injustice in core areas of FLAC's work, such as access to legal aid, consumer debt law reform, consumer credit law reform, and social welfare law procedures and mechanisms, e.g. the Social Welfare Appeals Office.

The forms are returned to Gillian for collation and analysis. Similar details are recorded of all calls made to FLAC's telephone information line and queries received by email, which she compiles to provide FLAC with up-to-date statistics, which are central to all FLAC's work.

"For example, debt related queries to FLAC's telephone information line almost doubled from 56 calls in January 2010 to 110 in November



2010. In contrast, family law queries are consistent at one in four calls to the information line and one in three visitors to a FLAC centre," commented Gillian.

In her spare time Gillian is a keen swimmer and scuba diver and was part of a relay team to break the Guinness World Record for the longest open water relay swim in Camlough Lake in 2009 covering a distance of 685.5km.

Much of her time at FLAC over the coming weeks will be devoted to preparing the statistics, facts and figures from the past year which will demonstrate the issues affecting those who avail of FLAC's service. Once compiled, Gillian will prepare the data for FLAC's upcoming annual report which will cover 2010.

New FLAC Centre at 'Outhouse'

On 7 November, a new FLAC Centre opened in Outhouse on Capel Street, Dublin. Outhouse is a resource centre for the LGBT (lesbian, gay, bisexual and transgender) community.

The FLAC Centre is open on the first Tuesday of every month.



Pictured are Sonya Donnelly, LGBT Lawyers' Association coordinator for the FLAC Centre; Cormac Gollgoly, also of the LGBT Lawyers' Association, who is the legal volunteer at the new FLAC centre, and FLAC Volunteer and Centres Manager, Zs  Varga.

Ireland's human rights record to be examined in the Universal Periodic Review

In October 2011, Ireland will be examined for the first time by other United Nations (UN) countries on our human rights record. This process is called the Universal Periodic Review or UPR. This is a new mechanism and is the first time that UN states directly examine each other on their human rights record.

One of the most exciting aspects of the UPR is the broad range of human rights that are considered: from the right to health to the right to liberty to the rights of children, older people and people from minority groups. Structural challenges can also be included in the review. Ireland will be examined on its obligations under the UN Charter, the Universal Declaration of Human Rights, voluntary pledges made by Ireland, as well as international humanitarian law.

The UPR examination is based on the following: 1) Information prepared by the State, 2) a summary of information from UN reports (containing information from monitoring bodies such as the UN Human Rights Committee or the UN Committee against Racism, other UN documents) and 3) a report with information from NGOs.

In preparing its report, the Irish government must conduct a national consultation exercise. This is a good opportunity for NGOs and civil society to share their human rights concerns with national policy makers.

Civil society also has the opportunity to contribute to Ireland's examination by providing evidence directly to the UN about the situation on the ground. We can use the UPR to highlight the gaps in human rights protection within Ireland and as part of the examination the Irish Government can be held to account for its past performance.

Civil society organisations who wish to input into the UPR can do so by submitting a UPR stakeholder report. The deadline is 21 March 2011. Experience shows that the recommendations of civil society will be stronger if we work together.

“Experience shows that the recommendations of civil society will be stronger if we work together”

Sixteen organisations, including FLAC, have come together to develop a joint report. A full-time coordinator has been recruited by ICCL to work on coordinating this. (Contact Mary O'Shea by email mary.oshea@iccl.ie or by phoning 01 7995404).

To prepare for the stakeholder report, the steering group plans to consult with groups and organisations around the country and feed this information into the report. We hope that as many civil society organisations and groups

as possible will contribute and sign up to the Stakeholder report.

The final result of the UPR examination will be a list of recommendations made by other countries on how to improve the human rights situation in Ireland. FLAC plans to use the UPR recommendations to inform our work for change in Irish law, policy and practice until Ireland's next UPR examination in four year's time.

A website for the UPR is currently being developed. Please visit www.iccl.ie or www.rightsmonitor.org for more information.

The following websites have some very useful materials on the UPR: Office of the High Commissioner for Human Rights: www.ohchr.org/en/hrbodies/upr/pages/UPRMain.aspx and <http://www.upr-info.org/>

FLAC Fellowship Award



Jeff Walsh (left) is presented with the Thomas Addis Emmet Fellowship by Mrs Justice Catherine McGuinness. As part of the Fellowship, Jeff, a law student at TCD, spent nine weeks working in Seattle as a legal intern with the Washington Appleseed Centre for Public Interest Law. Also pictured is Michael Mansfield, QC.

FLAC is now inviting applications for the 2011 Thomas Addis Emmet Fellowship. See www.flac.ie for more information.

FLAC meets Transgender Advisory Group

The Advisory Group set up by the Government to draft proposals to recognise transgender persons is expected to report early in 2011. FLAC, Transgender Equality Network Ireland (TENI), and other interested bodies made written submissions and met with the Gender Recognition Advisory Group towards the end of 2010. FLAC also made additional submissions after meeting the group to clarify some of the points discussed.

Most bodies which met the Advisory Group were impressed with their positive attitude and commitment to drafting a scheme that would fully respect the dignity of transgender persons. But there are some difficulties with transgender laws in other European countries which brought in legislation some time ago and in our written and oral submissions, FLAC argued that Ireland should try to avoid these problems at this stage.

Two of these issues concerned preconditions for recognising a

Launch of Young Bar Committee

Pictured is Sophia Purcell, BL, Chairperson of the Young Bar Committee of the Bar Council, a group representing young barristers, which was officially launched at the 4th Annual Dave Ellis Memorial Lecture held last November.



© Photo by Derek Speirs

transgender person's acquired gender identity. Some European countries, but not the UK, Spain or Hungary, require applicants to undergo major gender reassignment surgery before they will grant them recognition. We pointed out that such invasive surgery may not be medically advisable or may even be highly dangerous for some transgender people. In fact the German Supreme Court and the Austrian Administrative High Court have condemned such requirements in their domestic law in recent years.

Other countries, including the UK, require transgender persons who were married in their previous gender to divorce before they can be recognised in their new or acquired

gender. Otherwise they are afraid that this might seem like endorsing same-sex marriage. Some couples in this position want to stay together and we suggested that it would be unacceptable to force couples who are in a stable long-term relationship to divorce.

Once again the German Constitutional Court and the Austrian Administrative Courts have struck down similar requirements. In the UK it has been suggested that couples in this situation could divorce and almost immediately enter into a civil partnership, but this is not feasible in Ireland where it is necessary to have been separated for four years prior to divorce.

Making access to justice possible

FLAC has been working for equal access to justice for all people in Ireland since it was set up in 1969. Forty years later, we are still campaigning, researching and providing practical help to people all over the country. In 2009, FLAC answered some 10,154 queries over its telephone helpline and provided free legal advice to around 8,730 people via its centres around the country.

The current economic climate means increased strain on FLAC's workload. If you would like to help FLAC continue its work promoting equal access to justice for all, please consider making a donation to the organisation.

You can help FLAC by:

- ▶ Sending a cheque/postal order with your details to **FLAC, 13 Lower Dorset Street, Dublin 1**
- ▶ Logging on to www.flac.ie and following the link to www.mycharity.ie
- ▶ Making a credit/laser card donation by completing and returning the donation form below:

Name:	Amount: €	<input type="checkbox"/> I am : a PAYE taxpayer <input type="checkbox"/> a non-PAYE taxpayer
Address:	If you are a PAYE-only taxpayer, a gift of €250 or more could be worth up to an extra 72% to us!	
.....	Please debit my: Visa <input type="checkbox"/> Mastercard <input type="checkbox"/> Laser <input type="checkbox"/>	
Card number: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	Expiry Date: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	CSV: <input type="text"/> <input type="text"/> <input type="text"/>