

Longford Wicklow
Monaghan Clare
Tipperary Kilkenny
Laois
Wexford Sligo
Waterford
Donegal
Limerick Cork
Galway
Westmeath
Kerry
Meath
Kildare
Louth
Dublin
Offaly Cavan



LEGAL AID BOARD

Annual Report 2001

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FOREWORD

This is my first Annual Report as Chairperson of the Legal Aid Board and it relates to the year 2001. Credit for the Board's achievements in that period is in a large part due to my predecessor Ms. Clare Connellan and her colleagues who left office in October 2001.

In 2001 the total number of persons provided with legal services was 18,700 as opposed to 17,800 in 2000. Of these, just over 4,500 were provided with services by the Refugee Legal Service (RLS).

An adequate level of funding was provided for the Board's 30 law centres with the grant-in-aid increasing from £12.899 million (€16.378 million) in 2000 to £13.604 million (€17.274 million). The change in the provision for the RLS was substantial, with the funding increasing from £1 million to £8.1 million. These funds were used in part to set up new RLS offices in Dublin, Cork and Galway. I would like to thank the Minister for Justice, Equality and Law Reform and his officials for their continued support in the area of resources.

In 2001 the Board moved a number of sections of its Head Office to temporary accommodation in Cahirciveen, in line with the terms of the Government decision to decentralise the Board's Head Office. At the same time work was underway on the new permanent offices in the town, which were completed before the end of the year. The transfer was completed in February 2002 when the balance of the staff moved there.

As part of our overall approach to corporate governance the Board members are totally committed to the effective continuation of the change management programme that was initiated by the previous Board. In this context, the Board sees the effective implementation of the new Public Sector Performance Management and Development System (PMDS) as an over-arching organisation-wide imperative with clear benefits for the Board, its staff and clients of the Board.

The Board is conscious that the Organisational Climate Survey, undertaken as part of a manage-



ment development programme for managing solicitors and other senior managers in the Board, identified a need to provide greater clarity on standards and expected levels of performance. The Board believes that PMDS is a powerful tool for tackling the issues identified in the Survey and providing strong leadership over the period of its term in office.

In conclusion I would like to thank the previous Board and I look forward to working with my colleagues on the current Board and the Board's management and staff, with a view to continuing improvements in the availability and quality of the service.

Eamon Leahy S.C.
September 2002

HEAD OFFICE EXECUTIVE STAFF

Chief Executive :	Frank Goodman
Director of Legal Aid :	Frank Brady
Director of Human Resources :	Pat Fitzsimons
Director of Operations :	Dara Mullally
Director of Corporate Services Refugee Legal Service :	Feargal O'Brolchain
Financial Controller :	Joan Enright
Secretary to the Board :	Clare Kelly
Auditors :	Comptroller and Auditor General
Solicitors :	Mason, Hayes and Curran
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The reception area and the exterior of the Legal Aid Board Head Office in Cahirciveen

THE BOARD



Eamon Leahy S.C.
Chairperson

Caoimhín Ó hUiginn
Assistant Secretary,
Department of Justice,
Equality and Law Reform



David King
Staff Representative
Higher Executive Officer
Refugee Legal Service

Catherine Hazlett
Principal Officer
Department of Social and
Family Affairs



Lucille Fahy
Staff Representative
Solicitor,
Gardiner Street Law Centre

Una Doyle O'Sullivan
Solicitor



Brendan T. Looby
Solicitor

Cormac Dunne
Solicitor



Tony McCarthy
Retail Business

Patricia Ryan
Barrister-at-law



Ann Nolan
Principal Officer
Department of Finance

Catherine Egan
Barrister-at-law



Ann Colley
Solicitor

FUNCTIONS OF THE BOARD

The Legal Aid Board administers civil legal aid in accordance with the terms of the Civil Legal Aid Act, 1995 and Regulations made thereunder. The Act allows for the provision of legal aid and legal advice in civil cases to persons who satisfy the financial eligibility and merits tests laid down in the Act and Regulations. The Act also provides for the provision of information in relation to its services and their availability.

Legal aid is available for representation for proceedings in the District, Circuit, High and Supreme Courts, and also for proceedings before the European Court of Justice. Legal aid is not available for the conduct of proceedings before an administrative tribunal, except for appeals against the refusal of refugee status. Legal advice and assistance can be provided, however, to persons involved in proceedings before any tribunal.

The function of the Legal Aid Board is to make the services of solicitors and, where necessary, barristers available to qualifying persons. Legal aid and advice is provided, in the main, through law centres by solicitors in the full-time employment of the Board. The Board has a nationwide network of law centres with 30 full-time and 12 part-time centres around the country. The services of counsel are provided in accordance with the terms of an agreement between the Bar Council and the Board.

The Board engages solicitors in private practice to provide a complementary legal service to that provided from law centres for certain family law matters in the District Court namely, domestic violence, maintenance and custody/access. This assists the Board in providing a service to all applicants within a reasonable period of time. In May 2001, the Board introduced a one-year pilot project which provides for the use of the private solicitors in divorce and judicial separation cases in the Circuit Court and the results of the pilot are being evaluated.

The Board also operates a dedicated service known as the Refugee Legal Service (RLS) to provide legal advice and assistance to asylum seekers

at all stages of the asylum process, including representation before the Refugee Appeals Tribunal.

The Board publishes a number of leaflets regarding the services it provides. The thirteen leaflets published to date provide general information, in non-legalistic language, on a range of family law remedies which are currently available. The leaflets are available at the Board's law centres as well as court offices and Citizen Information Centres throughout the country. Leaflets on other services provided by the Board, including the new service for complainants in rape cases, are currently being developed.

Expenditure incurred by the Board in the operation of its services is met from the Legal Aid Fund. This fund consists of a Grant-in-Aid from the Department of Justice, Equality and Law Reform, contributions from aided persons and other income, including specific funding from the Oireachtas for the RLS.

DEVELOPMENTS IN 2001

There were a number of significant developments during the period under review, the most important of which are as follows:-

- The Board's Grant-in-Aid was increased by 5.5% from £12.899 million (€16.378 million) in 2000 to £13.604 million (€17.274 million) in 2001;
- The funding for the Refugee Legal Service was increased from £1 million (€1.27 million) in 2000 to £8.1 million (€10.28 million) in 2001;
- Just over 18,700 persons were provided with legal services by the Board in 2001 as compared with 17,800 in 2000;
 - The law centres provided services to 12,800 persons;
 - The Private Practitioner Scheme provided services to 1,400 persons in the District and Circuit Court; and
 - The RLS provided legal services to 4,500 asylum seekers;

- Waiting times for a first appointment with a solicitor had been reduced in 19 law centres;
- Waiting times for a first appointment with a solicitor had been reduced to three months or less in 17 law centres;
- The number of persons awaiting a first appointment with a solicitor was reduced by one third from approximately 2,200 in December 2000 to 1,500 at the end of December 2001;
- In May 2001, a Pilot Circuit Court Scheme was introduced in ten locations throughout the country to enable private practitioners to represent clients in divorce and judicial separation cases;
- The Sex Offenders Act, 2001, which came into effect in September 2001, amended the Civil Legal Aid Act, 1995, by extending the scope of legal aid to provide legal representation for complainants in certain circumstances during "rape" cases;
- A client survey, conducted to establish the views of clients on the service provided by the Board, showed a high level of satisfaction with the service; similar surveys, on the service provided by private practitioners as well as the Board's law centres, will be conducted on an ongoing basis;
- The Board opened a temporary office in Cahirciveen, Co Kerry to facilitate the relocation of its Head Office from Dublin to Kerry.



Mr. John O'Donoghue, T.D., Minister for Justice, Equality and Law Reform, and Mr. Frank Goodman, Chief Executive, at the official opening of Nenagh Law Centre.

DEMAND FOR LEGAL SERVICES AT LAW CENTRES

As already indicated, legal services are mainly provided by solicitors in the full-time employment of the Board, working in law centres established by the Board. The solicitors are assisted in this work by a range of paralegal and administrative staff. In addition to the network of 30 full-time law centres, legal services are also provided through 12 part-time law centres which are serviced by staff of the Board. The significant complementary role played by the private practitioner scheme and the specialised RLS service are dealt with in separate sections of this report.

Priority service

The Board operates a procedure whereby priority is accorded for certain categories of cases, for example, domestic violence, childcare, child abduction and other cases where there are time limits. These cases are dealt with immediately. Such a system for priorities is necessary to ensure that, for example, persons who are subjected to domestic violence and cases involving the care of children are provided with a speedy service. The need for this service arises from the fact that the demand for legal services can be greater than the Board's capacity to meet that demand immediately.

Managing solicitors also retain a residual discretion to provide a priority service where, having regard to the particular circumstances of the case, as compared with other applications on the waiting list, they consider it appropriate that a particular applicant be given specific priority. In 2001, the total number of priority appointments offered by law centres was approximately 1,500, or about 22% of the total number of appointments offered to new clients during the year.

Level of demand for legal services

The appointment of additional staff at senior management level, referred to in the Annual Report for 1999, strengthened the management capability of the Board.

While, initially, these additional management

resources were primarily utilised for a range of specific managerial activities, including the development of the RLS and a review of professional and administrative procedures, it has also been possible to begin a process of reviewing the operations of law centres. The Board is commencing the process of developing criteria and measures for determining value for money and improving the throughput and cost effectiveness of law centres. A statistical analysis of the workloads and output in law centres is being undertaken in conjunction with the introduction of management information systems, arising from the development of a computerised legal case management system and other management activities.

The management team will have particular regard to an Expenditure Review Report on the provision of civil legal aid, which was mentioned in last year's Report and which was completed during 2001. The Review Group made a series of recommendations designed to ensure the provision of a cost effective service, including:

- The introduction of arrangements to
 - measure the overall performance of law centres; and
 - provide new case management systems to maximise the throughput of cases;
- The undertaking of a comprehensive analysis of the cost of providing legal services in different categories of cases; and
- Specific measures designed to increase efficiency.

The Board plans to make significant progress on the implementation of these recommendations during 2002 and 2003.

At the present time, as part of the Board's PMDS programme, a review has commenced of the statistics of current cases in law centres. In this context, it is noted that the number of persons applying for legal services to the Board's law centres (excluding the RLS) has decreased over the years from a peak in 1997, as follows:

1996	10,800
1997	13,400
1998	11,400
1999	9,600
2000	8,900
2001	8,500

The figure for 1997 is unusually high, arising from the introduction of divorce in February 1997. For the previous year, the Board had been keeping a record of persons interested in obtaining legal services for divorce. Such applicants were not placed on the waiting list until February 1997 and, as a result, the 1997 figures included about 1,000 persons who had contacted the Board in 1996.

A review of the Board's annual statistics for the years from 1997 to 2001 will show that the number of persons provided with legal services through law centres has remained fairly constant at an average of 13,000. This comprises just over 6,000 new clients taken on each year with the remainder being cases continuing from previous years.

The number of persons provided with legal services in law centres together with the number of legal aid certificates granted and the number of new cases taken on since 1996 is set out in the following table:

Year	Total No	Certificates	New cases
1996	11,800	4,000	N/A
1997	13,000	5,000	7,000
1998	12,900	4,600	5,900
1999	13,600	4,300	6,200
2000	13,300	4,000	6,000
2001	12,800	3,600	6,200

The reduction in the level of demand and the greater use of private solicitors has contributed to a reduction in the number of persons awaiting services and in the period of time that a person must wait for an initial appointment with a

solicitor. The number of persons awaiting service has fallen from just 2,200 in December 2000 to 1,500 at the end of December 2001. This represents a 33% reduction in the number of persons

awaiting legal services at the end of 2001.

The following table sets out the waiting times for an appointment.

Table I :Waiting time for an appointment with a solicitor

Law centre	December 1999 months	December 2000 months	December 2001 months
Cavan	4	1.5	1
Clare	4	5	4
Cork Pope's Quay	6	0	2
Cork South Mall	7	5	6
Donegal	3.5	3.5	3
Dublin – Blanchardstown	2	5	9.5
Brunswick Street	2.5	5	5
Clondalkin	2.5	11.5	3
Finglas	5	10.5	4.5
Gardiner Street	13	10	8
Ormond Quay	11	7	3.5
Tallaght	4	10.5	3.5
Galway	4	5	3
Kerry	12	7	6
Kildare	15	5	2.5
Kilkenny	6.5	5	4.5
Laois	3.5	1	3
Limerick	4.5	3	1
Longford	2	1	0
Louth	6.5	4	3
Mayo	1	1	1
Meath	4.5	2.5	3
Monaghan	3.5	2.5	0
Offaly	5	1.5	3.5
Sligo	1.5	2.5	3
Tipperary	7	6	3
Waterford	1	3	1
Westmeath	2	2	2.5
Wexford	10.5	7	6
Wicklow	12	3	4

CASES DEALT WITH IN 2001

The total number of persons who received assistance from the Board through the law centres and the Refugee Legal Service in 2001 was 18,700, which is an increase of over 5% on the 2000 figure of 17,800. The total number of persons who received assistance through the law centres and the Private Practitioner Scheme during 2001 was 14,200, as compared to 14,400 in 2000.

The number of persons provided with legal advice (excluding RLS) was 9,100 as compared with the 2000 figure of 9,400.

The number of persons provided with legal aid, i.e. representation in court, in 2001 was 5,100 as compared with 5,000 in 2000.

In 2001 the RLS provided legal services to over 4,500 asylum seekers, an increase of 32% on the 2000 figure of 3,400. The number of persons who also received legal aid for representation before the Refugee Appeals Tribunal was just over 2,800 in 2001 compared to over 2,200 in 2000.

Detailed statistics on the cases dealt with in 2001 are contained in Appendix 2.

The following table shows the number of persons provided with legal services through law centres and the Private Practitioner Scheme during the past four years.

1998	13,700
1999	14,400
2000	14,400
2001	14,200

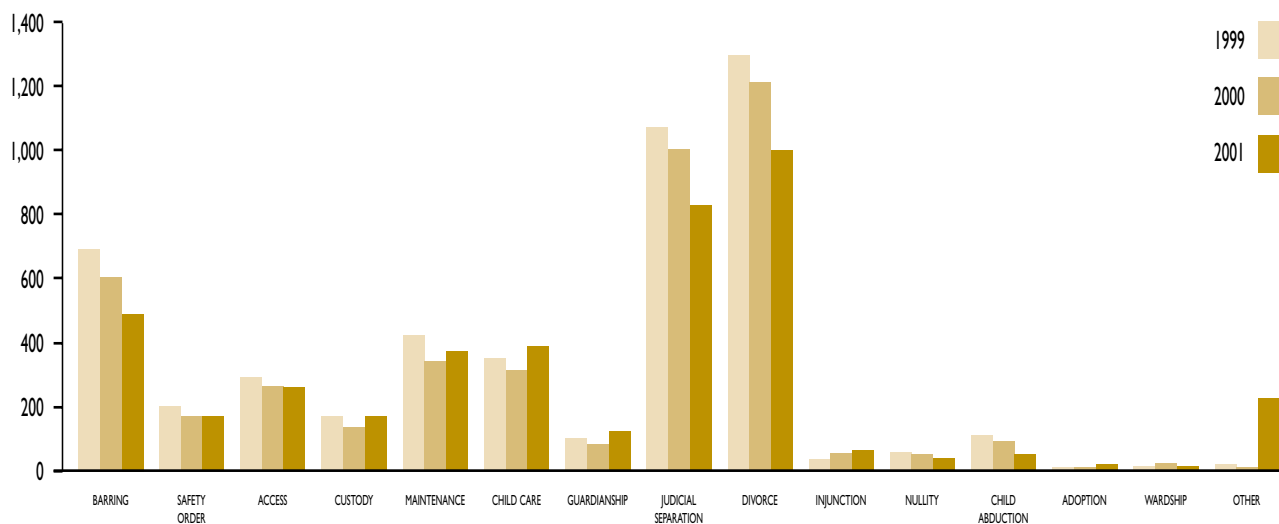
The table below shows the number of persons provided with legal services through the RLS during the past three years.

1999	1,600
2000	3,400
2001	4,500

Family Law Cases

As in previous years, the vast majority of cases dealt with by law centres were in the family law area - about 97% of court cases and 80% of legal advice cases. The following chart gives a breakdown of the various family law cases provided with legal aid in law centres.

Family Law Cases - Law Centres



The following tables shows the total number of divorce and judicial separation orders granted by the courts in 2000 and 2001 (reference: Court Services Annual Reports 2000 and 2001) and the numbers who were legally aided during those periods.

2000	Total Orders Made	Legally Aided	Percentage who were legally aided
Divorce	3,339	1,225	36.7%
Judicial Separation	1,592	1,003	63.0%

2001	Total Orders Made	Legally Aided	Percentage who were legally aided
Divorce	3,459	1,134	32.8%
Judicial Separation	1,845	963	52.2%

Judicial Separation

There has been a decrease in the number of persons provided with legal aid for judicial separation proceedings in 2001, as compared to 2000, but these cases continue to constitute a major element in the legal services provided by the Board and account for over 16.5% of the total certificates granted in family law cases. The Family Law Act, 1995, which incorporates the provisions of the Judicial Separation and Family Law Reform Act, 1989, remains a very important piece of legislation for persons who do not wish to institute divorce proceedings, or have not lived apart for four years, but who wish to separate and to avail of property adjustment orders, pension orders and other ancillary orders that may be made under the Act.

By the end of 2001, legal aid had been granted to 10,700 persons in respect of judicial separation cases since the coming into operation of the Judicial Separation and Family Law Reform Act, 1989. The following are the figures for the last five years:

Year	Legal Aid Certificates
1997	1,249
1998	1,019
1999	1,060
2000	1,003
2001	963

Divorce

The number of persons provided with legal aid for divorce proceedings in 2001 shows a slight decrease from the 2000 figure, but it still accounts for 19.5% of the total certificates granted in family law cases. Divorce continued to have a considerable impact on law centres and on the waiting times for an appointment with a solicitor.

Since the coming into operation of the Family Law (Divorce) Act, 1996 on the 27 February 1997, legal aid had been granted to almost 6,000 persons in respect of divorce.

The following table shows the number of people granted legal aid for divorce over the last 5 years.

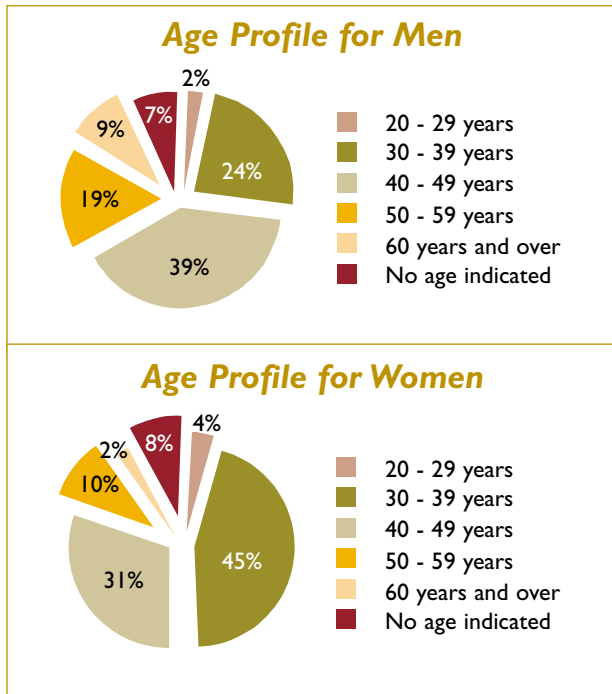
Year	Legal Aid Certificates
1997	938
1998	1,317
1999	1,317
2000	1,225
2001	1,134

DIVORCE SURVEY

In its last Annual Report the Board indicated that a survey of divorce proceedings was underway. A sample of 150 legally aided clients had been analysed and were included in that Report. The results of 913 cases are now available and have been reviewed, and the following tables and charts set out the position.

Age profiles

The following two charts show the age profiles for women and men who were legally aided for divorce proceedings. These charts show that the highest proportion of women were in the age range "30 to 39 years", i.e. 45%, whereas the highest proportion of men were in the age range "40 to 49 years", i.e. 39%.



Number of years married

The following two tables show the number of years married, for women and men who were legally aided for divorce proceedings. These tables show that the highest proportion of women were in the category "10 to 19 years married", at 42%, whereas the highest proportion of men were in the category "over 20 years married", at 39%.

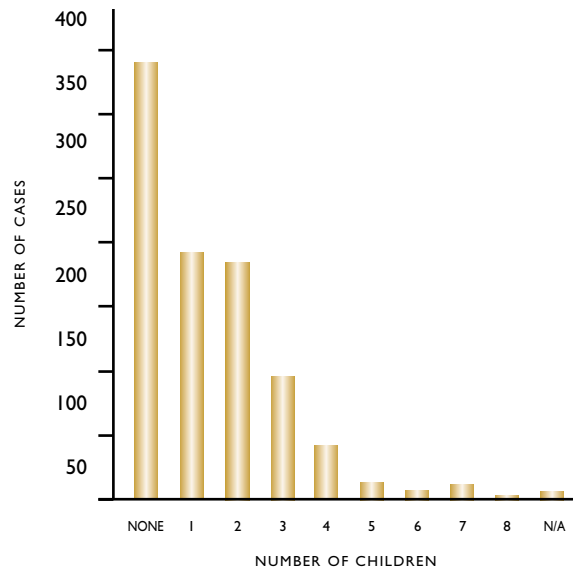
Years Married (female)	Totals	As a % of Total
Under 5 years	36	5%
5-9 years	121	18%
10-19 years	285	42%
20 years and over	220	32%
N/A	19	3%
TOTAL	681	100%

Years Married (male)	Totals	As a % of Total
Under 5 years	18	8%
5-9 years	33	14%
10-19 years	80	35%
20 years and over	91	39%
N/A	10	4%
TOTAL	232	100%

Number of Dependent Children

The following chart shows the clients who were legally aided for divorce proceedings, categorised by their number of dependent children. This chart shows that the highest proportion, i.e. 37%, had no dependent children.

Number of Dependent Children per Case



Previous Remedies

The following table shows the legal status prior to obtaining a legal aid certificate, for the clients who were legally aided for divorce proceedings. This table shows that the highest proportion, i.e. 39%, had no formal Separation or District Court Orders.

Legal Status prior to obtaining Legal Aid Certificate	No. Issued	As a % of Total
No formal Separation or District Court Orders	357	39%
District Court Orders	231	25%
Separation Agreements, Judicial Separations and/or District Court Order	325	36%
TOTAL	913	100%

Number of clients who availed of mediation and counselling

The following two tables show the numbers of clients, who were legally aided for divorce proceedings, who availed of either mediation or counselling respectively.

Mediation	Totals
Male	2
Female	8
TOTAL	10

Counselling	Totals
Male	8
Female	46
TOTAL	54

These tables show that of the 913 clients who participated in the survey, only 10 had availed of mediation and 54 had availed of marriage counselling. The low figures for marriage counselling are not surprising, given that clients are at the final stage in the process of marital breakdown when they apply for legal aid to institute or defend divorce proceedings. At this stage in the process clients do not appear to consider that there is any benefit for them in availing of such services, particularly as about 36% would have already been through a judicial separation or have a separation agreement.

The number of clients availing of mediation is also very low. The Board recognises the significant benefits available through the Family Mediation Service and the Board’s solicitors advise clients of the availability of such services. The final choice, however, is with the client. The court structure in Ireland does not require clients to avail of mediation, as is done in some other jurisdictions. For example, in Ontario, where legal aid is only granted to deal with uncontested divorces, the requirement to attend mediation is included in the court rules, and therefore people have no choice but to attend a pre-trial settlement conference facilitated by a court appointed mediator. The result is that cases in Ontario are more likely to settle than go to court. Mediation may be of particular benefit where the two sides are agreeable to the decree being granted, but disagree on the other issues, e.g., custody and access. There is potential for these issues to be mediated.

The Board will continue to work with the Family Mediation Service to seek to ensure that all appropriate clients avail of its services.

Client details

The following table shows the numbers of clients who instituted and defended divorce proceedings, and the numbers who appealed and re-entered divorce proceedings. This table is categorised by gender.

This table shows that of the clients who were

Details of Client	Gender of Client	No. Issues	% of Total
Institute		548	60%
Defend	Female	124	14%
Other		9	1%
Sub Total		681	75%
Institute		170	18%
Defend	Male	60	7%
Other		2	0%
Sub Total		232	25%
TOTAL		913	100%

legally aided for divorce proceedings, 75% were female and 25% were male. In the case of both genders, the highest proportions instituted divorce proceedings and a lower proportion defended.

Conclusion of case

The following table shows how cases of clients who were legally aided for divorce proceedings were concluded. This table shows that the highest proportion of clients did not have a conclusion to their case at the time of the divorce survey.

Divorce Decree	Totals	As a % of Total
Contested	189	21%
Settled	148	16%
Both	54	6%
Not Concluded	522	57%
TOTAL	913	100%

USE OF PRIVATE PRACTITIONERS

The Civil Legal Aid Act, 1995, empowers the Board to establish a panel of solicitors in private practice to provide legal aid and advice. The Board operates a Private Practitioner Scheme in the District Court and also introduced, in 2001, a pilot project for one year for the involvement of private practitioners in the Circuit Court.

District Court

The Private Practitioner Scheme in the District Court has operated on a nationwide basis, since May 2000, to assist the Board in its efforts to provide a service to all applicants within a reasonable period of time. This Scheme provides a complementary legal service to that provided by law centres for certain family law matters in the District Court namely, domestic violence, maintenance and custody/access. Private practitioners are used in cases of geographical remoteness, conflict-of-interest cases and in cases where the exigencies of the law centre so require. Managing solicitors determine whether the case is one that should be handled within the law centre. In determining whether the case could be handed over to a private practitioner, the law centre has regard to the Board's obligation to provide a legal aid service to the greatest number of people possible. Where it has been decided that the case is suitable for handing over to a private practitioner, applicants are given the option of either going to a private solicitor of their choice from the panel of private practitioners, or of having their names added to the waiting list at the law centre.

In 2001, 1,174 legal aid certificates were issued under the District Court Private Practitioner Scheme which represents a 27% increase on the number of legal aid certificates that issued in 2000.

In July 2001, the Board's private practitioner centre in Dublin moved from St. Stephen's Green House to Dolphin House, where District Court summonses are issued for the greater part of the Dublin area.

The centre deals with applications for legal aid as quickly as possible, to ensure that a speedy and efficient service is given to clients. Applicants are assessed and, where deemed eligible, are granted a legal aid certificate. They are then provided with a list of solicitors on the Board's District Court panel, from which they may choose a solicitor to represent them. Where possible, the private practitioner centre also facilitates applicants at short notice for emergency cases.

Circuit Court

In May 2001, the Board introduced a one-year pilot project which provided for an extension of the Private Practitioner Scheme to certain cases in the Circuit Court, i.e. judicial separation and divorce cases. In addition, clients who were represented by private practitioners in the District Court have the option of choosing the same solicitor if they obtain legal aid for an appeal to the Circuit Court. The purpose of the pilot project was to assist in reducing waiting times for legal services for clients of law centres and to enable the Board to evaluate the effectiveness of alternative methods of delivering legal services.

Ten law centres participated in the pilot scheme, four of which were Dublin-based. From May to December 2001, 257 legal aid certificates were issued in respect of the pilot project; 124 in respect of divorce, 132 in respect of judicial separation and one in respect of a District Court



The Attorney General, Mr. Michael McDowell S.C., Ms. Clare Connellan, Chairperson, Mr. Gerard Durcan S.C., The Honourable Mr. Justice Donal Barrington and Mr. F.J. Brady, Director of Legal Aid, at the Legal Aid Board Conference in June 2001.

appeal. The impact of the project in reducing waiting lists at law centres is demonstrated by the fact that from April 2001 to December 2001, waiting times for an appointment with a solicitor had reduced substantially in law centres, at Clondalkin (from seven months to three months), Finglas (13 months to five months) and Tallaght (13 months to three months), which were amongst those participating in the pilot project.

The Board has set up a Review Group to monitor the Pilot Project. This Review Group will carry out an evaluation of the effectiveness of the pilot project with a view to finalising a report during 2002.

REFUGEE LEGAL SERVICE

Funding and staffing

The Refugee Legal Service (RLS) was established by the Board in 1999 to provide legal advice and assistance at all stages of the asylum process to persons applying for asylum in Ireland. In addition to its own staff, the RLS uses private practitioners (both barristers and solicitors) to represent legally aided asylum applicants appearing before the Refugee Appeals Tribunal.

Exchequer funding for the RLS increased substantially in 2001 - to £8.1 million (€10.28 million) compared to £1 million (€1.27 million) in 2000. This increased funding was provided to enable the Board to fulfill its commitments on the expansion of the service in 2001. Actual expenditure by the RLS in 2001, at £6.4 million, (€8.18 million) was below the initial allocation, largely because of a decision to delay the recruitment of the approved level of staff and the acquisition of accommodation, because the level of demand that materialised was less than originally anticipated.

Staff numbers at the RLS nevertheless expanded rapidly - from an initial 30 in January 2001 to 114 by the end of the year - representing considerable progress towards achievement of the service's sanctioned complement of 140. In order to accommodate the expansion of its service, the Board acquired and fitted out new premises in the

Smithfield area of Dublin in 2001. These new offices in Smithfield will concentrate on the provision of refugee legal services for the Dublin area, while a small office will continue to be maintained in the Refugee Applications Commissioner's office in Timberlay House, Mount St., where new clients of the RLS are registered.

Legal services for dispersed asylum seekers

RLS offices in Cork and Galway provide a service to asylum seekers in these locations, together with outreach services which operate regular clinics in a number of locations in the west, the southwest and the midlands.

In addition, a programme was developed in 2001 for the provision of an outreach service for Dublin and the surrounding counties to be put in place in 2002. Asylum seekers dispersed outside Dublin may also register for legal services by post.

Information services

Every applicant to the Refugee Applications Commissioner is advised of the availability of legal services from the RLS. The RLS also provides information on its service through information leaflets, which are available in a number of languages. A new leaflet and information poster have been designed and they will be dispersed throughout a network of government and non-governmental services in 2002.

In addition, the RLS took part in a number of information seminars throughout the year and gave presentations on the services it provides to various support and other groups with an interest in the asylum process. The RLS also maintained regular contact with the various government and non-governmental organisations who are involved in the asylum process, to enable issues arising on various aspects of the process to be discussed, with a view to continually monitoring and improving the service it provides.

The independence, impartiality and quality of the service provided by the RLS has been commented on favourably by Amnesty International, which encourages asylum seekers to use the service.



Mr. Niall Murphy, Ms. Maire Ní Cruadhlaioich and Ms. Linda Whelan at the Legal Aid Board Conference in Tralee

Independent Monitoring Committee

The Independent Monitoring Committee of the Refugee Legal Service was established when the service was set up in 1999. Its terms of reference are "to ensure a quality legal service is provided to asylum seekers in accordance with the arrangements agreed between the Legal Aid Board and the Department of Justice, Equality and Law Reform and to investigate complaints from customers of the service." The members of the committee are appointed by the Minister for Justice, Equality and Law Reform. The committee holds around four meetings annually. RLS management attend part of these meetings to provide an update on recent developments, and also to respond to questions or issues raised by the Committee members.

Number of asylum seekers provided with legal services

The number of new clients who registered with the RLS in 2001 was 4,500 - an increase of 32% on the 3,400 registered in 2000. Most of those registering - 60% - applied for and received legal advice at the first stage of the process (i.e. asylum application), or in relation to an immigration matter (i.e. application for Leave to Remain), and over one third of these also received legal aid at the appeal or deportation stage. The remaining 40% of new clients registered for legal services at the appeal stage of the asylum process, or following receipt of a deportation order.



Mr. St. John Donovan and Ms. Phil O'Laoidhe at the Legal Aid Board Conference in Tralee

The proportion of new clients registering with the RLS is expected to increase further over the coming years because of greater awareness of the service and of the importance of obtaining professional legal advice at the earliest possible stage of the process.

Private Practitioner Scheme

In addition to its in-house service, the Board continues to use solicitors in private practice (since January 2000) and barristers (since March 2001) to submit appeals on behalf of legally-aided asylum applicants and to represent them before the Refugee Appeals Tribunal. The allocation of cases as between the panel and the Board's salaried solicitors is decided by the RLS, on the basis of the number of cases on hand and its ability to deal with cases in-house.

The use of private solicitors and barristers helps to ensure that the Board has the capacity to provide a service to clients and enables it to deal with cases as quickly as possible, which is essential, given the tight time limits involved in such cases. At the end of 2001, there were 32 solicitors on the private practitioners' panel, and 213 on the panel of barristers. The number of cases referred to private solicitors and barristers in 2001 was over 2,400, including 760 cases related to clients who had registered in 1999 and 2000.

REFUGEE DOCUMENTATION CENTRE

In September 2000, the Legal Aid Board recruited a librarian to take over responsibility for the operation of the Refugee Documentation Centre (RDC), which had originally been established by UNHCR to provide an independent library and research service in relation to the asylum process.

During 2001, arrangements were put in place to significantly develop a dedicated Refugee Documentation Centre, which would provide an independent and professional research service and library service for all of the main bodies involved in the asylum process. Such bodies include the Refugee Appeals Tribunal, the Office of the Refugee Applications Commissioner, the Refugee Legal Service and private solicitors and barristers.

The role of the RDC is, firstly, to build and maintain a collection of objective and up-to-date country of origin information and asylum, immigration, legal and human rights documentation for general access and, secondly, to provide a research and query service for organisations involved in the asylum process. The query service involves supplying essential material, such as up-to-date country of origin information (COI), for the preparation of submissions. This service is provided to the RLS as well as the UNHCR, the Department of Justice, Equality and Law Reform, the Refugee Applications Commissioner, the Refugee Appeals Tribunal, The Ministerial Decision Unit, The Repatriation Unit, private solicitors and barristers on the Board's panel and others involved in refugee work.

Staff from the Refugee Documentation Centre have attended a number of national and international conferences and seminars including the UNHCR/ACCORD Country of Origin Information Seminars, Professor Hathaway's Law of Refugee Status seminars, the ICEL seminar on Refugee Law, and UNHCR seminars on Romania and Nigeria.

The Refugee Documentation Centre has additionally built up contacts with a number of individuals and organisations at home and abroad.

These include the UK Home Office, the Canadian Immigration and Refugee Board (IRB), the UNHCR, the RRT Australia, ACCORD, CEDOCA, various Embassies, the Irish Refugee Council and many others, both governmental and non-governmental, as well as numerous libraries and information centres.

Various interested parties give talks in the Centre. Examples of these include the question and answer session given by a group of human rights activists from the Democratic Republic of Congo and a presentation by the Kosovo Information Project of the International Centre for Migration Policy Development (ICMPD).

Following identification of areas in relation to which information was particularly scarce, the Refugee Documentation Centre arranged for the commissioning of a number of reports. The first of these, concerning Prison Conditions in the Democratic Republic of Congo was released via the website of the European Country of Origin Information Network. The second commissioned report on Pentecostals in Romania is due to be completed in late 2002.

The RDC has provided training in the use of COI and introduction to the use of the Centre to various groups from the RLS, RAC, Repatriation Unit and RAT. This training has been conducted both on and off site and is ongoing.

SUMMARY ACCOUNT OF A SELECTION OF LEGALLY AIDED CASES

Foster parents

A married couple sought legal advice in connection with a decision by a health board to de-register them as foster parents.

The clients, who had their own child, did day-care fostering for a health board. Subsequently, they fostered a six-month-old child who was still with them after seven and a half years and a second child who was four months old and remained with them for four and a half years. The natural parents

of the foster children had no contact with the children. There were, however, extensive and acrimonious court proceedings in relation to one of the children, where a member of the extended family was seeking custody. In the course of those proceedings, the health board had supported the foster parents and had given evidence to the effect that they believed that the welfare of the child in question was best served by the child remaining with the foster parents.

The foster parents themselves, however, had certain marital difficulties which were subsequently resolved and the parties reconciled. The health board requested certain information in relation to the family law proceedings which had taken place between the foster parents and then decided to de-register the couple as foster parents. Neither of the foster children had been assessed or interviewed by the health board prior to the health board making this decision.

The foster parents were advised of this decision and were told that the children would be removed by a certain date. They felt, however, that they were being "punished" because of their marital difficulties.

The foster parents contacted the law centre for legal advice in relation to the health board's decision. The health board was advised that the foster parents were willing to do whatever was required by the health board in order to remain as foster parents to these children and that they intended appealing the decision to de-register them as foster parents.

Following on from the legal services provided, the health board decided not to proceed with its decision to de-register the couple as foster parents.

Enforcement of debt

A person sought legal services in relation to an application for the enforcement of a debt incurred by her.

The client had taken out a loan for the purchase of a car and for the cost of taxing and insuring it,

under pressure from her father, when she was 18 years old. She gave this money to her father and heard nothing further in relation to the matter until five years later, when she received an application for an Instalment Order and a summons to appear in court. She was, at this time, living in her own rented accommodation away from the influence of her father who is currently serving a prison sentence for offences against her.

The father had moved addresses frequently. His wife (the client's mother) had lived with him at those addresses and because she had the same forename as our client, the plaintiff (a financial institution) had managed to progress matters without the knowledge of the client.

The client was granted legal aid to defend the enforcement proceedings and also to bring proceedings to set aside the original decree against her, on the basis that she was suffering a disability (i.e. the influence of her father) at the time when she entered into the contract and did not have contractual capacity. Discussions with the solicitors acting for the financial institution were held and orders were made by consent setting aside the original decree and striking out the enforcement of debt proceedings with no order for costs.

Childcare Proceedings

Legal aid was granted to two persons, a husband and wife, to defend childcare proceedings in the District Court in respect of eight children. In February 2000, the eight children were removed from the family home. A health board applied and



Ms. Clare Connellan, Chairperson and Mr. Frank Goodman, Chief Executive, at the Legal Aid Board Conference in Tralee in June.

was granted Emergency Care Orders in respect of the eight children. The husband and wife were represented by two different law centres in the proceedings. In addition, because of the complexity of the District Court case, the services of counsel were authorised and engaged to represent each of the parties in the proceedings.

The proceedings were protracted and lasted over 120 days in the District Court. During the course of the District Court proceedings, the husband was also granted legal aid to institute judicial review proceedings in the High Court on two separate occasions to challenge orders of the District Court.

Also, during the course of the District Court proceedings, the wife was granted legal aid to institute Habeus Corpus proceedings in the High Court challenging the District Court's orders retaining five of the children in care pending the outcome of the District Court case.

In November 2000, the Board issued a letter of intention to terminate legal services to the wife because of her failure to provide instructions to her solicitor and counsel, and her failure to attend court hearings.

The wife provided several reasons for her failure to attend court and also undertook to accept such terms and conditions as the Board might decide upon, if her legal aid certificate was not terminated. As a result, the Board decided not to proceed with the termination of her legal aid certificate, but required that she would co-operate with her legal advisors and attend court when required to do so.

Subsequently, both the husband and wife continually failed to attend court hearings and failed to provide instructions to their legal advisors. Both parties were then issued with letters of intention to terminate their legal aid certificates in March 2001. Both legal aid certificates were terminated in April 2001.

In October 2001, the District Court made care orders in respect of the children.

The husband and wife then applied for legal aid to appeal the District Court Orders to the Circuit Court. The applications were initially refused but the Board's Appeal Committee decided to grant legal aid, subject to strict compliance with conditions attaching to their legal aid certificates requiring that they co-operate with their legal advisors and attend court at all times when required to do so. Different solicitors and counsel were then appointed to represent the clients.

During the course of the Circuit Court proceedings, the parties applied for legal aid to appeal two decisions of the Circuit Court, namely:

- (i) A refusal to allow a further adjournment; and
- (ii) To defend civil contempt proceedings.

The first application was refused on the grounds that the legal teams were ready to proceed with the case. The second application was refused on the grounds that the applicant had broken court orders despite being advised to comply with court orders and being aware of the consequences. The Circuit Court Judge committed the husband and wife to prison for four months and one month respectively, when he found them to be in contempt of court.

The Judge was satisfied that there was compelling evidence before him to conclude that each of the children was at risk, if any of them was to remain in the immediate care of either or both parents. The Circuit Court ordered that the children be taken into the care of the health board until they reach 18 years of age. The Judge also directed that there be no contact between either parent and the children until some months passed.

Child abduction proceedings

This case was brought by the father of two children under the Hague Convention on the Civil Aspects of International Child Abduction, which was incorporated into Irish law by the Child Abduction and Enforcement of Custody Orders Act, 1991. The purpose of the Convention is to facilitate the speedy return of children to the jurisdiction from which they have been wrongfully removed, or to which, by reason of the wrongful retention, they were not being returned.

The plaintiff (father) and defendant (mother) in the High Court proceedings were married and had two children. In October 1999, the mother obtained a barring order against the father but the parties subsequently reconciled and moved to England in December 1999. On 1st September 2001, the mother was assaulted by the father and received treatment for her injuries in hospital. On the following day, the mother brought the children back to Ireland without the knowledge of the father. Following the mother's departure to Ireland, the father found a note addressed to him by the mother advising him that she had taken the children to Ireland and that he should not attempt to find her.

Proceedings were issued by the father under the Hague Convention and both parties were granted legal aid.

The mother claimed that Ireland was the children's habitual residence, as the children were Irish nationals and lived in Ireland from the date of their birth until December 1999, while the father stated that the habitual residence of the children was England.

The High Court held that "habitual residence" and "ordinary residence" amounted to one and the same thing and was the place where someone lives. It was held, therefore, that the habitual residence of the children was England; that parental responsibility for the children was vested in both the father and the mother; and that the mother's removal of the children was contrary to Article 3 of the Hague Convention.

The Judge indicated that he would have to order the return of the children to England, unless he was satisfied that there was a grave risk that the return of one or other of the children to England would expose the child to physical or psychological harm, or otherwise place the child in an intolerable situation, as provided for by Article 13 of the Hague Convention.

The Judge was concerned that one child had been diagnosed in Ireland as suffering from severe autism and the proceedings were adjourned to ascertain what facilities were available in England

to deal with the autistic child's problems and to see how they compared with Irish facilities. Meanwhile, the child received a placement in a specially dedicated school for autistic children in Ireland.

The High Court obtained reports from both Irish and English medical professionals who agreed that any disruption of the autistic child's programme in Ireland would have a detrimental effect on his wellbeing. The English professional indicated, however, that any lost ground would be recovered within a year.

The Judge was of the view that a year was quite a long time for a boy of six years of age and noted that if the child was returned to England, respite care would not be readily available to him and it could be a long time, if at all, before he would have educational facilities comparable to the placement that he had received in an Irish school.

The High Court Judge refused to order the return of the children on the grounds that he was satisfied that there would be a grave risk that the return of the autistic son would expose him to physical or psychological harm or otherwise place him in an intolerable situation.

This case is under appeal to the Supreme Court.

Professional negligence proceedings

Legal aid was granted to a person to institute professional negligence proceedings in the High Court against a solicitor.

The legally-aided person was joint owner of the family home with her husband. In 1988, proceedings were instituted against the husband seeking the return of substantial monies which had been allegedly given to him by two other persons. Subsequently, the husband engaged the services of a solicitor (the defendant) and the Board's client signed documents to execute a charge on the property which led to the subsequent sale of the family home. The client subsequently claimed that she did not receive proper legal advice in relation to the effect that signing the documents might have on her interest in the family home.

The client's claim against the Defendant was for damages, for breach of agreement, breach of duty and failure to provide professional services. In the High Court, it was submitted on behalf of the client that the defendant owed her the normal duty of care owed by a solicitor to properly advise a client; and that she should have been advised by the defendant of the implications of agreeing to the charge.

The presumption of undue influence on behalf of the husband was also raised and it was submitted that the defendant should have ensured that she was advised by an independent qualified person.

The defendant argued, amongst other things, that he only took the plaintiff on as a client when it was clear that she had already made the decision to support her husband and that his obligation to her was to provide competent legal assistance to her in the completion of the transaction and to advise her on the nature and effect of the documents that she was signing.

The High Court indicated that the case raised a very difficult problem, namely, what is the duty of a solicitor to a client in the particular circumstances that arose in the case. In this regard, the High Court Judge was impressed with the evidence of an expert conveyancer during the proceedings, particularly in relation to the conflict of interest issue. The conveyancer was of the view that where there was clearly no marital disharmony between the plaintiff and her husband, he saw no difficulty in them being advised together and having all of the options discussed with them. The High Court judge was of the view that unless the defendant had been instructed by the husband not to discuss or advise the wife of her options, there should have been no good reason why he should not have done so.

The High Court held that the defendant was wrong in withholding advice from the plaintiff, either separately or jointly with her husband and that his conduct was not of a standard which would be expected from a solicitor. The solicitor's conduct in the matter was found to be negligent and he was also found to be in breach of contract.

The judge was of the opinion, however, that in the circumstances of the case, it would have been very unlikely that the plaintiff would have exposed the husband to a risk of imprisonment. The judge was satisfied that, on the balance of probabilities, if properly advised by the defendant, she would still have chosen to support her husband by making her half share in the family home available to satisfy the debtors' claim.

The judge held that the plaintiff did not suffer any loss as a result of the negligence and breach of contract on the part of the defendant and ordered that the plaintiff's action for damages should fail.

Proceedings against the Board : Elizabeth Kavanagh v. Legal Aid Board

Ms. Kavanagh instituted proceedings against the Legal Aid Board for delays in delivering legal services.

The applicant applied for legal aid in respect of a judicial separation in September 1997. In May 1999 her application was processed and granted. Meanwhile in October 1997 she was granted legal aid in respect of another matter which required a priority service. From July 1999 to April 2000 the applicant claims to have received only one letter from the Board (the respondent). The applicant subsequently obtained a judicial separation and barring order using the services of the Board.

The applicant sought various reliefs in her judicial review, most of which were moot by the time of the hearing. Included in her action was a claim for damages for breach of statutory duty. The Board argued that the operative part of its duty was conditional on resources, both financial and otherwise. The applicant claimed to be entitled to legal aid by satisfying the statutory criteria, without any qualification in relation to the Board's resources.

Section 5 of the Civil Legal Aid Act 1995 states that the principal function of the Legal Aid Board is: "to provide, within the Board's resources and subject to the other provisions of this Act, legal aid and advice in civil cases to persons who satisfy the requirements of this Act."



Mr. Frank Murphy, Managing Solicitor, Wicklow Law Centre, addresses the Legal Aid Board Conference in Tralee

It was held by the High Court (Butler J.) in dismissing the claim that the language of section 5(1) of the 1995 Act was plain and obvious and required no special interpretation. The words simply meant that legal aid shall be provided within the respondent's resources and that was what the respondent did in this case. The respondent had a method of dealing with cases in a certain order of priority and within that scheme the applicant was given equal treatment to all other applicants.

This case is under appeal to the Supreme Court.

CASES IN THE REFUGEE LEGAL SERVICE

West African Asylum Seeker

This West African national was a Christian pastor in his homeland prior to his fleeing from there in 1999.

He applied for refugee status, claiming that he feared persecution because on the introduction of Sharia law in his region, the Muslim population had rioted and burnt houses and churches, including his own church, where people were killed. He subsequently left the country and sought asylum in Ireland.

The client's application was deemed to be manifestly unfounded by the Refugee Applications Commissioner and legal aid was granted to appeal that decision. Documentation relating to his country of origin was submitted to the Refugee Appeals Tribunal by the RLS and he was

represented at the tribunal hearing.

The Tribunal affirmed the decision of the Commissioner, citing as the reasons the issue of the client's credibility, his lack of knowledge of the implementation of Sharia Law and his failure to avail of the option to relocate to another region within his own country where he would be safe from fear of persecution.

Middle Eastern Asylum Seeker

A Middle Eastern national living in another Mid-Eastern country claimed refugee status on the basis of his membership of a political organisation and discrimination on ethnic grounds in his adopted country.

The client submitted that while detained in the 1970s and 1980s, he was repeatedly beaten and tortured resulting in severe scarring, the fracture of his leg in several places and the loss of several teeth.

Medical reports which substantiated this claim were procured by the RLS. In addition, country of origin reports were submitted which revealed that members of his organisation, and indeed of his nationality, were subjected to arrest without warrant and imprisonment without trial, and that beatings and torture of detainees was commonplace.

The Refugee Applications Commissioner granted his application at first instance.

West African asylum seeker

This West African national arrived in Ireland aged 17 years and claimed asylum based on a fear of persecution as a result of his direct personal experience of the turbulent political and military events in his native country.

The client submitted that his own father was killed while in detention and that he had suffered torture. He maintained that the same fate awaited him if he returned. Country of origin information was supplied by the RLS to the Refugee Applications Commissioner, which supported the

fact that prison conditions in that country were extremely poor and life-threatening.

The client was refused refugee status by the Refugee Applications Commissioner on grounds of lack of credibility and legal aid was granted to appeal this decision.

The Refugee Appeals Tribunal affirmed the decision of the Commissioner and declined to declare the appellant a refugee. The main reason given for this decision was the issue of the credibility of the appellant.

Middle Eastern asylum seeker

This Middle Eastern minor, aged 16, applied for refugee status on the basis of his connections to a proscribed association in his homeland which was critical of the regime there.

The applicant received legal services from the RLS in preparation for his interview with the Refugee Applications Commissioner and was attended by a caseworker during the interview.

The applicant's brother was the author of many publications which were anti-government and, as a result, it was claimed that he was arrested and tortured on a number of occasions. The client worked in a bookshop which sold these publications "under the counter" and he was also detained and questioned at various times. Documentation was submitted to the Refugee Applications Commissioner, supporting his claim that if returned to his native country he would face persecution.

The Refugee Applications Commissioner accepted that the client had a well-founded fear of persecution and the client was granted refugee status at first instance.

Cases where Judicial Review Proceedings were sought by the RLS

The number of cases on which judicial review was sought, and which reached a full hearing in 2001, is limited. This partly reflects the fact that, in a

number of cases, a settlement was agreed after the initiation of proceedings by the RLS, but before the issue came to a High Court hearing. The following two cases are representative of those taken in 2001.

Judicial Review Proceedings in Irish Born Child Asylum Case

Legal aid was granted to a Czech family and a Nigerian father to institute Judicial Review proceedings to challenge the deportation orders made by the Minister for Justice, Equality and Law Reform. The reason for challenging the orders was the fact that both parties had an Irish-born child. The Refugee Legal Service (RLS) submitted on behalf of the clients that the main argument for setting aside the deportation orders was based on the constitutional rights of the Irish-born child (as distinct from asylum considerations), which rights had been expressed by the Supreme Court in the Fajjonu case. These rights were outlined to include the right to reside in Ireland, the right to family unity and the right to free primary education, as protected by Articles 2, 40, 41 and 42 of the Constitution. It was also argued by the RLS that by allowing the deportation of the Irish-born children's parents, the Irish-born children would either de facto be deported, or left in Ireland in care, neither of which could be said to be in the best interest of the child. It was also submitted that there were no exceptional circumstances or public policy issues which would require the deportation of these families.

It was submitted on behalf of the State that the Fajjonu case could be distinguished, as they had three Irish children and had been resident in Ireland for an appreciable length of time, and thus had an established connection to the State. The State also submitted that the integrity of the asylum process must be protected.

The High Court agreed with the State and found that the constitutional rights of the child had been considered by the Minister and these rights were not absolute but subject to the exigencies of the common good. The High Court also held that the State was the guardian of the common good and that the common good includes the control of

aliens. The Judge stated that *"the application of the Dublin convention and the overriding need to preserve respect for the integrity of the asylum and immigration system were not only grave and substantial, but also predominant and overwhelming"* reasons. He found that *"the facts in the instant case are so markedly different and distinguishable from those in the Fajjonu case that I do not come to the conclusion that to expel those in respect of whom Deportation orders have been made would be inconsistent with the Constitution."*

This case is currently under appeal to the Supreme Court.

HUMAN RESOURCES

Staff levels

On 1 January, 2001, the total number of staff sanctioned for the Legal Aid Board stood at 410, including a total of 140 staff sanctioned for the Refugee Legal Service. During 2001 a major recruitment drive, which included holding a number of recruitment competitions for solicitors, para-legal and administrative staff, was undertaken to fill over 100 of the posts which had been authorised for the Refugee Legal Service in 2000.

During 2001, the Board was pleased to note an easing of the recruitment difficulties at both administrative and solicitor levels which had been experienced in previous years. While some of the progress in this regard may have been due to changing labour market conditions, the Board would also like to acknowledge the beneficial effect of initiatives taken by the Civil Service Commissioners to speed up their recruitment processes and the role of the Commissioner's customer liaison section who helped ensure a timely response to the Board's civil service recruitment needs.

Training Programme

In 2001, the Board decided to provide a comprehensive management development programme for managing solicitors and senior administrative staff. This programme was specifically tailored to the

needs of the Board's senior managerial staff. Preparation for the programme involved issuing detailed questionnaires to 168 staff (approximately 40% of the Board's staffing complement) to elicit information on the Board's organisational climate and the management styles of the Board's managing solicitors and senior administrative staff. The questionnaires were also designed to ascertain staff perceptions of the gap between how the organisation currently operates and how it might operate in an ideal situation. The analysis of the responses identified staff perceptions of significant gaps in areas such as standards, clarity and recognition issues in the Board. Arising from the analysis of the responses, the first phase of the management development programme was delivered before the end of 2001. It included feedback to each participant on their individual management styles and one-to-one coaching on how improvements in managerial performance would impact on their staff and on the effectiveness of their workplaces.

Further work was planned for 2002 to address the issues raised by the staff arising from the questionnaires and to provide the remainder of the training.

Equality of Opportunity

As stated in the Board's Equality Statement the Board is an Equal Opportunities Employer. All applicants for employment are given full and fair consideration, due regard being given to the aptitude and ability of the individual and the requirements and eligibility criteria for the position. All persons are treated on equal terms as regards career development, promotion and training. The Board operates within the terms of the Employment Equality Act, 1998. An officer in the Human Resources Section of the Board is designated as the Board's Equality Officer.

Health and Safety

During the year the Board continued to maintain a proactive approach to its health and safety policies and its obligations under the Safety, Health and Welfare at Work Act, 1989. In particular, the Security Enhancement Programme in the Board's

premises, which began in 1999, continued in 2001.

The Board will continue to ensure that all staff work in a safe and secure environment.

CHANGE MANAGEMENT PROGRAMME

The Programme for Prosperity and Fairness (PPF) contains a number of specific measures designed to ensure that the broad objectives of the public service modernisation programme can continue to be achieved by individual organisations. These measures cover organisational flexibility, quality assurance, performance management, further development of partnership structures and a re-focusing of human resource strategies.

During 2001, the Board continued to take initiatives, under its ongoing change management programme, to ensure that the improvements required over the lifetime of the PPF can be achieved. Details of progress on some of the relevant areas are set out below.

Organisational Flexibility

The Board has undertaken two initiatives in this area, namely:

- an examination of the Board's current management structure and of the staffing arrangements in law centres; and
- a review of the issue of access to legal aid, including the arrangements for the delivery of legal services, and the systems and structures through which legal aid is delivered.

It is planned that significant progress will be made on both of these matters during 2002 and 2003.

Quality Assurance

The Board continually seeks to improve the quality of the service provided to its customers and undertook a number of initiatives in 2001, including:

- the launch of its Customer Care Plan 2001 - 2004 at a conference to mark the 21st

anniversary of the establishment of the Board. This Plan sets out the service standards of care that customers (including staff of the Board) can expect in their dealings with the Board;

- the development of "best practice" guidelines designed to enhance the quality of the legal services provided by the Board; and
- the development of customer feedback mechanisms which are dealt with under the next heading.

Client Survey

In 2001 the Board carried out a pilot project to survey clients on their views of the Legal Aid Board service. This was an important step in involving clients in improving the service. Fifteen questionnaires per solicitor were allocated to the Board's 30 law centres. The completed questionnaires (approximately 350 out of a potential 1,300) were returned directly to the Board's Communications Workgroup, who collated the results.

Of those who responded, 84% expressed satisfaction with the overall quality of the service, with only 1% expressing dissatisfaction. High levels of satisfaction (80%) were expressed on specific aspects of the service, such as being kept informed, time taken to respond to correspondence/calls and facilities provided. Almost 100% said they had been treated courteously.

The Board will continue to conduct such surveys on an ongoing basis, as a quality assurance on its customer care programme. It is also examining the basis on which client user panels will be established for ongoing consultation on delivery of service.

Performance Management

The Board made significant progress with the introduction of the Performance Management and Development System (PMDS). A key part of the system is the provision of five days training for all staff. The first phase of the training programme was delivered by the end of 2001. The remainder of the training will be delivered during 2002.

Progress was also made in the development of business plans for each area of the Board's operations. These plans are an essential part of the Board's corporate planning process and of PMDS and translate the high level goals and objectives in the Board's Corporate Plan into more detailed work programmes which will inform the day-to-day activities of work units and staff.

Partnership

The Partnership process in the Board continued to evolve and develop during 2001 with new initiatives being undertaken. The Staff Development and Communications Work Groups, established under the Strategic Management Initiative, now report to the Partnership Committee on their on-going work programmes. The Board's Health and Safety Committee also reports to Partnership, as does the committee examining the issue of access to legal aid services.

Amongst the key tasks being overseen by the Partnership Committee, are the roll-out of the PMDS for all staff and the introduction and monitoring of the operation of the Exceptional Performance Scheme and the INPUT (Staff Suggestion) scheme. The Partnership Committee also decided to provide a comprehensive health-screening programme for staff in autumn 2001. In addition, work commenced on a review of the role and function of the Partnership Committee in the Board and representatives of the Committee participated in workshops established for the purpose of an overall review of Partnership across a number of public service organisations.

Human Resources Strategy

The Programme for Prosperity and Fairness (PPF) specifies that sustaining and improving efficiency will require increasingly innovative and flexible human resource management policies and strategies. Accordingly, the Partnership Committee was actively engaged in the development of a comprehensive human resources strategy for the organisation. The Strategy will be completed during 2002 and will build on initiatives already undertaken and address the HR challenges facing the Board.

TRANSFER OF HEAD OFFICE TO CAHIRCIVEEN

During 2001, the Board moved ahead with the process of transferring staff into the organisation who would be relocating to Cahirciveen. Early in 2001 the Board became aware that a significant number of staff, in other Departments and offices, who were interested in joining the Board so as to relocate to Cahirciveen, would not be in a position to join the Board until office accommodation was actually available in the town. Accordingly, the Board decided to open an interim office in Cahirciveen. A suitable premises was identified and, in July 2001, twenty of the 41 staff due eventually to transfer to Cahirciveen took up duty in the new location.

In order to facilitate the smooth transfer of the relevant functions, arrangements were made to retain in the Board a number of serving experienced staff so as to overlap with the new staff for the purposes of training and coaching.

During the year work continued on the building and fit-out of the Board's permanent premises, which was completed ahead of schedule towards the end of 2001. These new premises were then gradually occupied during January and February 2002 at which point the relocation of functions from Dublin to Cahirciveen was largely completed.

WEBSITE

The Board's website at www.legalaidboard.ie contains full details of the service provided by the Board, copies of our information leaflets for law centres, the RLS, application forms and means test forms. The site also provides details of all law centres and offices, with contact numbers for each office.

FINANCE

The Board's financial statements for 2001 are shown at Appendix I.

Income

The following are some comments on the sources of the Board's income.

(a) Grant-in-Aid

As in previous years, most of the Board's income consists of a grant-in-aid received from the Department of Justice, Equality and Law Reform. There was a further increase in the funding provided by the Government in 2001. The grant, which increased by over 8% in 2000, was increased by a further 5% in 2001 to £13.604 million.

Having regard to the significant level of funds on hand towards the end of the year, largely a carry-over of funds from previous years, the Board decided not to seek payment of the full amount of the grant for 2001. The amount actually received was the level of funding that was necessary to cover the full year's cost of legal aid services.

(b) Refugee Legal Service

Exchequer funding for the RLS increased substantially in 2001 - to £8.1 million - compared to £1 million in 2000. This increased funding was provided to enable the Board to fulfil its commitments on the expansion of the service in 2001. Actual expenditure by the RLS in 2001, at £6.4 million, was below the initial allocation, largely because of a decision to delay the recruitment of the approved level of staff and the acquisition of accommodation, because the level of demand that materialised was less than originally anticipated.

(c) Contributions

Persons who are provided with legal services pay a contribution related to their income and, in some cases, their capital resources. The minimum contribution is £4 for legal advice and £23 for representation in court. This minimum contribution can be

waived in cases of hardship. Receipts from contributions increased by 28% in 2001 due to the increasing number of persons paying above the minimum contribution.

(d) Recovery of costs

The Board may recover the cost of providing legal services from:

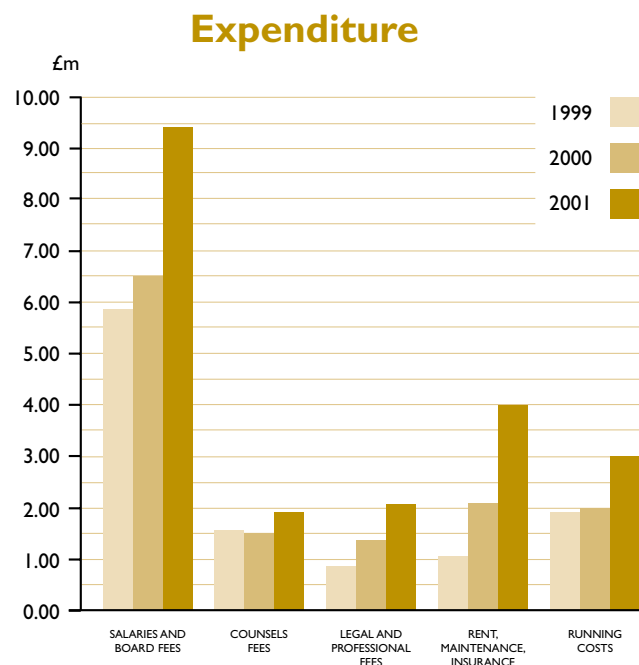
- (i) the other party to a dispute either as a result of a court order or as part of an agreement to settle a dispute; or
- (ii) from the legally-aided person out of monies/property received by the person as a result of the provision of legal services.

The amount of costs recovered can vary significantly from year to year, especially if a legally-aided person obtains an award for costs in a case in which the other party is in a position to meet the costs. This does not generally arise in family law cases, which form the bulk of the Board's caseload.

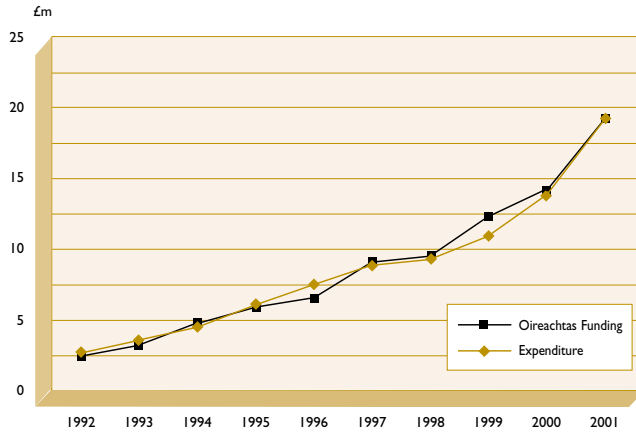
The level of costs recovered in 2001 was similar to 2000.

Expenditure

The following graph shows a breakdown of expenditure by the Board over the past three years.



The following graph shows the relationship between Oireachtas funding and the actual expenditure over the last ten years.



It should be noted that funding and expenditure for the RLS is included in the above figures for the years 2000 onwards.

The following are comments on the major items of expenditure shown in the 2001 financial statements :

1) Salaries

The increase of about £2,834,000 (approximately 44%) in expenditure on employee costs in 2001 is accounted for by the increase in the number of Refugee Legal Service staff (whose numbers increased from 39 to 115), and standard increases arising from annual increments and national wage agreements. It also includes the cost of engaging a number of temporary contract solicitors and clerical support staff to cover for absences such as maternity leave, sick leave etc. Note 4 to the accounts gives particulars of employee numbers and costs and shows that the Board had 410 sanctioned posts at 31 December 2001, including RLS staff. Numbers employed increased from 333 at 31 December 2000 to 411 at 31 December 2001.

2) Accommodation

In addition to the costs incurred in the upkeep of 34 premises around the country, the Board incurred costs in the fit-out of relocated premises and the refurbishment of existing centres.

3) Legal fees and expenses

There are a number of differing elements covered in this heading - see Note 6 to the accounts - and comment is provided on each of the various headings comprising the total as follows:

(i) Counsel fees

Expenditure on counsel fees increased by over £340,000, or 22%. This reflects the cost of a higher proportion of certificates, issued in 2000 and 2001, at the increased rate negotiated with the Bar Council, as well as fees for representation in Judicial Review cases taken by the RLS. The following table shows counsel fees and the number of cases in which legal aid certificates were granted in the Circuit and High Courts over the past six years.

COUNSEL FEES		
Year	Circuit & High Court Certificates	Counsel Fees £
1996	1,883	685,000
1997	2,839	1,007,000
1998	2,862	1,079,000
1999	2,897	1,593,000
2000	2,774	1,572,000
2001	2,404	1,912,000

(ii) Legal fees – expenses

Legal fees are the fees incurred by the Board in providing a civil legal aid and advice service to members of the public. They include, in particular, expenditure on expert, professional and lay witnesses who are engaged in legally aided cases.

(iii) Private Practitioners Scheme

Expenditure in 2001 on the private practitioners scheme was £546,000, as compared with £178,000 in 2000. This arose from the extension of the District Court scheme on a nationwide basis in 2000 leading to an increased number of

cases being dealt with, as well as from an increase in the level of fees paid.

(iv) Other professional fees

Costs under this heading relate to the engagement by the Board of professionals to provide independent legal advice to the Board and to assist in the acquisition and fit-out of new premises.

(v) Other expenses

Solicitors employed by the Legal Aid Board must have a practising certificate, which is issued by the Law Society. The cost of these certificates in 2001 totalled almost £147,000. Also included under this heading is expenditure on training and annual membership subscriptions.

Cash at Bank and on Hand

The Balance Sheet shows that the Board had over £2.6 million on hand at the end of 2001. This excludes the final instalment of £1.1m of the grant-in-aid, which was not drawn down, in line with advice from the Office of the Comptroller and Auditor General, in order to minimise the amount of funds on hand at the year end. There were a number of projects which had commenced in 2001 which were not finalised and resulted in funds being carried over to 2002. These included IT projects, law centre fit-outs, management and PMDS training which could not be completed before the end of the year and costs incurred under the Circuit Court Private Practitioner pilot scheme. Monies also had to be available to provide for a number of rent reviews outstanding and VAT due on leases taken out in 2001, which were not invoiced by the end of the year.

Monies totalling £607,000 were held on behalf of clients. It will be seen from Note 11 to the accounts that the throughput of client funds in 2001 was over £4.9 million. This arises from cases where, as a result of legal advice or representation in court, clients received monies either from the other party or from the disposal of property. All such monies are initially lodged to the Legal Aid Client Fund Account before being returned to clients less, in some cases, an amount in respect of

costs incurred by the Board in providing legal services.

Creditors and accruals at 31 December amounted to almost £1,121,000 and included £277,187 which was payable to the Revenue Commissioners in respect of PAYE/PRSI and £172,576 in respect of Professional Service Withholding Tax.

Prompt Payment of Accounts Act, 1997

The Prompt Payment of Accounts Act, 1997 came into effect from 2 January 1998. Section 4 of that Act requires the Board to pay for the supply of goods or services by the "prescribed payment date". The prescribed payment date is currently 45 days after the receipt of an invoice or a lesser period as may be specified in a written contract. If the Board fails to make payment by the prescribed payment date interest shall be payable to the supplier.

Extensive procedures were introduced in order to ensure that the Board complied in all material respects with the requirements of the Prompt Payment of Accounts Act, 1997.

Monthly reports of incidences of interest being incurred are reviewed by management and corrective action taken as necessary to ensure both compliance with the Act and to minimise the incurring of late payment interest in subsequent periods.

The total amount of late payment interest paid to suppliers of goods and services during 2001 amounted to £1,585 (£1,971 in 2000) which represents 0.01% (0.03% in 2000) of all relevant payments.

There were 118 instances of late payments during the year where the amount payable was in excess of £250 (220 in 2000). The total value of these payments was £92,461 and the average length of delay on these payments was 28 days (33 in 2000). Late payments constituted 1.38% (3.38% in 2000) in monetary terms of total payments.

APPENDICES



APPENDIX I

LEGAL AID FUND

REPORT OF THE COMPTROLLER AND AUDITOR GENERAL FOR PRESENTATION TO THE HOUSES OF THE OIREACHTAS

I have audited the financial statements on pages 35 to 44 under Section 5 of the Comptroller and Auditor General (Amendment) Act, 1993.

Respective Responsibilities of the Board and the Comptroller and Auditor General

The accounting responsibilities of the Legal Aid Board are set out in the Statement of Board Responsibilities on page 45. It is my responsibility, based on my audit, to form an independent opinion on the financial statements presented to me by the Board and to report on them.

Basis of Audit Opinion

In the exercise of my function as Comptroller and Auditor General, I conducted my audit of the financial statements in accordance with auditing standards issued by the Auditing Practices Board and by reference to the special considerations which attach to State bodies in relation to their management and operation.

An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgments made in the preparation of the financial statements, and of whether the accounting policies are appropriate to the Fund's circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations that I considered necessary to provide me with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement whether caused by fraud or other irregularity or error. In forming my opinion I also evaluated the overall adequacy of the presentation of information in the financial statements.

Pension costs

Without qualifying my opinion, I draw attention to note 16 to the financial statements which explains why the Board was unable to comply with the disclosure requirements of FRS 17.

Opinion

In my opinion, proper books of account have been kept by the Board and the financial statements, which are in agreement with them, give a true and fair view of the state of affairs of the Legal Aid Fund at 31 December 2001 and of its income and expenditure and cash flow for the year then ended.



John Purcell

Comptroller and Auditor General

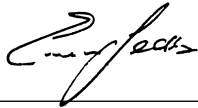
3 December 2002

STATEMENT OF BOARD RESPONSIBILITIES

Section 20 of the Civil Legal Aid Act, 1995 requires the Board to keep, in such form as may be approved by the Minister for Justice, Equality and Law Reform, with the consent of the Minister for Finance, all proper and usual accounts of any moneys received or expended by it. In preparing those Financial Statements, the Board is required to:

- select suitable accounting policies and then apply them consistently,
- make judgements and estimates that are reasonable and prudent,
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the Fund will continue in operation,
- state whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements.

The Board is responsible for keeping proper books of account which disclose with reasonable accuracy at any time the financial position of the Fund and which enable it to ensure that the Financial Statements comply with Section 20 of the Act. The Board is also responsible for safeguarding the assets of the Fund and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.



Chairperson



Board Member

Date 27/1/02.

STATEMENT OF ACCOUNTING POLICIES 2001

General

The Legal Aid Fund which is provided for under Section 19 of the Civil Legal Aid Act, 1995 is managed by a Legal Aid Board appointed by the Minister for Justice, Equality and Law Reform. The Fund consists of all the financial resources of the Board. In 2001, the Board operated out of 34 full-time centres and 13 part-time centres throughout the country.

Basis of Accounting

The financial statements are prepared under the accruals method of accounting, except as indicated below, and in accordance with generally accepted accounting principles under the historical cost convention. Financial Reporting Standards recommended by the recognised accountancy bodies are adopted, as they become operative.

State Grants

Income under this heading is accounted for on a cash receipts basis.

Currency

The unit of currency in which the Financial Statements are denominated is the Irish Pound. Comparative Euro figures are disclosed for memorandum purposes only.

Contributions from Aided Persons and Costs Recovered

Due to the nature of this income, i.e. contributions from persons of modest means, it is considered prudent to account for such income on a cash receipts basis. The estimated amount collectable at 31 December 2001 was approximately £25,000. There were no bad debts written off in 2001.

Fixed Assets and Depreciation

Fixed assets are shown on the Balance Sheet at cost less accumulated depreciation. Depreciation, which is calculated over the useful life of the assets using the straight line method, is charged at the following annual rate:-

Vat on Leases, Office Furniture & Equipment, Computer Equipment, Premises Fit Out	20%
---	-----

A half years depreciation is charged in the year of purchase and in the year of disposal.

Capital Account

The Capital Account represents the unamortised amount of income used to purchase fixed assets.

Superannuation

The Board operates defined benefit superannuation schemes for its employees. Superannuation entitlements arising under the schemes are paid out of current income and are charged to the Income and Expenditure Account in the year in which they become payable. No provision is made in the financial statements in respect of future benefits. Salaries and wages are charged in the financial statements net of employee superannuation contributions.

INCOME & EXPENDITURE ACCOUNT

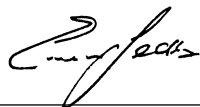
for the year ended 31 December 2001

	Note	2001		2001		2000	
		£	£	€	€	€	€
INCOME							
State Funding	1	19,219,504		24,403,736		17,703,332	
Contributions from Aided Persons		339,980		431,686		336,287	
Costs Recovered		368,133		467,432		471,597	
Profit/Loss on sale of assets		401		509		(1,086)	
Other Income	2	83,540		106,074		85,786	
			20,011,558		25,409,437		18,595,916
Transfer to Capital Account	3		(2,141,394)		(2,719,010)		(240,360)
			17,870,164		22,690,427		18,355,556
EXPENDITURE							
Salaries and related expenses	4	9,294,832		11,802,002		8,203,751	
Fees to Board Members		68,280		86,698		43,171	
Accommodation and Establishment expenses	5	2,911,805		3,697,230		3,329,618	
Legal Fees and expenses	6	3,993,640		5,070,877		3,743,072	
General administration	7	2,165,741		2,749,924		1,425,501	
Depreciation	8	855,619		1,086,412		540,886	
Audit Fee		8,080		10,259		10,056	
			19,297,997		24,503,402		17,296,055
Deficit/Surplus for Year			(1,427,833)		(1,812,975)		1,059,501
Opening Balance as at 1 January			2,690,145		3,415,780		2,356,279
Closing Balance as at 31 December			1,262,312		1,602,806		3,415,780

The Fund had no gains and losses in the financial year or the preceding financial year other than those dealt with in the Income and Expenditure Account.

The results for the year relate to continuing operations.

The Statement of Accounting Policies and Cash Flow Statement together with Notes 1 to 17 form part of these Financial Statements



Chairperson

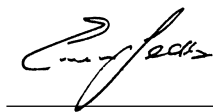


Chief Executive

Date 27/1/02.

BALANCE SHEET <i>as at 31 December 2001</i>							
	Note	2001		2001		2000	
		£	£	€	€	€	€
FIXED ASSETS	8		4,034,568		5,122,845		1,718,177
CURRENT ASSETS							
Cash at Bank on Hand		2,663,323		3,381,723		4,856,628	
Debtors and Prepayments	9	327,769		416,181		180,117	
		2,991,092		3,797,904		5,036,745	
LESS CURRENT LIABILITIES							
Creditors and Accruals	10	1,121,494		1,424,004		985,873	
Clients' Funds	11	607,286		771,094		635,093	
		1,728,780		2,195,098		1,620,966	
NET CURRENT ASSETS/ (LIABILITIES)			1,262,312		1,602,806		3,415,779
TOTAL ASSETS			5,296,880		6,725,651		5,133,956
REPRESENTED BY:							
Income and Expenditure Account			1,262,312		1,602,806		3,415,780
Capital Account	3		4,034,568		5,122,845		1,718,176
			5,296,880		6,725,651		5,133,956

The Statement of Accounting Policies and Cash Flow Statement together with Notes 1 to 17 form part of these Financial Statements.



Chairperson



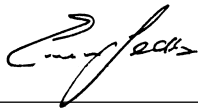
Chief Executive

Date 27/1/02.

CASH FLOW STATEMENT
for the year ended 31 December 2001

	Note	2001 £	2001 €	2000 €
Net Cash Outflow/Inflow from Operating Activities	13	1,756,236	2,229,960	1,240,753
Returns on Investment and Servicing of Finance				
Interest Received		97,880	124,282	66,583
Interest paid on Client Settlements		(18,451)	(23,428)	(14,961)
Investing Activities				
Sale of Tangible Assets		727	923	1,812
Purchase of Tangible Assets		(2,997,974)	(3,806,642)	(782,522)
Net Cash Outflow/Inflow		<u>(1,161,582)</u>	<u>(1,474,905)</u>	<u>511,665</u>
Decrease/Increase in Cash and Cash Equivalents	14	<u>(1,161,582)</u>	<u>(1,474,905)</u>	<u>511,665</u>

The Statement of Accounting Policies together with Notes 1 to 17 form part of these Financial Statements.



Chairperson



Chief Executive

Date 27/1/02.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2001

1. State Funding

State Funding was received from Vote 19 - Office of the Minister for Justice, Equality and Law Reform as follows:

Subhead:	2001 £	2001 €	2000 €
K. Oireachtas Grant-in-Aid	12,470,336	15,834,060	16,378,351
G.I Asylum Seekers Taskforce - Legal Aid*	6,749,168	8,569,676	1,324,981
	<u>19,219,504</u>	<u>24,403,736</u>	<u>17,703,332</u>

* These grants were provided towards the expenditure incurred on the Refugee Legal Service. See Note 15

2. Other Income

	2001 £	2001 €	2000 €
Interest received and receivable	83,212	105,658	82,939
Sundry receipts	328	416	2,847
	<u>83,540</u>	<u>106,074</u>	<u>85,786</u>

3. Capital Account

	£	£
Balance as at 1 January **		1,893,174
Transfer from Income and Expenditure Account		
- Income used to purchase fixed assets	2,997,013	
- Amount released on disposal of fixed assets	<u>0</u>	
- Income amortized in year in line with depreciation of assets	(855,619)	
		<u>2,141,394</u>
Balance as at 31 December		<u>4,034,568</u>

** The opening balance has been restated to take account of Vat on Leases entered into in 2000 which had been taken to account in the previous year's Income & Expenditure Account.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2001

4. Employee Numbers and Costs

The total staff complement as approved by the Minister at 31 December 2001 was 410. The number of staff actually employed by the Board at 31 December 2001 was 411 (2000 - 333). The average number of employees in the Board during the year was 408 (2000 - 302). Employee and related costs were as follows:

	2001 £	2001 €	2000 €
Salaries	8,552,779	10,859,789	7,598,815
Cost of Agency Staff and Staff on Secondment	128,278	162,879	66,323
Employer PRSI	613,775	779,333	538,613
	<u>9,294,832</u>	<u>11,802,002</u>	<u>8,203,751</u>

5. Accommodation and Establishment Expenses

	2001 £	2001 €	2000 €
Rents	2,018,177	2,562,556	2,457,044
Cleaning	172,719	219,307	175,901
Lighting and Heating	106,197	134,842	96,199
Maintenance - Premises	424,387	538,861	499,843
Maintenance - Equipment	190,326	241,664	100,631
	<u>2,911,805</u>	<u>3,697,230</u>	<u>3,329,618</u>

6. Legal Fees and Expenses

	2001 £	2001 €	2000 €
Counsel fees	1,912,312	2,428,135	1,992,755
Legal fees	751,097	953,696	663,333
Private Practitioner Scheme	545,771	692,986	226,058
Other Professional fees	400,316	508,296	500,998
Other expenses	384,145	487,764	359,928
	<u>3,993,640</u>	<u>5,070,877</u>	<u>3,743,072</u>

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2001

7. General Administration

	2001 £	2001 €	2000 €
Stationery, Office and Training Expenses	702,681	892,221	392,003
Books and Printing	143,237	181,874	106,111
Postage and Telephone	663,246	842,148	417,411
Insurance	72,813	92,453	76,222
Travel and Subsistence	583,764	741,227	433,754
	<u>2,165,741</u>	<u>2,749,924</u>	<u>1,425,501</u>

8. Fixed Assets

	Vat on Leases £	Office Furniture £	Equipment & Computers £	Premises Fit Out £	Total £
COST					
Balance as at 1/1/01	* 600,000	593,953	2,777,524	0	3,971,477
Acquisitions	667,500	148,075	903,405	1,278,033	2,997,013
Disposals	<u>0</u>	<u>(2,500)</u>	<u>0</u>	<u>0</u>	<u>(2,500)</u>
Balance as at 31/12/01	1,267,500	739,528	3,680,929	1,278,033	6,965,990
DEPRECIATION OF FIXED ASSETS					
Balance as at 1/1/01	* 60,000	447,815	1,570,488	0	2,078,303
Charge in Year	186,750	65,280	475,786	127,803	855,619
Disposals	<u>0</u>	<u>(2,500)</u>	<u>0</u>	<u>0</u>	<u>(2,500)</u>
Balance as at 31/12/01	246,750	510,595	2,046,274	127,803	2,931,422
Net Book Value as at 31/12/01	<u>1,020,750</u>	<u>228,933</u>	<u>1,634,655</u>	<u>1,150,230</u>	<u>4,034,568</u>
Net Book Value as at 31/12/00	* <u>540,000</u>	<u>146,138</u>	<u>1,207,036</u>	<u>0</u>	<u>1,893,174</u>

* The opening balance has been restated to take account of Vat on Leases entered into in 2000 which had been taken to account in the previous year's Income & Expenditure Account.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2001

8a. Fixed Assets (Euro)

	Vat on Leases €	Office Furniture €	Equipment & Computers €	Premises Fit Out €	Total €
COST					
Balance as at 1/1/01	* 761,843	754,165	3,526,728	0	5,042,736
Acquisitions	847,550	188,016	1,147,088	1,622,767	3,805,421
Disposals	0	(3,174)	0	0	(3,174)
Balance as at 31/12/01	1,609,393	939,007	4,673,816	1,622,767	8,844,983
DEPRECIATION OF FIXED ASSETS					
Balance as at 1/1/01	* 76,184	568,608	1,994,108	0	2,638,900
Charge in Year	237,124	82,889	604,124	162,277	1,086,412
Disposals	0	(3,174)	0	0	(3,174)
Balance as at 31/12/01	313,308	648,322	2,598,232	162,277	3,722,138
Net Book Value as at 31/12/01	1,296,085	290,685	2,075,584	1,460,491	5,122,845
Net Book Value as at 31/12/00	* 685,659	185,556	1,532,621	0	2,403,835

*The opening balance has been restated to take account of Vat on Leases entered into in 2000 which had been taken to account in the previous year's Income & Expenditure Account.

9. Debtors and Prepayments

	2001 £	2001 €	2000 €
Debtors - Deposit Interest	77,037	97,817	86,097
Prepayments			
- Rent	89,730	113,934	48,656
- Insurance	85,426	108,469	23,065
- Wages & Salaries	34,455	43,749	0
- Other	41,121	52,213	22,299
	327,769	416,181	180,117

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2001

10. Creditors and Accruals

	2001 £	2001 €	2000 €
Amounts falling due within one year:			
Creditors & Accruals	1,121,494	1,424,004	985,873
	<u>1,121,494</u>	<u>1,424,004</u>	<u>985,873</u>

Included in Creditors at 31 December 2001, is a sum of £172,576 in respect of Withholding Tax on Counsel, Legal and other Professional fees and £277,187 in respect of PAYE and PRSI.

11. Clients' Funds

These funds represent the gross amounts plus interest accrued, which were held by the Board at 31 December 2001 on foot of awards or settlements made in favour of clients represented by the Board. The Board may recover therefrom the total cost of providing such legal services and the balance is paid to the persons represented.

	£	€
Client funds held at 1 January	491,898	624,582
Add Awards/settlements received during 2001	5,029,596	6,386,270
Less Settlements paid out including interest allowed and costs recovered	4,926,733	6,255,660
Client funds held at 31 December	<u>594,761</u>	<u>755,191</u>
Interest accruing on Client Funds held	12,525	15,903
Total due to Clients	<u>607,286</u>	<u>771,094</u>

12. Commitments under Operating Leases

The Board occupies premises at St. Stephen's Green House, Dublin 2 and operates out of 34 other Centres throughout the country. The Board is committed to pay rent of £1,865,780 (€2,369,052) during 2002 in respect of leases expiring as follows:

	£	€
2002	4,700	5,968
2003-2007	21,000	26,664
2008 onwards	1,840,080	2,336,420
Total	<u>1,865,780</u>	<u>2,369,052</u>

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2001

13. Reconciliation of Surplus for Year to cash from Operating Activities

	2001 £	2001 €	2000 €
Deficit / Surplus for Year	(1,427,833)	(1,812,974)	1,059,501
Adjustment for Non-Operating Items			
Bank Interest Receivable	(83,212)	(105,657)	(82,939)
Profit/Loss on Disposal of Fixed Assets	(401)	(509)	1,086
Movement on Capital Account	2,141,394	2,719,010	240,360
Adjustment for Non-Cash Items			
Depreciation	855,619	1,086,412	540,884
(Increase)/Decrease in Debtors	(176,685)	(224,344)	754,552
Increase/(Decrease) in Creditors	447,354	568,022	(1,272,691)
	<u>1,756,236</u>	<u>2,229,960</u>	<u>1,240,753</u>

14. Movement of Cash and Cash Equivalents

	2001 £	2001 €	2000 €
Balance at 1 January	3,824,905	4,856,628	4,344,962
Net Cash Outflow/Inflow	(1,161,582)	(1,474,905)	511,665
Balance at 31 December	2,663,323	3,381,723	4,856,627

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2001

15. Refugee Legal Service

	2001 £	2001 €	2000 €
Expenditure and Income relating to the Refugee Legal Service are included in the Financial Statements under the following headings.			
Salaries and Wages	1,692,943	2,149,595	862,131
Vat on leases	600,000	761,843	761,843
Other Accommodation Expenses	1,265,839	1,607,284	283,526
Legal Fees and Professional fees	871,691	1,106,819	429,487
General Administration	339,364	430,903	88,073
Fixed Assets	1,670,282	2,120,820	-
	<u>6,440,118</u>	<u>8,177,264</u>	<u>2,425,060</u>
Less contributions from legally-aided persons	(41,960)	(53,278)	(54,736)
Total Net expenditure in the year	<u><u>6,398,159</u></u>	<u><u>8,123,986</u></u>	<u><u>2,370,324</u></u>

16. Pensions

For accounting periods ending on or after 22 June 2005 Financial Reporting Standard 17 will require financial statements to reflect at fair value the assets and liabilities arising from an employer's superannuation obligations and any related funding and to recognise the costs of providing superannuation benefits in the accounting periods in which they are earned by employees. As a transitional measure the Standard requires that the present value of schemes liabilities be disclosed in the notes to the 2001 financial statements. In 2001, the Board was not in a position to comply with the requirements of FRS 17 as it did not obtain an actuarial valuation of the schemes' liabilities. The Board has taken steps to ensure that it will be able to comply with the requirements of the Standard in future years.

17. Approval of Financial Statements

The Financial Statements were approved by the Board on November 21st, 2002

APPENDIX 2 STATISTICS FOR 2001

TABLE 1: Analysis of Applications dealt with in 2001

No of persons provided with legal services		No of persons given legal advice only		No of persons given legal advice and representation (i.e., legal aid certificates)	
2001	2000	2001	2000	2001	2000
14,214	14,382	9,151	9,411	5,063	4,971

TABLE 1a : Analysis of Applications dealt with by Refugee Legal Service 2001

No of persons provided with legal services		No of persons given legal advice only		No of persons given legal advice and representation (i.e., legal aid certificates)	
2001	2000	2001	2000	2001	2000
4,520	3,424	1,705	1,198	2,815	2,226

TABLE 2 : Analysis of Legal Aid Certificate by Court

Type of Case	District Court		Circuit Court		High Court		Supreme Court		Total	
	2001	2000	2001	2000	2001	2000	2001	2000	2001	2000
Law Centres										
Family Law	1,469	1,257	2,000	2,493	60	111	0	2	3,529	3,863
Other	16	17	46	48	41	118	0	2	103	185
Private Practitioners	1,174	923	257	0	0	0	0	0	1,431	923
Total	2,659	2,197	2,303	2,541	101	229	0	4	5,063	4,971

TABLE 3**(a) Family Law Cases**

Law Centres					
Proceedings	District Court	Circuit Court	High Court	Supreme Court	Total
Barring	458	10	0	0	468
Safety Order	181	1	0	0	182
Access	229	21	1	0	251
Custody	169	11	2	0	182
Maintenance	360	29	1	0	390
Child Care	171	24	7	0	202
Guardianship	119	7	0	0	126
Judicial Separation	0	820	10	0	830
Divorce	0	991	19	0	1,010
Injunction	2	41	0	0	43
Nullity	0	23	0	0	23
Child Abduction	0	0	34	0	34
Adoption	0	1	1	0	2
Wardship	1	5	5	0	11
Domestic Violence	187	0	0	0	187
Paternity	0	7	1	0	8
Protection	13	0	0	0	13
Marital Status	0	1	0	0	1
Partition Act	0	6	0	0	6
Family	0	14	0	0	14
Miscellaneous	9	0	0	0	9
Total	1,899	2,012	81	0	3,992

Private Practitioners						
Proceedings	District Court	Circuit Court	High Court	Supreme Court	Total 2001	Total 2000
Barring Order	431	0	0	0	431	463
Safety/Protection Order	383	0	0	0	383	102
Access	452	0	0	0	452	248
Custody	206	0	0	0	206	110
Maintenance	344	0	0	0	344	239
Guardianship	204	0	0	0	204	77
Judicial Separation	0	133	0	0	133	0
Divorce	0	124	0	0	124	0
Other	16	0	0	0	16	0
TOTAL	2,036	256	0	0	2,293	1,239

<i>(B) Non-Family Law Cases</i>					
Law Centres					
Proceedings	District Court	Circuit Court	High Court	Supreme Court	Total
Tort	1	13	12	0	26
Contract	3	7	1	0	11
Employer/Employee	0	1	0	0	1
Debt	3	5	0	0	8
Landlord and Tenant	6	4	0	0	10
Miscellaneous	4	8	21	0	33
RLS Judicial Review	0	0	143	0	143
Total	17	38	177	0	232

APPENDIX 3 - LAW CENTRES

Full-time Law Centres

LAW CENTRE	MANAGING SOLICITOR
CAVAN Newcourt Shopping Centre, Church Street, Cavan Tel: (049) 4331110 Fax: (049) 4331304	Margaret O'Shea-Grewcock
CLARE Unit 6A, Merchant's Square, Ennis, Co Clare Tel: (065) 6821929 Fax: (065) 6821939	Mary Cuffe
CORK North Quay House, Popes Quay, Cork Tel: (021) 551 686 Fax: (021) 551 690 1A South Mall, Cork Tel: (021) 275 998 Fax: (021) 276 927	Betty Dineen Brian Sheridan
DONEGAL Houston House, Main Street, Letterkenny Co Donegal Tel: (074) 26177 Fax: (074) 26086	Geraldine O'Connor
DUBLIN 45 Lower Gardiner Street, Dublin 1 Tel: (01) 874 5440 Fax: (01) 874 6896 9 Lower Ormond Quay, Dublin 1 Tel: (01) 872 4133 Fax: (01) 872 4937 Tower Centre, Clondalkin Village, Dublin 22 Tel: (01) 457 6011 Fax: (01) 457 6007 Village Green, Tallaght, Dublin 24 Tel: (01) 451 1519 Fax: (01) 451 7989 44/49 Main Street, Finglas, Dublin 11 Tel: (01) 864 0314 Fax: (01) 864 0362 48/49 North Brunswick Street, Georges Lane, Dublin 7 Tel: (01) 646 9700 Fax: (01) 646 9799 Unit 6-8, Business Centre, Clonsilla Road, Blanchardstown, Dublin 15 Tel: (01) 820 0455 Fax: (01) 820 0450	Kevin Liston Gerard Kirwan Hugh Cunniam Pauline Corcoran John Weston Ray Finucane Marie Quirke
GALWAY Francis Street, Galway Tel: (091) 561 650 Fax: (091) 563 825	Mary Griffin
KERRY 1 Day Place, Tralee, Co Kerry Tel: (066) 7126900 Fax: (066) 7123631	Carol Ann Coolican

LAW CENTRE	MANAGING SOLICITOR
KILDARE Canning Place, Newbridge, Co Kildare Tel: (045) 435 777 Fax: (045) 435 766	Maeve Slattery
KILKENNY Maudlin Street, Kilkenny Tel: (056) 61611 Fax: (056) 61562	Niall Murphy
LAOIS Unit 6A, Bridge Street, Portlaoise, Co Laois Tel: (0502) 61366 Fax: (0502) 61362	Marie Ni Cruadhlaioich
LIMERICK Lock Quay, Limerick Tel: (061) 314 599 Fax: (061) 318 330	Fergal Rooney
LONGFORD Credit Union Courtyard, 50A Main Street, Longford Tel: (043) 47590 Fax: (043) 47594	Eugene Kelly
LOUTH The Laurels, Dundalk, Co Louth Tel: (042) 9330448 Fax: (042) 9330991	Deirdre McMichael
MAYO Humbert Hall, Main Street, Castlebar, Co Mayo Tel: (094) 24334 Fax: (094) 23721	Tom O' Mahony
MEATH Kennedy Road, Navan, Co Meath Tel: (046) 72515 Fax: (046) 72519	Vivienne Crowe
MONAGHAN Alma House, The Diamond, Monaghan Tel: (047) 84888 Fax: (047) 84879	Stephanie Coggans
OFFALY Harbour Street, Tullamore Tel: (0506) 51177 Fax: (0506) 51544	Helen O'Reilly
SLIGO Bridgewater House, Rockwood Parade, Thomas Street, Sligo Tel: (071) 61670 Fax: (071) 61681	Fiona McGuire
TIPPERARY Friarscourt, Nenagh, Co Tipperary Tel: (067) 34181 Fax: (067) 34083	Josephine Fair
WATERFORD Canada House, Canada Street, Waterford Tel: (051) 855 814 Fax: (051) 871 237	Aidan Lynch
WESTMEATH Northgate Street, Athlone, Co Westmeath Tel: (0902) 74694 Fax: (0902) 72160	Phil O'Laoide

LAW CENTRE	MANAGING SOLICITOR
WEXFORD Unit 8, Redmond Square, Wexford Tel: (053) 22622 Fax: (053) 24927	Shane Dooley
WICKLOW Bridge Street, Wicklow Tel: (0404) 66166 Fax: (0404) 66197	Barbara Smyth

REFUGEE LEGAL SERVICE 48/49 North Brunswick Street, George's Lane, Dublin 7 Tel: (01) 646 9600 Fax: (01) 671 0200	Frank Caffrey, John McDaid, Grainne Brophy
Montague Court, 7-11 Montague Street, Dublin 2 Tel: (01) 476 0265 Fax: (01) 476 0271	
Timberlay House, 79/83 Lower Mount Street, Dublin 2 Tel: (01) 631 0800 Fax: (01) 661 5011	

Part-time Law Centres

LOCATION and TELEPHONE	OPEN ON	LAW CENTRE
CARLOW St. Catherine's Social Services Centre, St. Joseph's Road, Carlow. Tel: (0503) 31354	First and Third Friday of every month	Kilkenny
CLARE Kilrush Community Centre, Toler Street, Kilrush.	Fourth Wednesday of every month	Clare
DONEGAL The Courthouse, Donegal Town. Tel: (074) 26177	First Friday of every month	Donegal
KERRY Killarney Community Services 57 High Street, Killarney Tel: (066) 7126900	Every Friday morning	Kerry
LEITRIM North Western Health Board, Leitrim Road, Carrick-on-Shannon. Tel: (043) 47590	First Wednesday of every month	Longford
LOUTH Drogheda Community Services Centre, Fair Street, Drogheda Tel: (041) 36084/33490	First & Second Tuesday of every month	Ormond Quay, Dublin
MAYO Ballina Community Centre, Teeling Street, Ballina Tel: (094) 24334	First Monday of every month	Mayo
Health Centre, Knock Road, Ballyhaunis Tel: (091) 561650	Fourth Tuesday of every month	Galway
ROSCOMMON Citizens Information Centre, Patrick Street, Boyle Tel: (071) 61670	First Monday of every month	Sligo
TIPPERARY Thurles Community Social Services, Rossa Street, Thurles. Tel: (067) 34181	Second Tuesday of every month	Tipperary
Citizen's Information Centre, 14 Wellington Street, Clonmel. Tel: (052) 22267	First, Second & Third Monday of every month	Tipperary
WESTMEATH Enterprise Centre, Bishopgate Street, Mullingar Tel: (0902) 74694	Last Friday of every month	Westmeath

APPENDIX 4 - MEANS TEST

The applicable criteria for assessing financial eligibility are contained in Section 29 of the Civil Legal Aid Act, 1995 and in Part 5 of the Civil Legal Aid Regulations, 1996, as amended by the Civil Legal Aid Regulations, 2002. The figures shown below became operative on 1st February 2002.

Income Eligibility

The present eligibility limit is €13,000 per annum disposable income. Disposable income is the income that remains after various deductions have been made in respect of dependants, accommodation costs, income tax, social insurance, etc.

Income Contribution

A person whose disposable income does not exceed €8,300 per annum is required to pay a contribution of €6 for legal advice and €35 for legal aid.

Where the disposable income exceeds €8,300 per annum, a person is required to pay a larger contribution up to a maximum of €1,210. In such cases the contribution is calculated as follows: -

Legal Advice -

one tenth of the difference between disposable income and €8,300, subject to a minimum contribution of €6 and a maximum of €100;

Legal Aid -

€35 plus one quarter of the difference between disposable income and €8,300.

Capital

If it becomes necessary to go to court, the value of the applicant's capital resources (e.g., house, land, money in a bank, car) are also taken into account and a capital contribution may be payable. However, capital contributions arise only in a minority of cases.

Present Allowances against income

The maximum allowances for the purpose of calculating the disposable income of applicants for legal services are as follows:-

Allowances:	€
Applicant's spouse	1,900
Dependent child	1,100
Accommodation costs	4,900
Childcare expenses	1,100
Income tax	Full amount
Social Insurance	Full amount
Ex Gratia payments	1,040

Examples of Operation of Means Test

The following are some actual examples of the operation of the means test in the case of married persons with dependants and certain outgoings.

Married Person with two children on a gross income of €18,067 where the spouse is not a dependant.

	€
Income	18,067
Less allowances:	€
2 children	2,200
P.R.S.I.	762
Income Tax	917
Accommodation Costs	4,900
	<u>8,779</u>
Disposable income	9,288
Contribution : €282	

Single Person with four children on a gross income of €13,565 and Lone Parent Allowance of €10,192.

Income		€	23,757
Less allowances	€		
4 children	4,400		
Child care	1,040		
Accommodation Costs	3,840		
P.R.S.I.	746		
P.A.Y.E.	<u>1,147</u>		<u>11,173</u>
	Disposable income		12,584
	Contribution : €1,106		

Married person with one child on a gross income of €17,620 where the spouse is not a dependant.

Income		€	17,620
Less allowances:	€		
1 child	1,100		
Accommodation costs	4,900		
P.R.S.I.	458		
P.A.Y.E.	<u>1,389</u>		<u>7,847</u>
	Disposable income		9,773
	Contribution : €403		

Single person with three children on a gross income of €11,458 and Lone Parent Allowance of €7,108.

Income		€	18,566
Less allowances	€		
3 children	3,300		
Accommodation costs	4,900		
Child Care	<u>2,200</u>		<u>10,400</u>
	Disposable income		8,166
	Contribution: €35		

APPENDIX 5

INFORMATION LEAFLETS AVAILABLE FROM THE LEGAL AID BOARD

Leaflet No. 1	Civil Legal Aid
Leaflet No. 2	Family Law General
Leaflet No. 3	Separation
Leaflet No. 4	Divorce
Leaflet No. 5	Nullity
Leaflet No. 6	Maintenance
Leaflet No. 7	Domestic Violence
Leaflet No. 8	Children and Family Law
Leaflet No. 9	Wills and Inheritance
Leaflet No. 10	Customer Care and Complaints Procedure
Leaflet No. 11	Applying for Legal Services
Leaflet No. 12	Withdrawal of Legal Services
Leaflet No. 13	Financial Eligibility

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RÉAMHRÁ

Seo í mo chéad Thuarascáil Bhliantúil mar Chathaoirleach ar an mBord um Chúnadh Dlíthiúil agus baineann sí leis an mbliain 2001. Tá an chreidiúint as an méid a chuir an Bord i gcrích sa tréimhse sin ag dul cuid mhór do mo réamhtheachtaí Ms. Clare Connellan agus a comhghleacaithe a d'fhág oifig i mí Dheireadh Fómhair 2001.

Sa bhliain 2001, ba é líon iomlán na ndaoine ar cuireadh seirbhísí dlíthiúla ar fáil dóibh ná 18,700 i gcomórtas le 17,800 i 2000. Astu sin, chuir an tSeirbhís Dlí do Dhéanaithe (RLS) seirbhísí ar fáil do 4,500.

Cuireadh leibhéal sásúil maoinithe ar fáil do 30 ionad dlí an Bhoird leis an méadú a rinneadh ar an deontas i gcabhair ó £12.899 milliún (€16.378 milliún) sa bhliain 2000 go dtí £13.604 milliún (€17.274). Bhí an t-athrú ar an soláthar don RLS substaintiúil, agus méadú déanta ar an maoiniú ó £1 milliún go dtí £8.1 milliún. Úsáideadh cuid den mhaoiniú sin le hoifigí nua a bhunú don RLS i mBaile Átha Cliath, i gCorcaigh agus i nGaillimh. Ba mhaith liom mo bhuíochas a ghabháil leis an Aire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí agus a chuid oifigeach as a dtacaíocht leanúnach ó thaobh acmhainní de.

Sa bhliain 2001, bhog an Bord roinnt de rannóga na hArdoifige chuig cóiríocht shealadach i gCathair Saidhbhín, de réir théarmaí chinneadh an Rialtais go ndéanfaí Ardoifig an Bhoird a dhílárú. Ag an am céanna bhí obair ag dul ar aghaidh ar na buanoifigí nua ar an mbaile, a críochnaíodh roimh dheireadh na bliana. Críochnaíodh an t-aistriú i mí Feabhra 2002 nuair a bhog an chuid deiridh den fhoireann go Cathair Saidhbhín.

Mar chuid den chur chuige iomlán atá againn i leith riar corparáideach, tá baill an Bhoird tiomnaithe go hiomlán do chur chun cinn éifeachtach an chlár athraithe bainistíochta a thionscnaigh an Bord a tháinig rompu. Sa chomhthéacs seo, feiceann an Bord feidhmiú éifeachtach Chóras nua Bainistíochta agus Forbartha Feidhmiúcháin na hEarnála Poiblí (PMDS) mar riachtanas rithabhachtach ó cheann ceann na heagraíochta a bhfuil



sochair shoiléire ann don Bhord, dá fhoireann agus do chliant an Bhoird.

Is eol don Bhord gur aithin an Suirbhé ar an Aeráid Eagraíochtuil, a rinneadh mar chuid den chlár forbartha bainistíochta d'aturnaetha bainistíochta agus do bhainisteoirí sinsearacha eile sa Bhord, go bhfuil gá le níos mó soiléireachta ar na caighdeáin agus ar na leibhéil feidhmiúcháin a bhfuil súil leo. Creideann an Bord gur uirlis chumhachtach é PMDS chun dul i ngleic le rudaí a aithníodh sa Suirbhé agus chun cinnireacht láidir a sholáthar i rith a théarma oifige.

Mar chríoch ba mhaith liom buíochas a ghabháil leis an mBord a tháinig romhainn agus táim ag tnúth le bheith ag obair le mo chomhghleacaithe sa Bhord reatha agus le bainistíocht agus foireann an Bhoird, d'fhonn cáilíocht na seirbhíse agus an fháil atá uirthi a fheabhsú go leanúnach.

Eamon Leahy A.S.
Meán Fómhair 2002

FOIREANN FHEIDHMIÚCHÁIN NA hARDOIFIGE

Príomhfheidhmeannach	Frank Goodman
Stiúrthóir um Chúnammh Dlíthiúil	Frank Brady
Stiúrthóir Acmhainní Daonna :	Pat Fitzsimons
Stiúrthóir Oibríochtaí :	Dara Mullally
Stiúrthóir Seirbhísí Corparáideacha An tSeirbhís Dlí do Dhídeanaithe :	Feargal O'Brolchain
Rialtóir Airgeadais :	Joan Enright
Rúnaí don Bhord :	Clare Kelly
Iniúcháirí :	An tArd-Reachtair Cuntas agus Ciste
Aturnaetha :	Mason, Hayes agus Curran
Ardoifig :	Sráid na Cé Cathair Saidhbhín Co Chiarraí Fón : 066 947 1000 Facs : 066 947 1035
Oifig Bhaile Átha Cliath :	7-11 Montague Court Sráid Montague Baile Átha Cliath 2 Fón : 01 477 6200 Facs : 01 476 0267
Láithreán Gréasáin:	www.legalaidboard.ie



An t-ionad fáiltithe agus an taobh amuigh de Ardoifig an Bhoird um Chúnammh Dlíthiúil i gCathair Saidhbhín.

AN BORD



Eamon Leahy A.S.
Cathairleach

Caoimhín Ó hUiginn

Rúnaí Iúnta An Roinn
Dlí agus Cirt, Comhionannais
agus Athchóirithe Dlí



David King

Ionadaí Foirne
Ardoifigeadh Feidhmiúcháin
An tSeirbhís Dlí Dhídeanaithe

Catherine Hazlett

Príomh-Oifigeadh
An Roinn Gnóthaí Sóisialacha
agus Teaghlaigh



Lucille Fahy

Ionadaí Foirne
Aturnae
Ionad Dlí Shráid Gardiner

Una Doyle O'Sullivan

Aturnae



Brendan T. Looby

Aturnae

Cormac Dunne

Aturnae



Tony McCarthy

Gnó Miondiola

Patricia Ryan

Abhcóide



Ann Nolan

Príomh-Oifigeadh
An Roinn Airgeadais

Catherine Egan

Abhcóide



Ann Colley

Aturnae

FEIDHMEANNA AN BHOIRD

Déanann an Bord um Chúnamh Dlíthiúil riaradh ar chúnamh dlíthiúil sibhialta de réir théarmaí an Achta um Chúnamh Dlíthiúil Sibhialta, 1995, agus na Rialacháin atá déanta faoin Acht. Is féidir, faoin Acht, cúnaimh dlíthiúil agus comhairle dhlíthiúil a sholáthar i gcásanna sibhialta do dhaoine a shásaíonn na tástálacha maidir le incháilitheacht airgeadais agus tuillteanas atá leagtha síos san Acht agus sna Rialacháin. Tá soláthar san Acht freisin maidir le heolas a chur ar fáil faoi sheirbhísí an Bhoird agus an fháil atá orthu.

Tá cúnaimh dlíthiúil ionadaíochta ar fáil d'imeachtaí sa Chúirt Dúiche, sa Chúirt Chuarda, san Ardchúirt agus sa Chúirt Uachtarach, agus freisin d'imeachtaí os comhair Chúirt Bhreithiúnais na hEorpa. Níl cúnaimh dlíthiúil sibhialta ar fáil do stiúradh imeachtaí os comhair bhinse riaracháin, ach amháin d'achomharc in aghaidh diúltú stádais dídeanaí. Is féidir comhairle agus cúnaimh dlíthiúil a chur ar fáil, áfach, do dhaoine atá páirteach in imeachtaí os comhair bhinse ar bith.

Is í an fheidhm atá leis an mBord um Chúnamh Dlíthiúil ná seirbhísí aturnaetha agus, más gá, seirbhísí abhcóidí a sholáthar do dhaoine incháilithe. Soláthraítear cúnaimh agus comhairle dhlíthiúil, go príomha, trí ionaid dlí ag aturnaetha atá i bhfostaíocht lánaimseartha an Bhoird. Tá gréasán náisiúnta d'ionaid dlí ag an mBord, 30 ionad lánaimseartha agus 12 ionad páirtaimseartha, ar fud na tíre. Cuirtear seirbhísí abhcóide ar fáil de réir théarmaí an chomhaontaithe atá idir Chomhairle Bharra na hÉireann agus an Bord.

Fostaíonn an Bord aturnaetha i gcleachtais phríobháideacha chun seirbhísí dhlíthiúil comhlántach a sholáthar i gcomhar leis an tseirbhís óna hionaid dlí i gcásanna áirithe dlí teaghlaigh sa Chúirt Dúiche mar atá, foréigean teaghlaigh, cothabháil agus coimeád/rochtain. Cabhraíonn sé seo leis an mBord seirbhís a chur ar fáil do gach iarratasóir laistigh de thréimhse réasúnta ama. I mí na Bealtaine 2001, thug an Bord tionscadal píolótach dhá bhliana isteach faoina n-úsáidtear aturnaetha príobháideacha i gcásanna colscartha agus idirscartha bhreithiúnaigh sa Chúirt Chuarda, agus tá torthaí an tionscadail á meas.

Tá seirbhís thiomnaithe ar a dtugtar An tSeirbhís Dlí do Dhídeanaithe (RLS) á feidhmiú ag an mBord freisin chun comhairle agus cúnaimh dlíthiúil a sholáthar d'iarratasóirí tearmainn ag gach céim den phróiseas tearmainn, ionadaíocht os comhair an Bhinse Achomhairc Dídeanaithe san áireamh.

Foilsíonn an Bord roinnt bileog eolais maidir leis na seirbhísí a chuireann sé ar fáil. Cuireann na trí cinn déag de bhileoga eolais atá foilsithe go dáta eolas ginearálta ar fáil, i gcaint neamhdhlíthiúil, ar réimse leigheasanna dlí teaghlaigh a bhfuil fáil orthu faoi láthair. Tá na bileoga eolais ar fáil in ionaid dlí an Bhoird mar aon le oifigí cúirte agus Ionaid Eolais Saoránach ar fud na tíre. Tá forbairt á dhéanamh faoi láthair ar bhileoga eolais ar sheirbhísí eile a chuireann an Bord ar fáil, an tseirbhís nua do ghearánaithe i gcásanna éignithe san áireamh.

Íoctar as an gcaiteachas a bhíonn ar an mBord i bhfeidhmiú a chuid seirbhísí as an gCiste Cúnaimh Dhlíthiúil. Cuimsíonn an ciste seo Deontas i gCabhair ón Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí, ranniocaíochtaí ó dhaoine ar tugadh cúnaimh dóibh agus ioncam eile, maoiniú sainiúil ón Oireachtas don RLS san áireamh.

FORBAIRTÍ SA BHLIAIN 2001

Bhí roinnt forbairtí suntasacha i rith na tréimhse atá faoi athbhreithniú, agus bhíodar seo a leanas ar na cinn ba thábhachtaí:-

- Méadaíodh Deontas i gCabhair an Bhoird de 5.5%, ó £12.899 milliún (€16.378 milliún) sa bhliain 2000 go £13.604 milliún (€17.274) sa bhliain 2001;
- Méadaíodh an maoiniú don tSeirbhís Dlí do Dhídeanaithe ó £1 milliún (1.27 milliún) sa bhliain 2000 go £8.1 milliún (€10.28 milliún) sa bhliain 2001;
- Chuir an Bord seirbhísí dlíthiúla ar fáil do bheagán os cionn 18,700 duine sa bhliain 2001 i gcomórtas le 17,800 sa bhliain 2000;
 - Chuir na hionaid dlí seirbhísí ar fáil do 12,800 duine;

- Chuir Scéim na gCleachtóirí Príobháideacha seirbhísí ar fáil do 1,400 sa Chúirt Dúiche agus sa Chúirt Chuarda, agus
- Chuir an RLS seirbhísí dlíthiúla ar fáil do 4,500 iarratasóirí tearmainn;
- Laghdaíodh na tréimhsí feithimh don chéad choinne le haturnae i 19 ionad dlí;
- Laghdaíodh na tréimhsí feithimh go trí mhí nó níos lú don chéad choinne le haturnae i 17 ionad dlí;
- Laghdaíodh líon na ndaoine a bhí ag feitheamh leis an gcéad choinne le haturnae de aon trian, ó thart ar 2,200 i mí na Nollag 2000 go 1,500 ag deireadh mhí na Nollag 2001;
- I mí na Bealtaine 2001, cuireadh Scéim Phíolótach Cúirte Cuarda i bhfeidhm i ndeich láthair ar fud na tíre le go bhféadfadh cleachtóirí príobháideacha ionadaíocht a dhéanamh do chliaint i gcásanna colscartha agus idirscartha bhreithiúnaigh;
- Chuir An tAcht um Chiontóirí Gnéis, 2001, a tháinig i bhfeidhm i mí Mheán Fómhair 2001, leasú ar an Acht um Chúnaimh Dlíthiúil Sibhialta, 1995, trí scóip an chúnaimh dlíthiúil a leathnú le hionadaíocht dhlíthiúil a sholáthar do ghearánaithe i gcúinsí áirithe i rith cásanna "éignithe";
- Léirigh suirbhé cliant, a reachtáladh le tuairimí cliant a fháil faoin tseirbhís a sholáthraíonn an Bord, ardleibhéal sástachta leis an tseirbhís; reachtáilfear suirbhéanna cosúil leis sin, faoin tseirbhís a sholáthraíonn cleachtóirí príob



Seán Ó Donnchú, T.D., An tAire Dlí agus Cirt Comhionannais agus Athchóirithe Dlí agus Frank Goodman, Príomhfheidhmeannach, ag oscailt oifigí Ionaid Dlí an Aonaigh.

háideacha chomh maith le hionaid dlí an Bhoird, ar bhonn leanúnach;

- D'oscail an Bord oifig shealadach i gCathair Saidhbhín, Co Chiarraí chun éascaíocht a dhéanamh do athshuíomh na hArdoifige ó Bhaile Átha Cliath go Chiarraí.

ÉILEAMH AR SHEIRBHÍSÍ DLÍTHIÚLA AG IONAI DLI

Mar a tugadh le fios cheana, aturnaetha atá fostaithe go lánaimseartha ag an mBord, ag obair in ionaid dlí a bhunaigh an Bord, is mó a chuireann seirbhísí dlíthiúla ar fáil. Cabhraíonn raon d'fhoireann pharaidhlíthiúil agus riaracháin leis na haturnaetha san obair sin. I dteannta an líonra de 30 ionad dlí lánaimseartha, cuireann foireann an Bhoird seirbhísí dlíthiúla ar fáil trí 12 ionad dlí páirtaimseartha. Pléitear an ról tábhachtach comhlántach atá ag scéim na gcleachtóirí príobháideacha agus ag an tseirbhís shainiúil RLS i rannóga eile den tuarascáil seo.

Seirbhís tosaíochta

Feidhmíonn an Bord nós imeachta trína dtugtar tosaíocht do chatagóirí áirithe cásanna, mar shampla, foréigean teaghlaigh, cúram leanaí, fuadach leanaí agus cásanna eile mar a bhfuil teorainneacha ama i gceist. Déileáiltear leis na cásanna sin láithreach. Tá gá lena leithéid de chóras tosaíochta chun a chinntiú, mar shampla, go gcuirtear seirbhís ar fáil gan mhoill do dhaoine a bhfuil foréigean teaghlaigh á dhéanamh orthu agus do chásanna a bhaineann le cúram leanaí. Tá gá leis an tseirbhís sin mar go bhféadfadh an t-éileamh ar sheirbhísí dlíthiúla a bheith níos mó ná an cumas atá ag an mBord freagairt don éileamh sin ar an toirt.

Ina theannta san fágtar faoi bhreithiúnas na n-aturnaetha bainistíochta an tseirbhís tosaíochta a sholáthar más dóigh leo, ag cur cúinsí áirithe an cháis san áireamh i gcomórtas le hiarratais eile ar an liosta feithimh, gur chóir tosaíocht faoi leith a thabhairt d'iarratasóir áirithe. Sa bhliain 2001, ba é an líon iomlán de choinní tosaíochta a thug na hionaid dlí ná thart ar 1,500, nó beagnach 22% den líon iomlán coinní a tugadh do chliaint nua i rith na bliana.

Leibhéal an éilimh ar sheirbhísí dlíthiúla

Neartaíodh inniúlacht bhainistíochta an Bhoird nuair a ceapadh breis foirne ag an leibhéal sinsearach bainistíochta – rinneadh tagairt dó sa Tuarascáil Bhliantúil 1999.

Cé gur úsáideadh na hacmhainní breise bainistíochta sin go príomha do ghníomhaíochtaí bainisteoireachta sainiúla ag an tús, forbairt an RLS agus athbhreithniú ar nósanna imeachta gairmiúla agus riaracháin san áireamh, bhíothas in ann freisin próiseas athbhreithnithe ar ionaid dlí a thosú. Tá an Bord ag cur tús le próiseas chun critéir agus bearta a fhorbairt a chinnteoidh luach airgid agus a fheabhsóidh tríchur agus éifeacht costais na n-ionad dlí. Táthar i mbun anailíse staitistiúil ar ualáí oibre agus ar aschur sna hionaid dlí i gcomhar leis an gcóras eolais bhainistíochta a bheith á dtabhairt isteach, ag éirí as an bhforbairt ar chóras ríomhaireachta chun cásanna agus gníomhaíochtaí eile bainistíochta.

Beidh aird faoi leith á tabhairt ag an bhfoireann bhainistíochta ar an Tuarascáil Athbhreithnithe Caiteachais i dtaca le soláthar an chúnamh dhlíthiúil, a luadh i dTuarascáil na bliana seo caite agus a críochnaíodh i rith na bliana 2001. Rinne an Grúpa Athbhreithnithe sraith moltaí d'fhonn soláthar seirbhíse ar chostas éifeachtach a chinntiú, ina measc:

- Socraithe a thabhairt isteach le
 - feidhmiúchán iomlán na n-ionad dlí a thomhas; agus
 - córais nua a sholáthar chun cásanna a bhainistiú chun tríchur na gcásanna a uasmhéadú;
- Tabhairt faoi anailís chuimsitheach ar chostas seirbhísí dlíthiúla, i gcatagóirí éagsúla cásanna; agus
- Bearta sainiúla d'fhonn éifeachtúlacht a mhéadú.

Tá beartaithe ag an mBord dul chun cinn suntasach a dhéanamh ar fheidhmiú na moltaí sin i rith na mblianta 2002 agus 2003.

I láthair na huaire, mar chuid de chlár PMDS an Bhoird, tá tús curtha le hathbhreithniú ar na

staitisticí a bhaineann le cásanna reatha in ionaid dlí. Sa chomhthéacs seo, tugtar faoi deara go bhfuil laghdú tagtha thar na blianta ar líon na n-iarratasóirí i dtaca le seirbhísí dlíthiúla ó ionaid dlí de chuid an Bhoird (ag fágáil an RLS as an áireamh), ó bhuaicphointe i 1997, mar a leanas:

1996	10,800
1997	13,400
1998	11,400
1999	9,600
2000	8,900
2001	8,500

Bhí an figiúr do 1997 níos airde ná mar ba ghnáth, ag éirí as colscaradh a bheith tugtha isteach i mí Feabhra 1997. Ar feadh na bliana roimhe sin bhí an Bord ag coinneáil taifead de dhaoine a raibh spéis acu i seirbhísí dlíthiúla chun colscaradh a fháil. Níor cuireadh na hiarratasóirí sin ar liosta feithimh go dtí mí Feabhra 1997 agus, dá bharr sin, bhí thart ar 1,000 duine san áireamh i bhfigiúirí na bhliana 1997 a rinne teagmháil leis an mBord i 1996.

Léiríonn athbhreithniú ar staitisticí bliantúla an Bhoird ó 1997 go 2001 go bhfuil líon na ndaoine ar cuireadh seirbhísí dlíthiúla ar fáil dóibh tríd na hionaid dlí réasúnta seasmhach ag meánfigiúr de 13,000. Bheadh beagán os cionn 6,000 cliant, a ghlactar in aghaidh na bliana, san áireamh ansin – cásanna ag leanúint ó bhlianta roimhe sin a bheadh sa chuid eile.

Tá líon na ndaoine ar cuireadh seirbhísí dlíthiúla ar fáil dóibh sna hionaid dlí, mar aon le líon na dteastas cúnamh dhlíthiúil a tugadh agus líon na gcásanna nua a glacadh ó 1996, leagtha amach sa tábla seo a leanas:

Bliain	Iomlán	Teastais	Cásanna Nua
1996	11,800	4,000	N/A
1997	13,000	5,000	7,000
1998	12,900	4,600	5,900
1999	13,600	4,300	6,200
2000	13,300	4,000	6,000
2001	12,800	3,600	6,200

Chuidigh an laghdú ar leibhéal an éilimh agus an méadú ar úsáid aturnaetha príobháideacha le laghdú a dhéanamh ar líon na ndaoine a bhíonn ag fanacht le seirbhísí, agus ar an tréimhse ama a bhíonn ar dhuine feitheamh leis an gcéad choinne le haturna. Tá líon na ndaoine ag feitheamh le seirbhís tite ó

2,200 i mí na Nollag 2000 go 1,500 ag deireadh mhí na Nollag 2001. Is ionann é sin agus laghdú 33% ar líon na ndaoine a bhí ag feitheamh le seirbhísí dlíthiúla ag deireadh na bliana 2001. Tá na tréimhsí feithimh ar choinne leagtha amach sa tábla seo a leanas.

Tábla I : Tréimhse feithimh ar choinne le haturna

Ionad Dí	Nollaig 1999 míonna	Nollaig 2000 míonna	Nollaig 2001 míonna
An Cabhán	4	1.5	1
An Clár	4	5	4
Corcaigh – Port an Phápa	6	0	2
Corcaigh – An Malla Theas	7	5	6
Dún na nGall	3.5	3.5	3
Áth Cliath – Bhaile Bhlainséir	2	5	9.5
Sráid Brunswick	2.5	5	5
Cluain Dolcáin	2.5	11.5	3
Fionnghlas	5	10.5	4.5
Sráid Gardiner	13	10	8
Cé Urumhan	11	7	3.5
Tamhlacht	4	10.5	3.5
Gaillimh	4	5	3
Ciarraí	12	7	6
Cill Dara	15	5	2.5
Cill Chainnigh	6.5	5	4.5
Laois	3.5	1	3
Luimneach	4.5	3	1
An Longfort	2	1	0
Lú	6.5	4	3
Maigh Eo	1	1	1
An Mhí	4.5	2.5	3
Muineachán	3.5	2.5	0
Uíbh Fhailí	5	1.5	3.5
Sligeach	1.5	2.5	3
Tiobraid Árann	7	6	3
Port Láirge	1	3	1
An Iarmhí	2	2	2.5
Loch Garman	10.5	7	6
Cill Mhantáin	12	3	4

CÁSANNA AR DÉILEÁLADH LEO SA BHLIAIN 2001

18,700 duine san iomlán a fuair cúnamh ón mBord tríd na hionaid dlí agus tríd An tSeirbhís Dlí do Dhídeanaithe sa bhliain 2001, sin méadú níos mó ná 5% ar an bhfigiúr 17,800 a bhí i gceist sa bhliain 2000. Fuair 14,200 duine san iomlán a cúnamh tríd na hionaid dlí agus trí Scéim na gCleachtóirí Príobháideacha i rith na bliana 2001, i gcomórtas le 14,400 sa bhliain 2000.

Cuireadh comhairle dlíthiúil (seachas RLS) ar fáil do 9,100 duine i gcomórtas le 9,400 duine sa bhliain 2000.

Cuireadh cúnamh dlí, i.e. ionadaíocht i gcúirt, ar fáil do 5,100 duine sa bhliain 2000, i gcomórtas le 5,000 duine sa bhliain 2000.

Sa bhliain 2001 chuir an RLS seirbhísí dlíthiúla ar fáil do bhreis agus 4,500 iarratasóir tearmainn, méadú 32% ar an bhfigiúr 3,400 don bhliain 2000. Beagán os cionn 2,800 duine a fuair cúnamh dlíthiúil freisin le haghaidh ionadaíochta os comhair an Bhinse Achomharc Dídeanaithe sa bhliain 2001, i gcomórtas le breis agus 2,200 duine sa bhliain 2000.

Tá mion-staitisticí ar na cásanna ar déileáladh leo sa bhliain 2001 le fáil in Aguisín 2.

Léiríonn an tábla seo a leanas líon na ndaoine ar cuireadh seirbhísí dlíthiúla ar fáil dóibh tríd na hionaid dlí agus trí Scéim na gCleachtóirí Príobháideacha i rith na ceithre bliana seo caite.

1998	13,700
1999	14,400
2000	14,400
2001	14,200

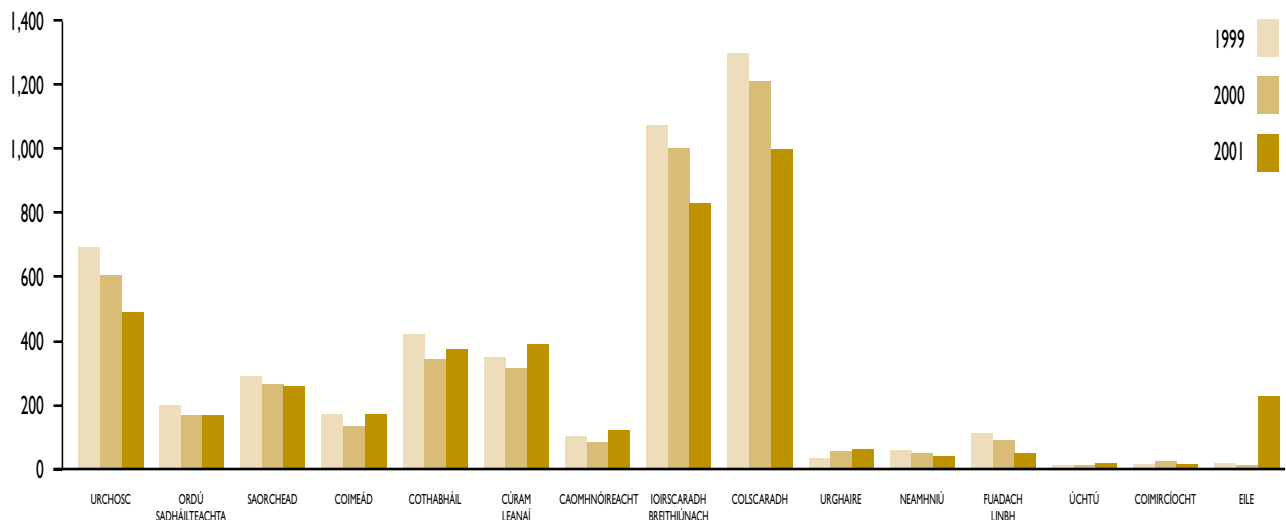
Léiríonn an tábla thíos líon na ndaoine ar cuireadh seirbhísí dlíthiúla ar fáil dóibh tríd an RLS i rith na trí bliana seo caite.

1999	1,600
2000	3,400
2001	4,500

Cásanna Dlí Teaghlaigh

Cosúil le blianta roimhe seo, bhí formhór mór na gcásanna ar dhéileáil ionaid dlí ag baint le réimse an dlí teaghlaigh – thart ar 97% de chásanna cúirte agus 80% de chásanna comhairle dlíthiúil. Tá miondealú sa chairt seo a leanas ar na cásanna éagsúla dlí teaghlaigh ar cuireadh cúnamh dlíthiúil ar fáil dóibh in ionaid dlí.

Cásanna Dlí Teaghlaigh - An tIonad Dlí



Léiríonn an tábla seo a leanas an líon iomlán orduithe colscartha agus idirscartha breithiúnaigh a dheonaigh na cúirteanna in 2000 agus in 2001 (tagairt: Tuarascálacha Bliantúla na Seirbhísí Cúirteanna 2000 agus 2001) agus an líon ar tugadh cúnaimh dlíthiúil dóibh sna tréimhsí sin.

2000	Iomlán Orduithe Déanta	Fuair Cúnaimh Dlíthiúil	Céatadán a fuair cúnaimh dlíthiúil
Colscaradh	3,339	1,225	36.7%
Idirscaradh Breithiúnach	1,592	1,003	63.0%

2001	Iomlán Orduithe Déanta	Fuair Cúnaimh Dlíthiúil	Céatadán a fuair cúnaimh dlíthiúil
Colscaradh	3,459	1,134	32.8%
Idirscaradh Breithiúnach	1,845	963	52.2%

Idirscaradh Breithiúnach

Bhí laghdú ar líon na ndaoine ar cuireadh cúnaimh dlíthiúil ar fáil dóibh le haghaidh imeachtaí idirscartha bhreithiúnaigh sa bhliain 2001, i gcomórtas le 2000, ach tá tábhacht mhór leis na cásanna seo i gcónaí ó thaobh na seirbhísí dlíthiúla a chuireann an Bord ar fáil agus is ina leith sin a tugadh 16.5% d'iomlán na dteastas i gcásanna dlí teaghlaigh. Is mír an-tábhachtach reachtaíochta fós é An tAcht um an Dlí Teaghlaigh, 1995, a chorpraíonn forálacha an Achta um Idirscaradh Breithiúnach agus Athchóiriú an Dlí Teaghlaigh, 1989, do dhaoine nach mian leo imeachtaí colscartha a thionscnamh, nó nár mhair óna chéile ar feadh ceithre bliana, ach gur mian leo scaradh agus leas a bhaint as orduithe comhshocraithe maoin, orduithe pinsin agus orduithe coimhdeacha eile is féidir a dhéanamh faoin Acht.

Faoi dheireadh na bliana 2001, bhí cúnaimh dlíthiúil tugtha do 10,700 duine i leith cásanna idirscartha bhreithiúnaigh ó tháinig An tAcht um Idirscaradh Breithiúnach agus Athchóiriú an Dlí Teaghlaigh, 1989 i bhfeidhm. Seo a leanas na figiúirí do na cúig bliana seo caite:

Bliain	Teastais Chúnaimh Dhlíthiúil
1997	1,249
1998	1,019
1999	1,060
2000	1,003
2001	963

Colscaradh

Tá laghdú beag ar líon na ndaoine ar cuireadh cúnaimh dlíthiúil ar fáil dóibh le haghaidh imeachtaí colscartha sa bhliain 2001, i gcomparáid le figiúr na bliana 2000, ach fós is ina leith a tugadh 19.5% d'iomlán na dteastas i gcásanna dlí teaghlaigh. Bhí tionchar mór fós ag an gcolscaradh ar na hionaid dlí agus ar na tréimhsí feithimh do choinne le haturnae.

Ó tháinig An tAcht um an Dlí Teaghlaigh (Colscaradh), 1996 i bhfeidhm ar an 27 Feabhra 1997, tugadh cúnaimh dlíthiúil do bheagnach 6,000 duine i leith colscaradh.

Léiríonn an tábla seo a leanas líon na ndaoine ar tugadh cúnaimh dlíthiúil dóibh le colscaradh a fháil i rith na cúig bliana seo caite.

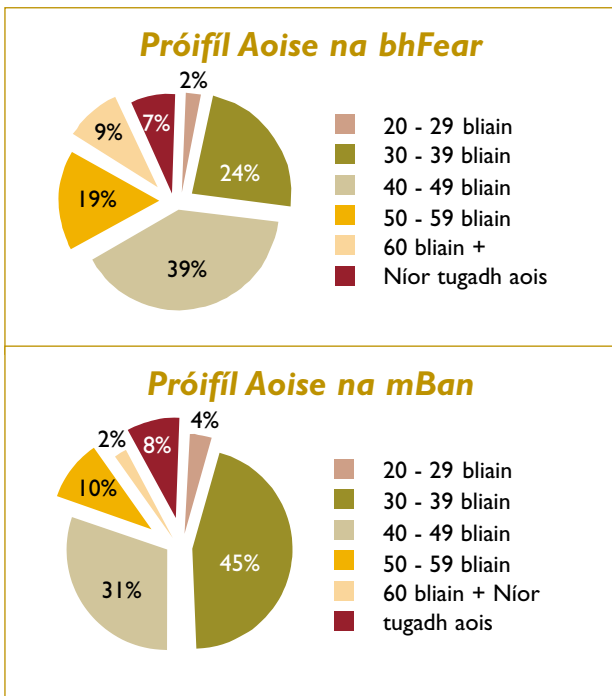
Bliain	Teastais Chúnaimh Dhlíthiúil
1997	938
1998	1,317
1999	1,317
2000	1,225
2001	1,134

SUIRBHÉ COLSCARTHACHA

Sa Tuarascáil Bhliantúil dheiridh, thug an Bord le fios go raibh suirbhé á dhéanamh ar imeachtaí colscartha. Bhí anailís déanta ar shampla 150 cliant a fuair cúnaimh dlíthiúil agus cuireadh san áireamh sa Tuarascáil sin iad. Tá torthaí 913 cás ar fáil anois agus athbhreithniú déanta orthu, agus tugann na táblaí agus na cairteanna seo a leanas léargas ar an scéal.

Próifil Aoise

Léiríonn an dá chairt seo a leanas próifílí aoise na mban agus na bhfear ar tugadh cúnamh dlíthiúil dóibh le haghaidh imeachtaí colscartha. Léiríonn na cairteanna seo go raibh an chionmhaireacht ba mhó de mhná sa réimse aoise "30 go dtí 39 bliain", i.e. 45%, ach go raibh an chionmhaireacht ba mhó de na fir sa réimse aoise "40 go dtí 49 bliain", 39%.



An líon blianta pósta

Léiríonn an dá thábla seo a leanas an líon blianta pósta a bhí i gceist, i gcás na mban agus na bhfear ar tugadh cúnamh dlíthiúil dóibh in imeachtaí colscartha. Léiríonn na táblaí seo go raibh an chionmhaireacht ba mhó de na mná, 42%, sa chatagóir "10 go 19 bliain pósta", ach go raibh an chionmhaireacht ba mhó de na fir, 39%, sa chatagóir "os cionn 20 bliain pósta".

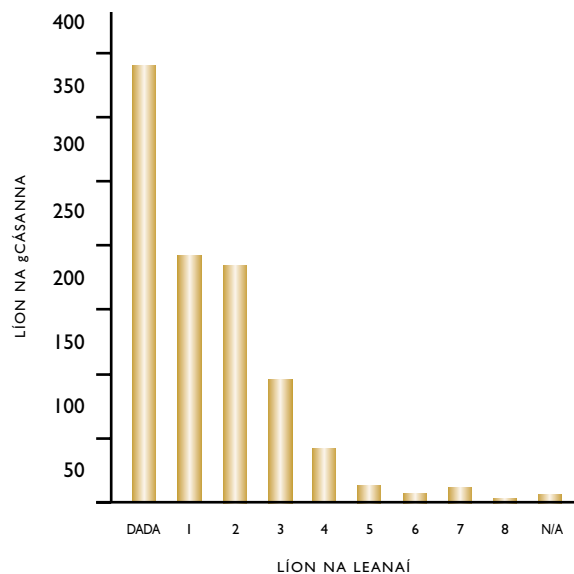
Blianta pósta (mná)	Iomlán	Mar % den Iomlán
Faoi 5 bliain	36	5%
5-9 bliain	121	18%
10-19 bliain	285	42%
20 bliain agus os a chionn	220	32%
N/A	19	3%
IOMLÁN	681	100%

Blianta pósta (fir)	Iomlán	Mar % den Iomlán
Faoi 5 bliain	18	8%
5-9 bliain	33	14%
10-19 bliain	80	35%
20 bliain agus os a chionn	91	39%
N/A	10	4%
IOMLÁN	232	100%

Líon Leanaí Cleithiúnacha

Léiríonn an chairt seo a leanas na cliaint ar tugadh cúnamh dlíthiúil dóibh in imeachtaí colscartha, catagóirithe de réir líon a leanaí cleithiúnacha. Léiríonn an chairt seo nach raibh leanaí cleithiúnacha ar bith ag an líon ba mhó, i.e. 37%.

Líon na Leanaí Cleithiúnach in aghaidh an Cháis



Leigheasanna Roimh Ré

Léiríonn an tábla seo a leanas an stádas dlíthiúil sular frítheadh teastas cúnamh dhlíthiúil, i gcás cliaint a fuair cúnamh dlíthiúil le haghaidh imeachtaí colscartha. Léiríonn an tábla seo nach raibh Orduithe Foirmiúla Scartha nó Cúirte Dúiche ag an líon ba mhó, i.e. 39%.

Stádas Dlíthiúil sular frítheadh Teastas Cúnaimh Dhlíthiúil	Líon a heisíodh	Mar % den Iomlán
Gan orduithe foirmiúla Scartha ná Cúirte Dúiche	357	39%
Ordú Cúirte Dúiche	231	25%
Comhaontú Scartha, Idirscaradh Breithiúnach agus/ nó Ordú Cúirte Dúiche	325	36%
IOMLÁN	913	100%

Líon na gcliant a bhain úsáid as idirghabháil agus as comhairliú

Léiríonn an dá thábla seo a leanas líon na gcliant ar tugadh cúnaimh dlíthiúil dóibh le haghaidh imeachtaí colscartha agus a bhain úsáid as idirghabháil nó as comhairliú.

Comhairliú	Iomlán
Fir	2
Mná	8
IOMLÁN	10

Idirghabháil	Iomlán
Fir	8
Mná	46
IOMLÁN	54

Léiríonn na táblaí seo nár bhain ach 10 den 913 cliant a ghlac páirt sa suirbhé úsáid as idirghabháil agus gur bhain 54 úsáid as comhairliú pósta. Ní ábhar iontais iad na figiúirí ísle do chomhairliú pósta, ó tharla go mbíonn cliant ag an gcéim dheireanach den phróiseas cliste pósta nuair a dhéanann siad iarratas ar chúnamh dlíthiúil chun imeachtaí colscartha a thionscnamh nó a chosaint. Ag an gcéim sin den phróiseas is cosúil nach dóigh le cliant gur aon bhuntáiste dóibh na seirbhísí sin a úsáid, go háirithe ó tharla go mbeadh thart ar 36% acu gafa trí idirscaradh breithiúnach cheana féin, sin nó go mbeadh comhaontú scartha acu. Tá líon na gcliant a bhaineann úsáid as idirghabháil

an-íseal freisin. Aithníonn an Bord go bhfuil sochair thábhachtacha ar fáil tríd an tSeirbhís Idirghabhála Teaghlaigh agus cuireann aturnaetha an Bhoird comhairle ar chliant go bhfuil na seirbhísí de chineál sin ar fáil. Is faoin gcliant féin atá an rogha deireanach, áfach. Ní chuireann struchtúr na gcúirteanna in Éirinn ceangal ar chliant idirghabháil a úsáid, faoi mar a déantar i roinnt dlínsí eile. Mar shampla, in Ontario, áit nach dtugtar cúnaimh dlíthiúil ach amháin chun déileáil le colscarthaí gan chonspóid, ní mór freastal ar idirghabháil de réir na rialacha cúirte, agus dá bhrí sin níl an dara rogha ag daoine ach freastal ar chomhdháil socraíochta réamhthrialach, á éascú ag idirghabhálaí a bhíonn ceaptha ag an gcúirt. Mar thoradh ar sin is dóichí in Ontario go socrófar cás ná go rachaidh sé chun cúirte. D'fhéadfadh idirghabháil a bheith tairbheach, ach go háirithe, nuair a bhonn an dá thaobh comhaontaithe go bhfaighfí an fhoraithe, ach go mbonn siad easaontaithe faoi cheisteanna eile, m.sh., coimeád agus rochtain. Tá seans ann go bhféadfaí idirghabháil a dhéanamh ar na ceisteanna sin.

Leanfaidh an Bord den obair leis an tSeirbhís Idirghabhála Teaghlaigh san iarracht lena chinntiú go mbainfidh gach cliant cuí úsáid as a chuid seirbhísí.

Sonraí cliant

Léiríonn an tábla seo a leanas líon na gcliant a thionscain nó a chosain imeachtaí colscartha, agus an líon a rinne achomharc agus a rinne athiontráil ar imeachtaí colscartha. Tá rangú déanta ar an tábla seo de réir inscne.

Léiríonn an tábla seo gur mná ab ea 75% de na cliant sin a fuair cúnaimh dlíthiúil in imeachtaí colscartha, agus gur fir ab ea 25% díobh. I gcás an dá chineál acu, thionscain an chionmhaireacht ba mhó acu imeachtaí colscartha agus is cosaint a rinne an chionmhaireacht ba lú.

Eolas faoi chliant	Cineál an chliant	Líon	% den iomlán
Thionscain	Baineann	548	60%
Chosain		124	14%
Eile		9	1%
Fo-iomlán		681	75%
Thionscain	Fireann	170	18%
Chosain		60	7%
Eile		2	0%
Fo-iomlán		232	25%
IOMLÁN		913	100%

Socrú an Cháis

Léiríonn an tábla seo a leanas conas a socraíodh cásanna cliant a fuair cúnamh dlíthiúil le haghaidh imeachtaí colscartha. Léiríonn an tábla nach raibh socrú ar a gcás faighte ag an líon ab airde de na cliant nuair a rinneadh an suirbhé colscartha.

Foraithne Colscartha	Iomlán	Mar % den iomlán
Conspóidithe	189	21%
Socraithe	148	16%
Araon	54	6%
Ní raibh aon socrú	522	57%
IOMLÁN	913	100%

ÚSÁID CLEACHTÓIRÍ PRÍOBHÁIDEACHA

Tugann an tAcht um Chúnamh Dlíthiúil, 1995, cumhacht don Bhord painéal aturnaetha i gcleachtais phríobháideacha a bhunú chun cúnamh agus comhairle dlíthiúil a sholáthar. Baineann an Bord úsáid as Scéim na gCleachtóirí Príobháideacha sa Chúirt Dúiche agus chomh maith leis sin, sa bhliain 2001, thosaigh sé scéim phiolótach bliana chun cleachtóirí príobháideacha a úsáid sa Chúirt Chuarda.

An Chúirt Dúiche

Tá Scéim Chleachtóirí Príobháideacha na Cúirte Dúiche ag feidhmiú ar bhonn náisiúnta, ó mhí na Bealtaine 2000, chun cuidiú leis an mBord ina iarrachtaí le sheirbhís a sholáthar do gach iarratasóir laistigh de thréimhse réasúnta ama. Soláthraíonn an Scéim seo seirbhís dhlíthiúil chomhlántach i dtaca leis an tseirbhís atá á sholáthar ag ionaid dlí le haghaidh ábhair áirithe dlí teaghlaigh sa Chúirt Dúiche, mar atá, foréigean teaghlaigh, cothabháil agus coimeád/rochtain. Úsáidtear cleachtóirí príobháideacha i gcásanna ina bhfuil iargúlacht threolaíoch i gceist, i gcásanna easaontacht leasa agus i gcásanna ina n-éilíonn riachtanais an ionaid dlí é. Is iad na hatarnaetha bainistíochta a shocraíonn an ceart nó nach ceart an cás a láimhseáil laistigh den ionad dlí. Nuair a bhíonn an t-ionad dlí ag déanamh cinneadh i dtaca le cás a thabhairt ar láimh do chleachtóir príobháideach, bíonn aird aige ar an oibleagáid atá ar an mBord seirbhís chúnaimh dhlíthiúil a sholáthar don líon is mó daoine is féidir. Nuair a chinntear go bhfuil cás oiriúnach lena thabhairt do chleachtóir príobháideach, tugtar an rogha d'iarratasóirí dul go dtí aturnaí príobháideach dá rogha féin ó phainéal de chleachtóirí príobháideacha, sin nó a n-ainmneacha a chur leis an liosta feithimh ag an ionad dlí.

Sa bhliain 2001, eisíodh 1,174 teastas cúnaimh dhlíthiúil faoi Scéim Chleachtóirí Príobháideacha na Cúirte Dúiche, sin méadú de 27% ar líon na dteastas cúnaimh dhlíthiúil a eisíodh sa bhliain 2000.

I mí Iúil 2001, aistríodh aonad cleachtóirí príobháideacha an Bhoird i mBaile Átha Cliath ó Theach

Fhaiche Stiabhna go Teach Dolphin, áit a n-eisítear toghairmeacha ón gCúirt Dúiche, chuig mórchuid de cheantar mórchuid de cheantar Bhaile Áthar Cliath.

Déileálann an t-ionad le hiarratais ar chúnamh dlíthiúil chomh tapa agus is féidir, chun a chinntiú go dtugtar seirbhís ghasta éifeachtach do chliant. Déantar iarratasóirí a mheas agus, má mheastar iad a bheith incháilithe, tugtar teastas cúnamh dhlíthiúil dóibh. Ansin, cuirtear liosta ar fáil dóibh d'aturnaetha atá ar phainéal Cúirte Dúiche an Bhoird, agus as sin is féidir leo aturnaetha a roghnú le hionadaíocht a dhéanamh ar a son. Más féidir é, tugann ionad na gcleachtóirí príobháideacha seirbhís freisin do iarratasóirí, ar fhógra gearr, má bhíonn cásanna práinne i gceist.

An Chúirt Chuarda

I mí na Bealtaine 2001, thug an Bord isteach tionscadal píolótach bliana chun síneadh a chur le Scéim na gCleachtóirí Príobháideacha go cásanna áirithe sa Chúirt Chuarda, i.e. cásanna idirscartha bhreithiúnaigh agus colscartha. Chomh maith leis sin, tá an rogha ag cliant a ndearna cleachtóirí príobháideacha ionadaíocht dóibh sa Chúirt Dúiche, an t-aturnaetha céanna a roghnú má fhaigheann siad cúnaimh dlíthiúil le haghaidh achomharc go dtí an Chúirt Chuarda. Ba í an aidhm a bhí leis an tionscadal píolótach ná cuidiú le laghdú a dhéanamh ar na tréimhsí feithimh do sheirbhísí dlíthiúla do chliant na n-ionad dlí agus a chur ar chumas an Bhoird meastóireacht a dhéanamh ar an éifeacht atá le bealaí eile chun seirbhísí dlíthiúla a chur ar fáil.

Ghlac deich n-ionad dlí páirt sa scéim píolótach,



An tArd-Aighne, Michael McDowell, A.S., an Cathaoirleach Clare Connellan, Gerard Durcan, A.S., an Breitheamh Donal BArrington agus F.J. Brady, Stiúrthóir an Chúnamh Dhlíthiúil, ag Comhdháil an Bhoird um Chúnamh Dlíthiúil i Meitheamh 2001.

ceithre cinn acu i mBaile Áthar Cliath. Ó mhí na Bealtaine go dtí mí na Nollag 2001, eisíodh 257 teastas cúnamh dhlíthiúil i leith an tionscadail phíolótaigh; 124 i leith colscartha, 132 i leith idirscartha bhreithiúnaigh agus ceann i leith achomhairc ón gCúirt Dúiche. Taispeánann an laghdú substaintiúil a tháinig, idir mhí Aibreáin 2001 agus mhí na Nollag 2001, ar tréimhsí feithimh do choinne le dlíodóir in ionaid dlí an tionchar a bhí ag an tionscadal ar thréimhsí feithimh a laghdú ag ionaid dlí, i gCluain Dolcáin (ó sheacht mhí go dtí trí mhí), i bhFionnghlas (13 mí go dtí cúig mhí) agus i dTamhlacht (13 mí go dtí trí mhí), áiteanna a bhí i measc na n-ionad a bhí páirteach sa tionscadal píolótach.

Tá Grúpa Athbhreithnithe bunaithe ag an mBord le monatóireacht a dhéanamh ar an Tionscadal Píolótach. Déanfaidh an Grúpa Athbhreithnithe measúnú ar éifeacht an tionscadail phíolótaigh d'fhonn tuarascáil a chur i gcrích i rith na bliana 2002.

AN tSEIRBHÍS DLÍ DO DHÍDEANAITHE

Maoiniú agus foireann

Bhunaigh an Bord an tSeirbhís Dlí do Dhídeanaithe (RLS) i 1999 chun comhairle agus cúnaimh dlíthiúil a sholáthar ag gach céim den phróiseas tearmainn do dhaoine a bheadh ag déanamh iarratais ar thearmann in Éirinn. Chomh maith lena fhoireann féin, úsáideann an RLS cleachtóirí príobháideacha (abhcóidí agus aturnaetha araon) chun ionadaíocht a dhéanamh d'iarratasóirí tearmainn os comhair an Bhinse Achomharc Dídeanaithe.

Cuireadh méadú substaintiúil ar an maoiniú a fuair an RLS ón Státchiste sa bhliain 2001 – go dtí £8.1 milliún (€10.28 milliún) i gcomórtas le £1 milliún (€1.27 milliún) sa bhliain 2000. Cuireadh an maoiniú méadaithe sin ar fáil le cur ar chumas an Bhoird a dhualgais a chomhlíonadh nuair a leathnaíodh an tseirbhís sa bhliain 2001. Bhí caiteachas iarbhir an RLS sa bhliain 2001, £6.4 milliún (€8.18), faoi bhun an leithdháilte tosaigh, agus an chúis ba mhó leis sin ná an cinneadh a rinneadh go gcuirfí moill ar earcú an líon iomlán foirne a bhí ceadaithe agus ar cheannach cóiríochta, de bhrí go

raibh an leibhéal éilimh níos lú ná mar a ceapadh a bheadh i dtús báire.

Mar sin féin, tháinig forleathnú tapa ar líon na foirne san RLS – ón 30 a bhí ann i mí Eanáir 2001 go dtí 114 a bhí ann faoi dheireadh na bliana – sin céim mhór i dtreo an líon de 140 a bhí ceadaithe don tseirbhís. Chun freastal ar fhorleathnú a sheirbhíse, fuair agus chóirigh an Bord áitreabh nua i gceantar Mhargadh na Feirme i mBaile Átha Cliath sa bhliain 2001. Díreoidh na hoifigí nua i Margadh na Feirme ar sheirbhísí dhlíthiúla do dhídeanaithe a sholáthar do cheantar Bhaile Átha Cliath, agus coinneofar oifig bheag freisin in oifig an Choimisinéara Iarratais Dídeanaithe i dTeach Timberlay, Sráid an Mhóta, áit a gcláraítear cliant nua an RLS.

Seirbhísí dlíthiúla do iarratasóirí tearmainn atá scaipthe

Cuireann oifigí RLS i gCorcaigh agus i nGaillimh seirbhís ar fáil d'iarratasóirí tearmainn sna ceantair sin, agus i gcomhar le seirbhísí for-rochtana a mbíonn clinicí rialta acu i roinnt ionad san iarthar, san iardheisceart agus i lár tíre.

Chomh maith leis sin forbraíodh clár sa bhliain 2001 chun seirbhísí for-rochtana a chur ar fáil do Bhaile Átha Cliath agus na contaetha máguaird, agus an tseirbhís sin a chur i bhfeidhm sa bhliain 2002. Tig le hiarratasóirí tearmainn atá scaipthe lasmuigh de Bhaile Átha Cliath clárú freisin tríd an bpost chun seirbhísí dlíthiúla a fháil.

Seirbhísí eolais

Cuirtear comhairle ar gach duine a chuireann iarratas faoi bhráid an Choimisinéara Iarratais Dídeanaithe faoi na seirbhísí dlíthiúla atá ar fáil ón RLS. Cuireann an RLS eolas ar fáil freisin faoina chuid seirbhísí ar bhileoga eolais atá le fáil i roinnt teangacha éagsúla. Tá bileog agus póstaer nua eolais deartha anois agus scaipfead iad sin trí ghréasán seirbhísí rialtais agus neamhrialtais sa bhliain 2002.

Chomh maith leis sin, ghlac an RLS páirt i roinnt seimineár eolais i rith na bliana agus tugadh léiriú ar na seirbhísí a chuireann sé ar fáil do ghrúpaí



Niall Murphy, Maire Ní Cruadhlaoidh agus Linda Whelan ag Comhdháil an Bhoird um Chúnach Dlíthiúil i dTrá Lí.

éagsúla tacaíochta agus do ghrúpaí eile ar spéis leo an próiseas tearmainn. Ina theannta sin rinne an RLS teagmháil rialta leis na heagraíochtaí éagsúla rialtais agus neamhrialtais atá páirteach sa phróiseas tearmainn, chun go bhféadfaí plé a dhéanamh faoi cheisteanna ag éirí as gnéithe éagsúla den phróiseas, chun monatóireacht a dhéanamh, agus chun feabhas a chur go leanúnach ar an tseirbhís a chuireann sé ar fáil.

Labhair Amnesty International go fabhrach faoi neamhspleáchas, cothromas agus cáilíocht na seirbhíse a chuireann an RLS ar fáil, agus molann sé d'iarratasóirí tearmainn an tseirbhís a úsáid.

Coiste Neamhspleách Monatóireachta

Bunaíodh an Coiste Neamhspleách Monatóireachta den tSeirbhís Dlí do Dhídeanaithe nuair a cuireadh tús leis an tseirbhís sa bhliain 1999. Is iad na téarmaí tagartha atá aige sin ná "seirbhís dhlíthiúil den scoth a chur ar fáil d'iarratasóirí tearmainn de réir na socruithe a comhaontaíodh idir an Bord um Chúnach Dlíthiúil agus an Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí, agus gearáin ó chustaiméirí na seirbhíse a fhiosrú". Is é an tAire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí a cheapann baill an choiste. Bíonn thart ar cheithre chruinniú sa bhliain ag an gcoiste. Freastalaíonn bainistíocht an RLS ar chuid de na cruinnithe sin chun eolas a thabhairt faoi imeachtaí, agus freisin chun freagraí a thabhairt ar fhiosruithe nó ar cheisteanna ó bhaill an Choiste.

Líon na n-iarratasóirí tearmainn a fuair seirbhísí dlíthiúla

Chláraigh 4,500 cliant nua leis an RLS sa bhliain 2001 – méadú de 32% ar an 3,400 a chláraigh sa



St. John Donovan agus Phil O'Laoide ag Comhdháil an Bhoird um Chúnach Dlíthiúil i dTrá Lí, i Meitheamh 2001.

bhliain 2000. Chuir an chuid is mó díobh sin a chláraigh – 60% – isteach ar chomhairle dhlíthiúil agus fuair siad sin ag an gcéad chéim den phróiseas (i.e. iarratas tearmainn), nó i leith cúrsaí inimirce (i.e. iarratas ar Chead Fanacht), agus fuair os cionn an tríú cuid díobh sin cúnamh dlíthiúil ag an gcéim achomhairc nó ag an gcéim ionnarbtha. Chláraigh an 40% eile de na cliaint nua do sheirbhísí dlíthiúla ag an gcéim achomhairc den phróiseas tearmainn, nó i ndiaidh dóibh ordú ionnarbtha a fháil. Meastar go dtiocfaidh tuilleadh méadaithe ar an méid cliant nua a bheidh ag clárú leis sna RLS sna blianta atá romhainn de bharr iad a bheith níos eolaí faoin tseirbhís agus de bharr na tábhachta atá le comhairle ghairmiúil dhlíthiúil a fháil ag an gcéim is luaithe is féidir den phróiseas.

Scéim na gCleachtóirí Príobháideacha

Chomh maith leis an tseirbhís foirne, leanann an Bord den úsáid a bhaineann siad as aturnaetha atá i gcleachtais príobháideacha (ó mhí Eanáir 2000) agus as abhcóidí (ó mhí an Mhárta 2001) le hachomhairc a dhéanamh ar son iarratasóirí tearmainn, a bhfuil cúnamh dlíthiúil le fáil acu, agus le hionadaíocht a dhéanamh thar a gceann os comhair an Bhinse Achomharc Dídeanaithe. Is é an RLS a shocraíonn an dáileadh a dhéantar ar na cásanna idir an painéal agus na haturnaetha atá ar tuarastal ag an mBord, ar bhonn líon na gcásanna ar láimh agus chumas dhlíodóirí an Bhoird féin déileáil leo.

Cuidíonn úsáid aturnaetha agus abhcóidí príobháideacha leis an mBord a chinntiú go mbíonn ar a chumas seirbhís a sholáthar do chliaint agus cuireann sé ar a chumas déileáil le cásanna chomh tapa agus is féidir, rud atá riachtanach i bhfianaise na

dteorainneacha dochta ama a bhíonn i gceist sna cásanna sin. Ag deireadh na bliana 2001, bhí 32 aturnaetha ar phainéal na gcleachtóirí príobháideacha, agus 213 ar phainéal na n-abhcóidí. Tarchuireadh os cionn 2,400 cás go dtí aturnaetha agus abhcóidí príobháideacha sa bhliain 2001, ar a raibh 760 cás a bhain le cliaint a chláraigh sna blianta 1999 agus 2000.

AN tIONAD DOICIMÉADAITHE DÍDEANAITHE

I mí Mheán Fómhair 2000, d'earcaigh an Bord um Chúnamh Dlíthiúil leabharlannaí le bheith freagrach as an Ionad Doiciméadaithe Dídeanaithe (RDC), a bhunaigh an UNHCR i dtús ama chun seirbhís neamhspleách leabharlainne agus taighde a chur ar fáil i dtaca leis an bpróiseas tearmainn.

I rith na bliana 2001, rinneadh socraithe chun forbairt shuntasach a dhéanamh ar Ionad toirbhirte Doiciméadaithe Dídeanaithe, a chuirfeadh fáil ar sheirbhís taighde agus leabharlainne a bheadh neamhspleách agus gairmiúil do na príomh-eagrais a bhfuil baint acu leis an bpróiseas tearmainn. I measc na n-eagrais sin tá an Binse Achomharc Dídeanaithe, Oifig an Choimisinéara Iarratais Dídeanaithe, An tSeirbhís Dlí do Dhídeanaithe agus aturnaetha agus abhcóidí príobháideacha a bheadh bainteach le haon cheann de na heagrais sin.

Is é an ról atá ag an RDC ná, sa chéad áit, forbairt agus cothabháil a dhéanamh ar bhailiúchán cuspóirí agus eolais reatha i dtaca le Eolas Thír Bhunús, mar aon le doiciméadú faoi thearmann, inimirce, cúrsaí dlíthiúil agus cearta daonna a mbeadh fáil ghinearálta orthu, agus, sa dara háit, seirbhís taighde agus ceistithe a sholáthar d'eagrais atá bainteach leis an bpróiseas tearmainn. Baineann an tseirbhís cheistithe le hábhar riachtanach a chur ar fáil, ar nós Eolas Thír Bhunús reatha (COI), chun aighneachtaí a ullmhú. Cuirtear an tseirbhís seo ar fáil don RLS mar aon leis an UNHCR, an Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí, an Coimisinéir Iarratais Dídeanaithe, an Binse Achomharc Dídeanaithe, an tAonad Cinnte Aireachta, an tAonad Athdhúichithe, aturnaetha agus abhcóidí príobháideacha atá ar phainéal an Bhoird, agus daoine/eagrais eile a bheadh bainteach le hobair dhídeanaithe.

D'fhreastail baill d'fhoireann an Ionaid Doiciméadaithe Dídeanaithe ar roinnt comhdhálacha agus seimineáir náisiúnta agus idirnáisiúnta ar a raibh Seimineáir faoi Eolas Thír Bhunús UNHCR/ACCORD, seimineáir Dlí um Stádas Dídeanaithe an Ollaimh Hathaway, seimineáir an ICEL ar Dhlí na nDídeanaithe, agus seimineáir UNHCR ar an Rómáin agus ar an Nigéir.

Chomh maith leis sin, tá teagmhálacha cothaithe ag an Ionad Doiciméadaithe Dídeanaithe le roinnt daoine agus eagraíochtaí sa bhaile agus i gcéin. Orthu sin tá Oifig Baile na Ríochta Aontaithe, Bord Inimirce agus Dídeanaithe Cheanada, an UNHCR, RRT na hAstráile, ACCORD, CEDOCA, Ambasáidí éagsúla, Comhairle Teifeach na hÉireann agus a lán eile, cuid acu a bhaineann leis an rialtas agus cuid eile nach mbaineann, mar aon leis an iomad leabharlanna agus ionaid eolais.

Bíonn páirtithe éagsúla ar suim leo an obair seo ag tabhairt cainteanna san Ionad. Samplaí díobh sin is ea an seisiún ceist agus freagra a thug grúpa gníomhaithe cearta daonna ó Phoblacht Dhaonlathach an Chongó agus cur i láthair a rinne Tionscadal Eolais na Cosaive ón Ionad Idirnáisiúnta do Fhorbairt Beartas Imirce (ICMPD).

Tar éis léiriú a thabhairt ar áiteanna a raibh sé deacair eolas a fháil fúthu, rinne an tIonad Doiciméadaithe Dídeanaithe socraithe le roinnt tuarascálacha a choimisiúnú. Cuireadh an chéad cheann díobh sin, faoi Choinníollacha Príosúin i bPoblacht Dhaonlathach an Chongó, ar fáil trí láithreán Ghréasán na hEorpa um Eolas Thír Bhunús. Tá an dara tuarascáil coimisiúnaithe, faoi na Cincísigh sa Rómáin, le críochnú faoi dheireadh 2002.

Chuir an RDC oiliúint ar fáil faoi úsáid COI agus faoi úsáid an Ionaid do ghrúpaí éagsúla ón RLS, RAC, an tAonad Athdhúichithe agus RAT. Reachtáladh an oiliúint seo ar an láthair féin agus lasmuigh de, agus tá sé ar siúl go leanúnach.

CUNTAS COIMRITHE AR ROINNT CÁSANNA A FUAIR CÚNAMH DLÍTHIÚIL

Altramaithe

D'iarr lánúin phósta comhairle dhlíthiúil maidir le cinneadh a rinne Bord Sláinte díchlárú a dhéanamh orthu mar altramaithe.

Bhí na cliaint, ag a raibh leanbh dá gcuid féin, ag déanamh altraim chúram lae do bhord sláinte. Ina dhiaidh sin, d'altramaigh siad leanbh sé mhí d'aois a bhí fós leo tar éis seacht mbliana go leith agus an dara leanbh a bhí ceithre mhí d'aois agus a d'fhan leo ar feadh ceithre bliana go leith. Ní raibh aon teagmháil ag tuismitheoirí nádúrtha na leanaí altrama leis na leanaí féin. Ach, tharla imeachtaí fairsinge gangaideacha cúirte maidir le duine de na leanaí, ina raibh iarratas ar choimeád á dhéanamh ag duine den teaghlach forleathnaithe. Le linn na n-imeachtaí sin, thacaigh an Bord Sláinte leis na haltramaithe agus thug an bord fianaise a thug le fios gur chreid siad gurbh fhearr a dhéanfaí leas an linbh a bhí i gceist dá bhfágfaí leis na altramaithe é.

Bhí deacrachtaí áirithe pósta ag na altramaithe féin, áfach, ach réitíodh iad ina dhiaidh sin agus rinne na páirtithe athmhuintearas. D'iarr an Bord Sláinte eolas áirithe maidir leis na himeachtaí dlí teaghlach a tharla idir na altramaithe agus ansin chinn siad an lánúin a dhíchlárú mar altramaithe. Ní dhearna an Bord Sláinte ceachtar de na leanaí a mheasúnú ná a chur faoi agallamh sula ndearna an Bord Sláinte an cinneadh sin.

Cuireadh an cinneadh sin in iúl do na altramaithe agus dúradh leo go dtógfaí na leanaí faoi dháta áirithe. Mhothaigh na haltramaithe, áfach, go rabhthas ag cur "pionóis" orthu de bharr a ndeacrachtaí pósta.

Rinne na altramaithe teagmháil leis an ionad dlí ag lorg comhairle dhlíthiúil maidir le cinneadh an Bhoird Sláinte. Cuireadh in iúl don bhord sláinte go raibh na haltramaithe toilteanach cibé rud a theastaigh ón mBord Sláinte a dhéanamh chun go bhfanfaidís mar altramaithe ag na leanaí sin agus go raibh sé ar intinn acu achomhairc a dhéanamh

faoin gcinneadh iad a dhíchlarú mar thuismitheoirí altrama.

Ag leanúint ó na seirbhísí dlíthiúla a cuireadh ar fáil, chinn an Bord Sláinte gan dul ar aghaidh lena chinneadh an lánúin a dhíchlarú mar thuismitheoirí altrama.

Forfheidhmiú fiacha

Lorg duine seirbhísí dlíthiúla maidir le hiarratas ar fhorfheidhmiú fiacha a bhí uirthi.

Thóg an cliant iasacht amach nuair a bhí sí 18 bliana d'aois chun carr a cheannach, agus chun cáin agus árachas a chur ar an gcarr, faoi bhrú óna hathair. Thug sí an t-airgead sin dá hathair agus níor chuala sí a thuilleadh mar gheall air go dtí cúig bliana ina dhiaidh sin, nuair a fuair sí iarratas ar Ordú Tráthchoda agus toghairm le teacht os comhair cúirte. Faoin am sin, bhí sí ina cónaí i gcóiríocht dá cuid féin a bhí ar chíos aici, scoite ó thionchar a hathar atá ag cur isteach tréimhse phríosúnachta faoi láthair mar gheall ar chionta a rinne sé ina coinne.

D'aistrigh an t-athair ó sheoladh go seoladh go minic. Chónaigh a bhean chéile (máthair an chliant) leis ag na seoltaí sin agus de bhrí go raibh an chéad ainm céanna aici agus a bhí ag ár gcliant, d'éirigh leis an ngearánaí (institiúid airgeadais) rudaí a bhrú ar aghaidh i ngan fhios dár gcliant.

Tugadh cúnamh dlíthiúil don chliant chun imeachtaí forfheidhmithe a chosaint agus freisin chun imeachtaí a thionscnamh chun an chéad fhorraithe ina coinne a chur ar ceal, ar an mbonn go



An Cathaoirleach, Clare Connellan, agus an Príomhfheidhmeannach, Frank Goodman, ag Comhdháil an Bhoird um Chúnach Dlíthiúil i dTrá Lí, i Meitheamh 2001.

raibh míchumas (i.e. tionchar a hathar) á fhuilaint aici ag an am a ndearna sí an Conradh agus nach raibh inniúlacht chonraithe aici. Pléadh an scéal leis na dlíodóirí a bhí ag feidhmiú ar son na hinsti-tiúide airgeadais agus aontaíodh orduithe a dhéanamh ag cur na fhoraithe bunaidh ar ceal agus ag scríosadh amach na himeachtaí forfheidhmithe fiacha gan aon ordú maidir le costais.

Imeachtaí cúram leanaí

Tugadh cúnamh dlíthiúil do bheirt, fear céile agus bean chéile, chun imeachtaí cúram leanaí a chosaint sa Chúirt Dúiche i leith ochtar leanaí. I mí Feabhra 2000, tógadh an t-ochtar leanaí ó theach an teaghlaigh. Rinne Bord Sláinte iarratas ar Orduithe Práinne Cúraim i leith an ochtair leanaí agus tugadh na hOrduithe. Bhí dhá ionad dlí éagsúla ag feidhmiú ar son an fhir céile agus ar son na mná céile sna himeachtaí. Chomh maith leis sin, de bharr chastacht an cháis Cúirte Dúiche, údaraíodh agus fostaíodh seirbhísí abhcóide le feidhmiú ar son gach duine den dá pháirtí sna himeachtaí.

Bhí na himeachtaí fada agus mhair siad thar 120 lá sa Chúirt Dúiche. Le linn na n-imeachtaí sa Chúirt Dúiche, tugadh cúnamh dlíthiúil freisin don fhear céile chun imeachtaí athbhreithnithe breithiúnaigh a thionscnamh san Ardchúirt ar dhá ócáid ar leith ag agóid in aghaidh orduithe de chuid na Cúirte Dúiche.

Freisin, le linn na n-imeachtaí sa Chúirt Dúiche, tugadh cúnamh dlíthiúil don bhean chéile chun imeachtaí Habeas Corpus a thionscnamh san Ardchúirt ag agóid in aghaidh orduithe na Cúirte Dúiche go bhfágfaí cúigear de na leanaí faoi chúram, ar feitheamh le toradh an cháis sa Chúirt Dúiche.

I mí na Samhna 2000, d'éisigh an Bord litir ag cur in iúl go raibh sé ar intinn aige seirbhísí dlíthiúla don bhean chéile a fhoirceannadh de bhrí nár sholáthraigh sí teagasc dá haturnae agus dá habhcóide, agus nach raibh sí ag freastal ar éisteachtaí cúirte.

Thug an bhean chéile go leor cúiseanna nár fhreas-tail sí ar an gcúirt agus gheall sí go nglacfadh sí le

cibé téarmaí agus coinníollacha a shocródh an Bord, mura ndéanfaí a teastas cúnamh dhlíthiúil a fhoirceannadh. Mar thoradh ar sin, chinn an Bord gan dul ar aghaidh le foirceannadh a teastas cúnamh dhlíthiúil, ar choinníoll go gcomhoibreodh sí lena cuid comhairleoirí dlíthiúla agus go mbeadh sí sa chúirt nuair ba ghá di é sin a dhéanamh.

Ina dhiaidh sin, bhí an fear céile agus an bhean chéile as láthair go leanúnach ó éisteachtaí cúirte agus níor sholáthraigh siad teagasc dá gcomhairleoirí dlíthiúla. Eisíodh litreacha chuig an dá pháirtí ansin ag rá go raibh sé ar intinn ag an mBord a gcuid teastas cúnamh dhlíthiúil a fhoirceannadh i mí an Mhárta 2001. Foirceannadh an dá theastas cúnamh dhlíthiúil i mí Aibreáin 2001.

I mí Dheireadh Fómhair 2001, rinne an Chúirt Dúiche orduithe cúraim i leith na leanaí.

Rinne an fear céile agus an bhean chéile iarratas ar chúnamh dlíthiúil ansin chun achomharc a dhéanamh in aghaidh orduithe na Cúirte Dúiche sa Chúirt Chuarda. Diúltaíodh na hiarratais i dtosach ach chinn Coiste Achomhairc an Bhoird cúnamh dlíthiúil a cheadú, ar choinníoll go gcloífeadh siad go docht leis na coinníollacha a bhí lena dteastas cúnamh dhlíthiúil ag ordú dóibh comhoibriú lena gcuid comhairleoirí dlíthiúla agus freastal ar an gcúirt gach uair ba ghá é sin a dhéanamh. Ceapadh aturnaetha agus abhcóidí difriúla ansin le feidhmiú ar son na gcliant.

Le linn na n-imeachtaí sa Chúirt Chuarda, rinne na páirtithe dhá iarratas ar chúnamh dlíthiúil chun achomharc a dhéanamh ar dhá bhreith de chuid na Cúirte Cuarda, mar a bhí:

- (i) Diúltú atráth eile a cheadú, agus
- (ii) Imeachtaí díspeagtha sibhialta a chosaint.

Diúltaíodh don chéad iarratas ar an mbonn go raibh na foirne dlíthiúla réidh le dul ar aghaidh leis an gcás. Diúltaíodh don dara hiarratas ar an mbonn gur bhris an t-iarratasóir orduithe cúirte in ainneoin gur comhairlíodh don iarratasóir cloí le horduithe cúirte agus go raibh an t-iarratasóir eolach ar na hiarmhairtí. Chimigh an Breitheamh Cúirte Cuarda an fear céile agus an bhean chéile ar feadh ceithre mhí agus mí amháin, faoi seach, nuair a chinn sé go raibh siad ciontach i ndíspea-

gadh cúirte.

Bhí an Breitheamh sásta go raibh fianaise áititheach os a chomhair lena chonclúidiú go raibh gach duine den na leanaí i bpríacal, dá bhfanadh aon duine acu faoi chúram láithreach cheachtar tuismitheoir nó faoina gcúram ar aon. D'ordaigh an Chúirt Chuarda na leanaí a ghlacadh i gcúram an Bhoird Sláinte go mbeadh 18 bliain d'aois slánaithe acu. Threoraigh an Breitheamh freisin nach mbeadh aon teagmháil idir cheachtar de na tuismitheoirí agus na leanaí ar feadh roinnt míonna.

Imeachtaí fuadach linbh

Thionscain athair bheirt leanaí an cás seo faoi Choinbhinsiún na Háige ar na Gnéithe Sibhialta d'Fhuadach Idirnáisiúnta Linbh, a cuimsíodh i ndlí na hÉireann faoin Acht um Fhuadach Leanaí agus Forghníomhú Orduithe Coimeáda, 1991. Tá sé mar aidhm ag an gCoinbhinsiún éascú a dhéanamh ar leanaí a thabhairt ar ais go tapa go dtí an dlínse ónar aistríodh go héagórach iad, nó nach rabhtas á dtabhairt ar ais chuici, mar gheall ar choinneáil éagórach.

An gearánaí (an t-athair) agus an cosantóir (an mháthair) a bhí sna himeachtaí Ardchúirte, bhí siad pósta agus bhí beirt leanaí acu. I mí Dheireadh Fómhair 1999, fuair an mháthair ordú urchoisc in aghaidh an athar ach ina dhiaidh sin rinne na páirtithe athmhuintearas agus bhog siad go Sasana i mí na Nollag 1999. Ar an 1 Meán Fómhair 2001, d'ionsaigh an t-athair an mháthair agus cuireadh cóir leighis uirthi dá gortaithe in ospidéal. An lá dár gcionn, thug an mháthair na leanaí ar ais go hÉirinn gan an t-athair a bheith ar an eolas faoi. Tar éis don mháthair imeacht go hÉirinn, fuair an t-athair nóta a sheol an mháthair chuige ag cur in iúl dó gur thóg sí na leanaí go hÉirinn agus nár cheart dó aon iarracht a dhéanamh í a fháil.

Thionscain an t-athair imeachtaí faoi Choinbhinsiún na Háige agus tugadh cúnamh dlíthiúil don dá pháirtí.

Mhaígh an mháthair gur in Éirinn a bhí gnátháit chónaithe ar na leanaí, mar go mba náisiúnaigh Éireannacha iad agus gur chónaigh siad in Éirinn ón dáta a rugadh iad go dtí mí na Nollag 1999;

mhaigh an t-athair gur i Sasana a bhí gnáthchónaí ar na leanaí.

Rialaigh an Ardchúirt gurbh ionann "gnátháit chónaithe" agus "cónaí de ghnáth" agus gurb é sin an áit ina mbíonn cónaí ar dhuine. Rialáiodh, dá bhrí sin, gur i Sasana a bhí gnátháit chónaithe ar na leanaí, go raibh freagracht tuismíochta do na leanaí dílsithe san athair agus sa mháthair araon, agus go raibh aistriú na leanaí ag an mháthair contrártha do Airteagal 3 de Choinbhinsiún na Háige.

Thug an Breitheamh le fios go mbeadh air a ordú go dtabharfaí na leanaí ar ais go Sasana, mura mbeadh sé sásta go raibh riosca tromchúiseach ann dá dtabharfaí duine nó duine eile de na leanaí ar ais go Sasana go gcuirfí an leanbh i mbaol díobhála go fisiciúil nó go síceolaíoch, nó i slite eile go gcuirfí an leanbh i gcás dofhulaingthe, mar a foráiltear faoi Airteagal 13 de Choinbhinsiún na Háige.

Ba chúis imní don Bhreitheamh gur frítheadh in Éirinn go raibh uathachas trom á fhulaingt ag duine de na leanaí agus cuireadh na himeachtaí ar atráth lena dheimhniú cad iad na háiseanna a bheadh ar fáil i Sasana le déileáil le fadhbanna an linbh uathaigh agus cén chomparáid a bheadh idir iad agus na háiseanna in Éirinn. Idir an dá linn, fuair an leanbh socrúchán i scoil speisialta do leanaí uathacha in Éirinn.

Fuair an Ardchúirt tuarascálacha ó shaineolaithe leighis in Éirinn agus ó shaineolaithe leighis i Sasana a d'aontaigh dá ndéanfaí aon chur isteach ar chlár an linbh uathaigh in Éirinn go mbeadh tionchar aimhleasach aige ar a fhorás. Thug an saineolaí Sasanach le fios, áfach, go bhféadfaí aon talamh a chaillfí a fháil ar ais laistigh de bhliain.

Bhí an breitheamh den tuairim gur tréimhse fada go maith é bliain do bhuachaill sé bliana d'aois agus dúirt sé dá dtabharfaí an leanbh ar ais go Sasana, nach mbeadh cúram faoisimh le fáil go héasca dó, agus go bhféadfadh sé bheith tréimhse fada, dá dtarlódh sé ar chor ar bith, sula mbeadh áiseanna oideachais aige a bheadh inchurtha leis an socrúchán a fuair sé i scoil Éireannach.

Dhiúltaigh an Breitheamh Ardchúrte a ordú go dtabharfaí na leanaí ar ais, ar an mbonn go raibh sé

sásta go mbeadh riosca tromchúiseach ann dá dtabharfaí an leanbh uathach ar ais go gcuirfí an leanbh i mbaol díobhála go fisiciúil nó go síceolaíoch, nó i slite eile go gcuirfí an leanbh i gcás dofhulaingthe.

Tá an cás faoi achomharc go dtí an Chúirt Uachtarach.

Imeachtaí faillí ghairme

Tugadh cúnamh dlíthiúil do dhuine chun imeachtaí faillí ghairme a thionscnamh san Ardchúirt in aghaidh aturnae.

Bhí an duine a fuair cúnamh dlíthiúil ina comhúinéir ar theach an teaghlaigh lena fear céile. Sa bhliain 1988 tionscnaíodh imeachtaí i gcoinne an fhir chéile ag iarraidh aisíoc ar airgead substaintiúil a thug beirt eile dhó, a líomhnaíodh. Ina dhiaidh sin, d'fhostaigh an fear céile seirbhísí aturnae (an cosantóir) agus shínigh cliant an Bhoird doiciméidí le muirear a fhorghníomhú ar an maoin, agus as sin tháinig díol theach an teaghlaigh níos déanaí. Mhaigh an cliant ina dhiaidh sin nach bhfuair sí cúnamh dlíthiúil ceart maidir leis an éifeacht a bheadh ag síniú na ndoiciméidí ar a leas i dteach an teaghlaigh.

D'éiligh an cliant damáistí in aghaidh an chosantóra, as sárú comhaontaithe, sárú dualgais agus loiceadh seirbhísí gairmiúla a sholáthar. San Ardchúirt aighníodh ar son an chliant go raibh sé de ghnáthdualgas ar an gcosantóir, mar atá dlíte ó aturnae, comhairle cheart a thabhairt don chliant, agus go mba cheart go mbeadh comhairle curtha uirthi ag an gcosantóir faoi na himpleachtaí a bhain le haontú leis an muirear.

Ardaíodh freisin an tionchar míchuí a ghlactar leis a bhí a fear céile uirthi agus aighníodh gur cheart go mbeadh an cosantóir tar éis a chinntiú go bhfaigheadh sí comhairle ó dhuine cáilithe neamhspleách

Rinne an cosantóir argóint, i measc rudaí eile, nár ghlac sé leis an gearánaí mar chliant nó go raibh sé soiléir go raibh an cinneadh déanta aici cheana féin tacú lena fear céile agus gurb é an oibleagáid a bhí air féin ina leith ná cúnamh dlíthiúil éifeachtach a

chur ar fáil di chun an t-idirbheart a chríochnú agus comhairle a chur uirthi faoi nádúr agus éifeacht na ndoiciméad a bhí á síniú aici.

Thug an Ardchúirt le fios gur ardaigh an cás fadhb an-deacair, is é sin, cad é dualgas aturnae i leith cliant sna imthoscaí áirithe a d'eascair sa chás. I dtaca leis seo, chuaigh fianaise a thug saineolaí tíolactha le linn na n-imeachtaí i bhfeidhm ar an mBreitheamh Ardchúirte, go háirithe maidir leis an gceist easaontacht leasa. Bhí an saineolaí tíolactha den tuairim, sa chás nach raibh aon deacrachtaí pósta idir an gearánaí agus a fear céile, nach bhfaca sé aon deacracht le comhairle a chur orthu le chéile agus na roghanna ar fad a phlé leo. Bhí an breitheamh Ardchúirte den tuairim, murar theagasc an fear céile an cosantóir gan a cuid roghanna a phlé leis an mbean céile nó comhairle a chur uirthi fúthu, nár cheart go mbeadh aon chúis mhaith ann nach ndéanfadh sé é.

Rialaigh an Ardchúirt go raibh an cosantóir mícheart nuair a shiarchoinnigh sé comhairle ón ngearánaí, ina haonar nó i gcomhpháirt lena fear céile, agus nach raibh a iompar ar an gcaighdeán a mbeifí ag súil leis ó aturnae. Cinneadh go raibh iompar an aturnae faillíoch san ábhar agus cinneadh freisin go raibh sé ciontach i mbriseadh conartha.

Bhí an breitheamh den tuairim, áfach, in imthosca an cháis, gur beag an baol a bhí ann go bhféadfadh an gearánaí an fear céile i bpríacal príosúnachta. Bhí an breitheamh sásta, ar chothrom na dóchúlachta, fiú amháin dá gcomhairleodh an cosantóir i gceart í, fós go roghnódh sí tacú lena fear céile trína leathscar féin i dteach an teaghlaigh a chur ar fáil chun éileamh na bhféichiúnaithe a shásamh.

Rialaigh an Breitheamh nár fhulaing an gearánaí aon chailteanas de thoradh na faillí agus bhriseadh an chonartha ó thaobh an chosantóra agus d'ordaigh sé gur cheart go dteipfeadh ar chaingean an ghearánaí le haghaidh damáistí.



Frank Murphy, Aturnae Bainistíochta Ionad Dlí Chill Mhantáin ag labairt ag Comhdháil an Bhoird um Chúnamh Dlíthiúil i dTrá Lí.

Imeachtaí in aghaidh an Bhoird: Elizabeth Kavanagh v. An Bord um Chúnamh Dlíthiúil

Thionscain Ms. Kavanagh imeachtaí in aghaidh an Bhoird um Chúnamh Dlíthiúil mar gheall ar mhoil i seachadadh seirbhísí dlíthiúla.

Rinne an t-iarratasóir iarratas ar chúnamh dlíthiúil i dtaca le hidirscaradh bhreithiúnach i mí Mheán Fómhair 1997. I mí na Bealtaine 1999 próiseáladh a hiarratas agus glacadh leis. Idir an dá linn, i mí Dheireadh Fómhair 1997 tugadh cúnamh dlíthiúil di i dtaca le hábhar eile ina raibh gá le seirbhís tosaíochta. Ó mhí Iúil 1999 go dtí mí Aibreáin 2000 mhaígh an t-iarratasóir nach bhfuair sí ach aon litir amháin ón mBord (an freagróir). Ina dhiaidh sin fuair an t-iarratasóir idirscaradh breithiúnach agus ordú urchoisc agus úsáid á bhaint aici as seirbhísí an Bhoird.

Loirg an t-iarratasóir faoisimh éagsúla ina hathbhreithniú breithiúnach, bhí a bhformhór inphléite faoi am na héisteachta. Chuimsigh a caingean éileamh ar dhamáistí mar gheall ar shárú dualgais reachtúil. Rinne an Bord argóint go raibh an pháirt oibritheach dá dhualgas ag braith ar acmhainní, acmhainní airgeadais agus eile. Mhaígh an t-iarratasóir go raibh sí i dteideal cúnamh dlíthiúil má shásaigh sí na critéir reachtúla, gan aon choinnioll maidir le hacmhainní an Bhoird.

De réir Alt 5 den Acht um Chúnamh Dlíthiúil Sibhialta 1995 is í príomhfhéidhm an Bhoird um Chúnamh Dlíthiúil: "cúnamh agus comhairle dlíthiúil i gcásanna sibhialta a sholáthar, laistigh d'acmhainní an Bhoird agus faoi réir fhorálacha eile

an Achta seo, do dhaoine a shásaíonn ceanglais an Achta seo."

Rialaigh an Ardchúirt (Butler J.), agus í ag díbheadh an éilimh, go raibh an chaint in alt 5(1) de Acht 1995 soiléir agus follasach agus nár ghá aon léirmhíniú speisialta uirthi. Chiallaigh na focail go simplí go gcuirfí cúnaimh dlíthiúil ar fáil laistigh d'acmhainní an fhreagróra agus b'shin a rinne an freagróir sa chás seo. Bhí modh ag an bhfreagróir le déileáil le cásanna in ord áirithe tosaíochta agus laistigh den scéim sin déileáladh leis an iarratasóir ar bhonn comhionann le gach iarratasóir eile.

Tá an cás faoi achomharc go dtí an Chúirt Uachtarach.

CÁSANNA SA tSEIRBHÍS DLÍ DO DHÍDEANAITHE

Iarratasóir Tearmainn ó Iarthar na hAfraice

Bhí an náisiúnach seo as tíre in Iarthar na hAfraice ina mhinistir Críostaí ina thír dhúchais sular theith sé aisti i 1999.

Rinne sé iarratas ar stádas dídeanaí, mhaígh sé raibh eagla géarleanúna air nuair a tugadh Dlí Sharia isteach ina réigiún, thóg an pobal Moslamach círéib agus dhóigh siad tithe agus séipéil, a shéipéal féin ina measc, áit ar maraíodh daoine. D'fhág sé an tír ina dhiaidh sin agus lorg sé tearmann in Éirinn.

Mheas an Coimisinéir Iarratais Dídeanaithe go mba léir go raibh iarratas an chliant gan bunús agus tugadh cúnaimh dlíthiúil dó chun achomharc a dhéanamh ar an gcinneadh sin. Chuir an RLS doiciméadú maidir lena thír bhunús faoi bhráid an Bhinse Achomharc Dídeanaithe agus bhí ion-adaíocht dhlíthiúil aige ag éisteacht an bhinse.

Dhearbhaigh an Binse cinneadh an Choimisinéara, ag lua mar chúiseanna inchreidteacht an chliant, a easpa eolais faoi fheidhmiú an Dlí Sharia agus nár ghlac sé leis an rogha athlonnú i réigiún eile ina thír féin áit a mbeadh sé slán ó bhaol géarleanúna.

Iarratasóir Tearmainn ón Meánoirthear

D'éiligh náisiúnach as tíre sa Mheánoirthear a bhí ina chónaí i dtír eile sa Mheánoirthear stádas dídeanaí ar bhonn a bhallraíochta in eagraíocht pholaitiúil agus ar bhonn idirdhealaithe ar chúiseanna eitneacha ina thír uchtaithe.

D'aighnigh an cliant gur buaileadh agus gur céasadh go leanúnach é, le linn dó a bheith faoi choinneáil sna 1970aí agus 1980aí, rud a d'fhág le drochfhearba é, a chos a bheith briste ina lán áiteanna agus a lán fiacla a bheith caillte aige.

Sholáthraigh an RLS tuairiscí leighis ag cur bunúis leis an éileamh sin. Chomh maith leis sin, cuireadh tuairiscí thír bhunús ar fáil a thaispeáin go raibh baill dá eagraíocht, agus go deimhin comhnáisiúnaigh dá chuid, á ngabháil gan barántas agus á gcur i bpríosún gan triail, agus go raibh bualadh agus céasadh cimí coitianta.

Ghlac an Coimisinéir Iarratais Dídeanaithe lena iarratas ag an gcéad chéim.

Iarratasóir tearmainn ó Iarthar na hAfraice

Tháinig an náisiúnach seo as tíre in Iarthar na hAfraice go hÉirinn in aois 17 mbliana agus d'éiligh sé tearmann ar an mbonn go raibh eagla géarleanúna air de thoradh an taithí díreach pearsanta bhí aige ar na heachtraí corraitheacha polaitiúla agus míleata ina thír dhúchais.

D'aighnigh an cliant gur maraíodh a athair agus é faoi choinneáil agus gur fhulaing sé féin céasadh. Dhearbhaigh sé go mbeadh an rud chéanna i ndán dó féin dá bhfillfeadh sé. Chuir an RLS eolas thír bhunús ar fáil don Choimisinéir Iarratais Dídeanaithe, a thug tacaíocht don scéal go raibh coinníollacha príosúin sa tír sin thar a bheith go dona agus ina mbaol beatha.

Dhiúltaigh an Coimisinéir Iarratais Dídeanaithe stádas dídeanaí don chliant ar bhonn easpa inchreidteachta agus tugadh cúnaimh dlíthiúil chun achomharc a dhéanamh ar an gcinneadh sin.

Dhearbhaigh an Binse Achomharc Dídeanaithe cin-

neadh an Choimisinéara agus dhiúltaigh sé a fhógairt gur dídeanaí a bhí san achomharcóir. Ba í an phríomhchúis a bhí leis an gcinneadh sin ná ceist inchreidteacht an achomharcóra.

Iarratasóir tearmainn ón Meánoirthear

Rinne an mionaoiseach, 16 bliain d'aois, ón Meánoirthear iarratas ar stádas dídeanaí ar an mbonn go raibh baint aige le heagras coiscthe ina thír féin a bhí cáinteach ar an rialtas ansin.

Fuair an t-iarratasóir seirbhísí dlíthiúla ón RLS mar ullmhúchán dá agallamh leis an gCoimisinéir Iarratais Dídeanaithe agus bhí oibrí cáis ag freastal air le linn an agallaimh.

Bhí deartháir an iarratasóra ina údar ar a lán foilseachán frithrialtais agus, mar thoradh ar sin, maíodh gur gabhadh agus gur céasadh é roinnt uaireanta. D'oibrigh an cliant i siopa leabhar inar díoladh na foilseacháin seo "faoi gcuntar" agus coinníodh agus ceistíodh é ag amana éagsúla. Cuireadh doiciméadú faoi bhráid an Choimisinéara Iarratais Dídeanaithe, ag tacú lena mhaíomh go mbeadh géarleanúint i ndán dó dá gcuirfí ar ais go dtí na thír dhúchais é.

Ghlac an Coimisinéir Iarratais Dídeanaithe leis go raibh bunús maith leis an eagla géarleanúna a bhí ar an gcliant agus bronnadh stádas dídeanaí air ag an gcéad chéim.

Cásanna inar loirg an RLS imeachtaí Athbhreithnithe Breithiúnaigh

Bhí teora le líon na gcásanna inar lorgaíodh athbhreithniú breithiúnach, agus a shroich éisteacht iomlán sa bhliain 2001. Cuid den chúis atá leis seo, gur aontaíodh socraíocht i roinnt cásanna tar éis don RLS imeachtaí a thionscnamh, ach sular tháinig an cheist go dtí éisteacht Ardchúirte. Tá an dá chás seo a leanas ionadaíoch ar na cásanna a tógadh sa bhliain 2001

Imeachtaí Athbhreithnithe Bhreithiúnaigh i gCás Tearmainn Leanaí a Rugadh in Éirinn

Tugadh cúnaimh dlíthiúil do theaghlach Seiceach agus do athair Nigéireach chun imeachtaí Athbhreithnithe Bhreithiúnaigh a thionscnamh ag agóid in aghaidh orduithe ionnarbtha a rinne an tAire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí. Ba é an chúis a bhí leis an agóid in aghaidh na n-orduithe ná go raibh leanbh a rugadh in Éirinn ag gach ceann den dá pháirtí. D'aignigh An tSeirbhís Dlí do Dhídeanaithe (RLS) ar son na gcliant go raibh an phríomhargóint ar son na n-orduithe ionnarbtha a chur ar ceal bunaithe ar chearta bunreachtúla an linbh a rugadh in Éirinn (agus éagsúil ó chúinsí tearmainn), cearta a bhí curtha in iúl ag an gCúirt Uachtarach i gcás Fajujonu. Áiríodh i measc na gcearta sin an ceart cónaí in Éirinn, an ceart do theaghlach aontaithe agus an ceart do shaor-oideachas bunscoile, cearta atá cosanta ag Airteagail 2, 40, 41 agus 42 den Bhunreacht. Rinne an RLS argóint freisin, dá gceadófaí ionnarbadh thuismitheoirí na leanaí a rugadh in Éirinn, go ndéanfaí ionnarbadh de facto ar na leanaí a rugadh in Éirinn, nó go bhfágfaí faoi chúram in Éirinn iad, agus nach mbeadh ceachtar díobh seo ar an tslí ab fhearr le freastal ar leas an linbh. Aighníodh freisin nach raibh aon imthoscaí eisceachtúla ná ceisteanna bheartais phoiblí faoina mbeadh sé riachtanach na teaghlach seo a ionnarbadh.

Aighníodh ar son an Stáit go bhféadfaí cás Fajujonu a imdhealú, os rud é go raibh triúr leanaí Éireannacha acu agus go raibh siad ina gcónaí in Éirinn ar feadh tréimhse réasúnta ama, agus dá bhrí sin go raibh ceangal bunaithe acu leis an Stát. D'aignigh an Stát freisin go gcaithfí ionracas an phróiseas tearmainn a chosaint.

D'aontaigh an Ardchúirt leis an Stát agus chinn sí gur chuir an tAire cearta bunreachtúla an linbh san áireamh agus nach raibh na cearta seo iomlán ach go raibh siad faoi réir ag leas an phobail. Rialaigh an Ardchúirt freisin gurb é an Stát caomhnóir leas an phobail agus go raibh rialú eachtrannach san áireamh i leas an phobail. Dúirt an Breitheamh "nach amháin go raibh feidhmiú choinbhinsiún Bhaile Átha Cliath agus an riachtanas dosháraithe go

gcaomhnófaí meas ar ionracas an chórais tearmainn agus inimirce, tromchúiseach agus substaintiúil, ach freisin go raibh siad ardcheannasach agus uileghabhálach mar chúiseanna". Chinn sé go raibh "difríocht agus imdhealú chomh mór idir na firicí sa chás láithreach agus na firicí i gcás Fajjonu nach dtagaim go dtí an chonclúid go mbeadh sé neamhréireach leis an mBunrecht iadsan a bhfuil orduithe ionnarbtha déanta ina leith a dhíbirt."

Tá an cás faoi achomharc go dtí an Chúirt Uachtarach anois.

ACMHAINNÍ DAONNA

Leibhéil Foirne

Ar 1 Eanáir 2001, bhí an líon iomlán foirne a ceadaíodh don Bhord um Chúnamh Dlíthiúil cothrom le 410, ar a raibh iomlán 140 ball foirne a ceadaíodh don tSeirbhís Dlí do Dhídeanaithe. I rith na bliana 2001 reachtáladh feachtas mór earcaíochta, faoinar tionóladh roinnt comórtas earcaíochta d'aturnaetha, d'fhoireann pharaidhlíthiúil agus d'fhoireann riaracháin, chun go líonfaí breis agus 100 de na poist a údaraíodh don tSeirbhís Dlí do Dídeanaithe sa bhliain 2000.

I rith na bliana 2001, bhí an Bord sásta go bhfac-thas maolú ar na deacrachtaí earcaíochta ag leibhéil riaracháin agus aturnaetha a bhí acu sna blianta roimhe sin. Cé go bhféadfadh gur tharla cuid den dul chun cinn sin de bharr athruithe ar choinníollacha sa mhargadh saothair, ba mhaith leis an mBord a admháil freisin go raibh dea-thionchar ag tionscnaimh de chuid Choimisinéirí na Státseirbhíse lena gcuid próiseas earcaíochta a bhrostú agus ag rannóg idirchaidrimh chustaiméirí na gCoimisinéirí a thug cúnamh lena chinntiú go dtabharfaí freagra luath ar riachtanais earcaíochta státseirbhíse an Bhoird.

Clár Oiliúna

Sa bhliain 2001, chinn an Bord clár cuimsitheach forbartha bainistíochta d'aturnaetha bainistíochta agus don fhoireann sinsearach riaracháin a chur ar fáil.

Bhí an clár curtha in oiriúint go sonrach do riach-

tanais fhoireann shinsearach bhainistíochta an Bhoird. Mar chuid den ullmhúchán don chlár eisíodh mioncheistiúcháin do 168 ball den fhoireann (thart ar 40% d'fhoireann an Bhoird) chun eolas a fháil ar aeráid eagraíochtúil an Bhoird agus ar stíleanna bainistíochta aturnaetha bainistíochta agus fhoireann shinsearach bhainistíochta an Bhoird. Bhí na ceistiúcháin dírithe freisin ar a fháil amach conas ar airigh an fhoireann faoin mbearna idir an bealach ina bhfeidhmíonn an eagraíocht faoi láthair agus mar a d'fheidhmeodh sí i staid idéalach. Thaispeáin anailís ar na freagraí gur airigh an fhoireann go raibh bearnaí suntasacha i réimsí cosúil le cúrsaí caighdeáin, soiléireachta agus aitheantais sa Bhord. Ag eascairt as an anailís ar na freagraí, seachadadh an chéad chéim den chlár forbartha bainistíochta roimh deireadh na bliana 2001. Mar chuid den chlár cuireadh aiseolas chuig gach duine a bhí páirteach faoin a gcuid stíleanna bainistíochta aonair agus a gcuid oiliúnaithe aon le haon agus an dóigh a rachadh feabhsúcháin ar fheidhmíúchán bainistíochta i gcion ar a bhfoireann agus ar éifeacht a n-ionaid oibre.

Beartaíodh tuilleadh oibre don bhliain 2002 chun aghaidh a thabhairt ar cheisteanna a d'ardaigh an fhoireann ag éirí as na ceistiúcháin agus chun fuil-leach na hoiliúna a sholáthar.

Comhionannas Deise

Mar atá luaite i Ráiteas Comhionannais an Bhoird is Fostóir Comhionannais Deise é an Bord. Breithnítear go hiomlán agus go cothrom gach iarratasóir ar fhostaíocht, ag tabhairt aird chuí ar infheidhmeacht agus ar ábaltacht an iarratasóra agus ar na riachtanais agus na critéir incheap-thachta don phost. Caitear le gach duine ar théarmaí comhionanna maidir le forbairt ghairme, ardú céime agus oiliúint. Feidhmíonn an Bord laistigh de théarmaí an Achta um Chomhionannas Fostaíochta, 1998. Tá oifigeach i Rannóg Acmhainní Daonna an Bhoird ceaptha mar Oifigeach Comhionannais an Bhoird.

Sláinte agus Sábháilteacht

I rith na bliana lean an Bord lena dhearcadh dearfach gníomhach i leith a bheartais Sláinte agus Sábháilteachta agus i leith a chuid oibleagáidí faoin

Acht um Shábháilteachta, Sláinte agus Leas ag Obair, 1989. Go háirithe, leanadh ar aghaidh leis an Clár Feabhsúcháin Slándála in áitreabh an Bhoird in 2001, clár a tosaíodh sa bhliain 1999.

Leanfaidh an Bord ag cinntiú go mbeidh an fhoireann ar fad ag obair i dtimpeallacht atá slán agus sábháilte.

CLÁR BAINISTÍOCHTA ATHRUITHE

Tá roinnt beartas sonracha sa Chlár Rathúnais agus Cothromaíochta (PPF) chun a chinntiú gur féidir le heagraíochtaí aonair na cuspoirí leathana atá i gclár athnuachana na státseirbhíse a bhaint amach. Clúdaíonn na beartais seo solúbthacht eagraíochtúil, dearbhú cáilíochta, bainistiú feidhmiúcháin, tuilleadh forbartha ar struchtúir chomhpháirtíochta agus díriú isteach in athuair ar straitéisí bainistíochta na n-acmhainní daonna.

I rith na bliana 2001, lean an Bord air le tionscnaimh, faoina chlár leanúnach bainistíochta athruithe, chun a chinntiú gur féidir na feabhsúcháin atá ag teastáil thar thréimhse saoil an PPF a bhaint amach. Tá mionolas faoi dhul chun cinn i gcuid de na réimsí ábharthacha le fáil thíos.

Solúbthacht eagraíochtúil

Chuaigh an Bord i mbun dhá thionscnamh sa réimse seo, mar atá:

- scrúdú a dhéanamh ar struchtúr bainistíochta reatha an Bhoird agus ar na socrúithe foirne sna hionaid dlí; agus
- athbhreithniú a dhéanamh ar na nithe a bhaineann le rochtain ar chúnamh dlíthiúil, na socrúithe seirbhíse dlíthiúla a chur ar fáil san áireamh mar aon leis na córais agus na struchtúir trína gcuirtear cúnaimh dlíthiúil ar fáil.

Tá sé beartaithe go ndéanfar dul chun cinn suntasach san dá ábhar seo i rith 2002 agus 2003.

Dearbhú Cáilíochta

Bíonn an Bord i gcónaí ag iarraidh feabhas a chur ar cháilíocht na seirbhíse a chuirtear ar fáil dá chustaiméirí agus chuaigh sé i mbun roinnt tionscnamh sa bhliain 2001, ina measc:

- seoladh a Phlean Cúram Custaiméirí 2001-2004 ag comhdháil a reachtáladh ar ócáid cheiliúrtha 21 bliain a bheith slánaithe ag an mBord. Leagann an Plean síos na caighdeáin i dtaca le cúraim seirbhíse ar féidir le custaiméirí (foireann an Bhoird san áireamh) a bheith ag súil leo agus iad ag plé leis an mBord;
- forbairt treoirlínte don "chleachtais is fearr" d'fhonn feabhas a chur ar cháilíocht na seirbhíse dlíthiúla a chuireann an Bord ar fáil; agus
- meicníochtaí aiseolais ó chustaiméirí a fhorbairt, nithe atá pléite faoin gcéad cheanniteideal eile.

Suirbhé Cliant

Sa bhliain 2001 reachtáil an Bord tionscadal píolótach le suirbhé a dhéanamh ar chliant faoina ndearcadh ar sheirbhís an Bhoird um Chúram Dlíthiúil. Céim thábhachtach a bhí anseo chun go mbeadh cliant páirteach i bhfeabhsú na seirbhíse. Dáileadh cúig cheistiúchán déag ar gach aturnaí i 30 ionad dlí de chuid an Bhoird. Cuireadh na ceistiúcháin chomhlánaithe (thart ar 350 as iomlán de 1,300) ar aghaidh díreach go dtí Grúpa Oibre Cumarsáide an Bhoird, a rinne próiseáil ar na torthaí.

Astu sin a d'fhreagair, léirigh 84% go raibh siad sásta le cáilíocht na seirbhíse ar an iomlán, níor léirigh ach 1% a míshástacht. Léiríodh leibhéal arda sástachta (80%) le gnéithe sonracha den tseirbhís – iad a bheith coinnithe ar an eolas, an t-am a thóg sé comhfhreagras a fhreagairt/glaonna agus áiseanna a cuireadh ar fáil. Dúirt beagnach 100% gur caitheadh leo go cúirtéiseach.

Leanfaidh an Bord ag reachtáil suirbhéanna den chineál seo ar bhonn leanúnach, mar dhearbhu cáilíochta dá chlár cúraim custaiméirí. Tá sé freisin ag scrúdú cén bonn ar a mbunófar painéil chliant-úsáideoirí le haghaidh comhairliúcháin leanúnach ar sholáthar seirbhíse.

Bainistíocht Fheidhmiúcháin

Rinne an Bord dul chun cinn suntasach nuair a tionscnaíodh an Córas Bainistíochta agus Forbartha Feidhmiúcháin (PMDS). Is cuid lárnach den chóras sin cúig lá oiliúna a chur ar fáil don fhoireann ar fad. Cuireadh an chéad chéim den chlár oiliúna i bhfeidhm faoi dheireadh na bliana 2001. Cuirfear fuilleach na hoiliúna ar fáil i rith na bliana 2002.

Rinneadh dul chun cinn freisin i bhforbairt pleananna gnó do gach réimse gníomhaíochta de chuid an Bhoird. Tá na pleananna seo mar chuid bhunúsach de phróiseas pleanála corparáideach an Bhoird agus den PMDS agus aistríonn siad na spríocanna agus na cuspóirí ardleibhéal i bPlean Corparáideach an Bhoird isteach i gcláir shonracha oibre a choinneoidh eolas leis na haonaid oibre agus leis an bhfoireann ina n-imeachtaí ó lá go lá.

Comhpháirtíocht

Lean próiseas comhpháirtíochta an Bhoird ag fás agus ag forbairt i rith na bliana 2001 nuair a tugadh faoi thionscnaimh nua. Anois, cuireann na Grúpaí Oibre Forbartha Foirne agus Cumarsáide, a bunaíodh faoi Thionscnamh na Bainistíochta Straitéisí, tuairiscí ar fáil don Choiste Comhpháirtíochta faoina gcláir oibre leanúnacha. Cuireann Coiste Sláinte agus Sábháilteachta an Bhoird tuairiscí ar fáil don Chomhpháirtíocht chomh maith, mar a dhéanann an coiste atá ag scrúdú cheist na rochtana ar sheirbhísí cúnamh dhlíthiúil.

I measc na bpríomhthascanna atá faoi chúram an Choiste Comhpháirtíochta, tá leathnú an PMDS go dtí an fhoireann ar fad mar aon le feidhmiú na Scéime um Fheidhmíocht den Scoth agus na scéime INPUT (Moltaí Foirne). Chinn an Coiste Comhpháirtíochta freisin clár cuimsitheach i dtaca le scrúdú sláinte a sholáthar don fhoireann i bhfómhar na bliana 2001. Chomh maith leis sin cuireadh tús le hobair ar an athbhreithniú ar ról agus feidhm an Choiste Comhpháirtíochta sa Bhord agus ghlac ionadaithe an Choiste páirt i gceardlanna a bunaíodh thar roinnt eagraíochtaí seirbhíse poiblí.

Straitéis Bhainistíochta Acmhainní Daonna

Sonraíonn an Clár Rathúnais agus Cothromaíochta (PPF) go mbeidh gá le polasaithe agus straitéisí bainistíochta acmhainní daonna a bheidh níos nuálaí agus níos solúbtha chun éifeachtúlacht a chaomhnú agus a fheabhsú. Dá réir sin, bhí an Coiste Comhpháirtíochta ag obair go gníomhach chun forbairt a dhéanamh ar straitéis chuimsitheach acmhainní daonna don eagraíocht. Críochnófar an Straitéis i rith na bliana 2002 agus beidh sé ag cur leis an tionscnaimh atá ar bun cheana féin agus tabharfaidh sé aghaidh ar na dúshláin HR atá roimh an mBord.

AISTRIÚ AN CHEANNRAIS GO CATHAIR SAIDHBHÍN

I rith 2001, shocraigh an Bord dul ar aghaidh leis an bpróiseas aistrithe i leith na foirne sin a bhí le athlonnú i gCathair Saidhbhín. Go luath in 2001 fuair an Bord amach go raibh líon suntasach de bhaill foirne, i Ranna agus in oifigí eile, a raibh suim acu dul leis an mBord sa dóigh is go mbeadh ar a gcumas aistriú go Cathair Saidhbhín, ach nach mbeadh ar a gcumas dul leis an mBord go mbeadh iostas oifige ar fáil dóibh ar an mbaile sin. Dá thoradh sin chinn an Bord oifig eatramhach a oscailt i gCathair Saidhbhín. Aimsíodh foirgneamh oiriúnach agus, in Iúil 2001, chuaigh scór ball foirne i mbun oibre san ionad nua as na 41 ball foirne ar fad a bhí le n-aistriú go Cathair Saidhbhín ar deireadh thiar.

Chun a chinntiú go n-aistireofaí na feidhmeanna cuí go sásúil, socraíodh go gcoinneofaí cuid d'fhoireann an Bhoird a raibh taithí acu chun go bhféadfaidís oibriú in éineacht leis an bhfoireann nua i dtaca le hoiliúint agus le cóitseáil.

I rith na bliana leanadh ar aghaidh le tógáil agus le feistiú foirgneamh buan an Bhoird, agus críochnaíodh an obair chun cinn ar an sceideal ag teacht le deireadh 2001. D'aistrigh an fhoireann isteach sna foirgnimh nua seo de réir a chéile in Eanáir agus i bhFeabhra 2002, agus faoin am sin bhí críoch, geall leis, curtha leis an aistriú feidhmeanna as Baile Átha Cliath go Cathair Saidhbhín.

GRÉASÁN IDIRLÍN

Tá gréasán idirlín an Bhoird ag www.legalaidboard.ie, agus tugtar eolas iomlán ansin faoi sheirbhísí an Bhoird, mar aon le cóipeanna dár mbileoga eolais do na hionaid dlí agus don RLS, agus foirmeacha iarratais agus foirmeacha tástála acmhainne. Chomh maith leis sin tugann an gréasán eolas faoi na hionaid agus na hoifigí dlí, mar aon le uimhreacha teagmhála do gach oifig.

AIRGEADAS

Léiríonn Aguisín I dréacht de ráitis airgeadais an Bhoird do 2001.

Ioncam

Seo a leanas roinnt tagairtí maidir le ioncam an Bhoird.

(a) Deontas i gCabhair

Ar aon dul leis na blianta roimhe sin, deontas i gcabhair ón Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí is ea an chuid is mó de ioncam an Bhoird. Cuireadh méadú breise ar an maoiniú a tháinig ón Rialtas in 2001. Méadaíodh an deontas de bhreis agus 8% in 2000, agus cuireadh méadú de 5% breise ar sin in 2001, go dtí £13.064 milliún.

Ag cur san áireamh an lear mór maoine a bhí ar lámh ag teacht le deireadh na bliana, maoin anonn ón mbliain roimhe sin an chuid ba mhó de, chinn an Bord gan íocaíocht iomlán a lorg ar dheontas 2001. Is é an méid a fuarthas ná an leibhéal maoinithe a theastaigh chun íoc as costas iomlán na bliana i dtaca le sheirbhísí cúnamh dhlíthiúla.

(b) An tSeirbhís Dlí do Dhídeanaithe

Tháinig ardú suntas ar mhaoiniú an Státchiste don RLS in 2001 – ardaíthe go dtí £8.1 milliún, i gcomparáid le £1 milliún in 2000. Cuireadh an mhaoiniú bhreise sin ar fáil chun go mbeadh sé ar chumas an Bhoird a chean-galtas a chomhlíonadh nuair a méadaíodh an tseirbhís in 2001. Caiteachas iomlán de £6.4 milliúna bhí ag an RLS in 2001, agus bhí sin faoi bhun an chéad allúntais, rud a tharla go príomha mar gur cuireadh ar athló ceapachán an leibhéal foirne a bhí ceadaíthe chomh maith le ceannach iostais, os rud go raibh an leibhéal éilimh níos ísle ná mar a measadh a bheadh i dtús ama.

(c) Ranníocaíochtaí

Maidir le daoine a gcuirtear seirbhísí dlíthiúla ar fáil dóibh, tugann siad ranníocaíochtaí a bhíonn bunaithe ar a n-ioncam agus, i roinnt

cásanna, ar a n-acmhainní caipitil. £4 an ran níocaíocht is lú do chomhairle dlíthiúil agus £23 as ionadaíocht sa chúirt. Is féidir an íosranníocaíocht a tharscaoileadh i gcás cruatain. Tháinig méadú de 28% ar fháltais in 2001 de thoradh líon níos mó daoine a bheith ag íoc níos mó ná an íosranníocaíocht.

(d) Aisghabháil Costas

Is ceadmhach don Bhord an costas a bhaineann le soláthar seirbhísí dlíthiúla a aisghabháil:

(i) ón bpáirtí eile in aighneas de thoradh ordú cúirte nó mar chuid den chomhaontú i réiteach aighnis; nó

(ii) ón duine a fuair an cúnamh dlíthiúil as aon airgead/maoin a fuair an té sin de thoradh na seirbhísí dlíthiúla a chur ar fáil.

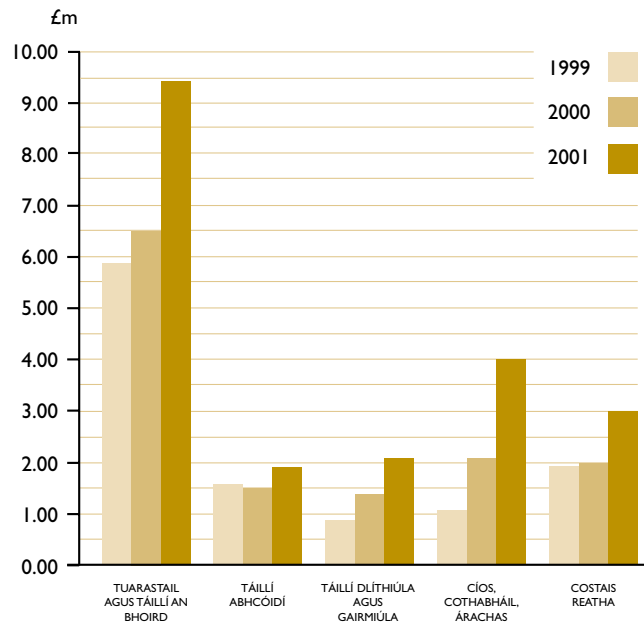
Is féidir éagsúlacht shuntasach a bheith sa mhéid costas a aisghabhtar ó bhliain go bliain, go háirithe má ghabhtar costais an té a fuair cúnamh dlíthiúil i gcás ina bhfuil sé ar chumas an duine eile na costais a íoc. Is iondúil nach dtarlaíonn sin i gcásanna a bhaineann le dlí teaghlaigh, na cásanna is mó a bhíonn idir lámha ag an mBord.

Bhí leibhéal na gcostas a aisghabhadh in 2001 cosúil go maith le 2000.

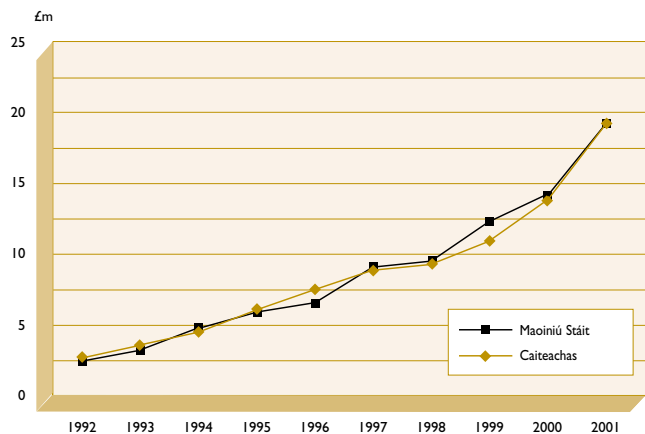
Caiteachas

Taispeánann an graf seo a leanas an miondealú ar an gcaiteachas a bhí ag an mBord sna trí bliana seo caite.

Caiteachas



Léiríonn an graf seo a leanas an ceangal idir mhaoiniú an Oireachtais agus an caiteachas iarbhir thar na deich mbliana seo caite.



Ba chóir a nótáil go bhfuil maoiniú agus caiteachas ar an RLS san áireamh sna figiúirí thuas do na blianta ó 2000 ar aghaidh.

Tagairtí iad seo a leanas do na príomhghnéithe caiteachais atá léirithe i ráitis airgeadais 2001:

1) Tuarastail

Tháinig méadú suas le £2,834,000 (thart ar 44%) ar an gcaiteachas ar chostais fostaithe in 2001 mar gheall ar an méadú a tháinig ar an líon foirne i dtaca leis an tSeirbhís Dlí do Dhídeanaithe (ar ceadáidh ardú foirne ó 39 go

dtí 115 in leith), agus na harduithe caighdeánacha a tharla de thoradh incrimintí bliantúla agus comhaontaithe náisiúnta pá. San áireamh freisin tá an costas a bhain le fostaíocht shealadach a thabhairt do roinnt dlíodóirí agus d'fhoireann tacaíochta cléireachais ar chonradh chun freastal ar neamhláithreachta ar nós saoire máithreachais, saoire tinnis, agus araile. I Nóta 4 atá leis na cuntais, tugtar mionolas faoi líon na bhfostaithe agus a gcostas. Léiríonn sé go raibh 410 post ceadaithe don Bhord ar an 31 Nollaig 2001, foireann RLS san áireamh. Tháinig méadú ar an líon a bhí fostaithe ó 333 ar an 31 Nollaig 2000 go dtí 411 ar an 31 Nollaig 2001.

2) Iostas

Chomh maith leis na costais a bhain leis an gcothabháil ar 34 áitreabh ar fud na tíre, bhí costais ar an mBord i dtaca leis an réiteach a rinneadh ar áitreabh athlonnaithe agus an obair athchóirithe a rinneadh ar ionaid a bhí ann cheana féin.

3) Táillí agus costais dlíthiúla

Tá roinnt eilimintí difriúla san áireamh faoin teideal seo - féach Nóta 6 leis na cuntais – agus déantar tagairt do gach ceann de na ceanteidil éagsúla atá san iomlán mar seo a leanas:

(i) Táillí abhcóidí

Tháinig méadú de bhreis agus £340,000, nó 22%, ar an gcaiteachas ar tháillí abhcóidí. Léiríonn sin an costas a bhain leis an sciar méadaithe de theastais, eisithe in 2000 agus in 2001, ar an ráta méadaithe a haontaíodh le Comhairle Bharra na hÉireann, chomh maith le táillí as ionadaíocht i gcásanna

faoin Athbheithniú Breithiúnach a thóg an RLS. Tugann an tábla seo a leanas na táillí abhcóide agus an líon cásanna inar ceadaíodh teastais chúnamh dlí sna Cúirteanna Dúiche agus sna hArdchúirteanna thar na sé bliana seo caite.

(ii) Táillí – costais dlíthiúla

Táillí dlíthiúla is ea na táillí a ghearrtar ar an mBord nuair a chuirtear cúnaimh dlíthiúil sibhialta agus seirbhís chomhairle ar fáil do dhaoine sa phobal. Áirítear sna táillí sin, tá caiteachas ar fhinnéithe saineolais, gairmiúla agus tuata, a bhíonn gafa le cásanna ina bhfuil cúnaimh dlíthiúil i gceist.

(iii) Scéim na gCleachtóirí

Príobháideacha

Bhí caiteachas de £546,000 ar scéim na gcleachtóirí príobháideacha in 2001, i gcomparáid le £178,000 in 2000. Tharla sin de thoradh an leathnaithe náisiúnta a rinneadh ar scéim na gCúirteanna Dúiche in 2000 agus an líon méadaithe de chásanna a pléadh dá bharr, mar aon leis an ardú a tháinig ar leibhéal na dtáillí a híocadh.

(iv) Táillí gairmiúla eile

Baineann na costais atá faoin teideal seo leis na daoine gairmiúla a d'fhostaigh an Bord chun comhairle neamhspleách dlíthiúil a thabhairt don Bhord agus chun cuidiú le ceannach agus le cóiriú áitreabh nua.

(v) Costais Eile

Ní mór teastas cleachtais, eisithe ag an Ollchumann Dlí, a bheith ag aturnaetha a fhostaíonn an Bord. Chosain na teastais sin beagnach £147,000 san iomlán in 2001. Áirítear faoin teideal seo freisin tá an caiteachas ar oiliúint agus ar shíntiúis ballraíochta bliantúla.

Airgead sa Bhanc agus ar Láimh

Léiríonn an Clár Comhardaithe go raibh breis agus £2.6 milliún ar láimh ag an mBord ag deireadh 2001. Ní chuireann sin san áireamh an gála deireanach de £1. Im den Deontas i gcabhair, nár

TÁILLÍ ABHCÓIDÍ

Bliain	Teastais Cúirteanna Dúiche agus Ardchúirteanna	Táillí abhcóidí £
1996	1,883	685,000
1997	2,839	1,007,000
1998	2,862	1,079,000
1999	2,897	1,593,000
2000	2,774	1,572,000
2001	2,404	1,912,000

tógadh anuas, ar chomhairle ó Oifig an Ard-Reachtair Cuntas agus Ciste, chun íoslághdú a dhéanamh ar líon na gcistí ar láimh ag deireadh na bliana. Cuireadh tús le roinnt tionscadal in 2001 nach raibh críochnaithe agus chiallaigh sin gur tugadh cistí ar aghaidh go dtí 2002. Ina measc sin bhí tionscadail IT, feistiú ar ionaid dlí, oiliúint bainistíochta agus PMDS nach rabhthas in ann a chríochnú roimh dheireadh na bliana, agus costais a bhain le scéim phíolótach na Cúirte Cuarda i leith na gCleachtóirí Príobháideacha. Ina theannta sin theastaigh airgead a bheith ar láimh le cur in aghaidh roinnt athbhreithnithe cíosa nach raibh íoctha agus CBL a bhí dlite ar léasa a tógadh amach in 2001, agus nach raibh sonrasc faighte ina leith faoi dheireadh na bliana.

Bhí £607,000 in airgead á choinneáil thar cheann cliant. Feicfear ó Nóta 11 atá leis na cuntais go raibh breis agus £4.9 milliún de thríchur cliant i gceist in 2001. Tharla sin de thoradh cásanna ina bhfuair cliant airgead ón bpáirtí eile nó as diúscairt maoin, de thoradh comhairle dlí nó ionadaíochta sa chúirt. Cuirtear airgead den chineál sin isteach sa Chuntas Ciste Cliant um Chúnamh Dlíthiúil sula dtugtar ar ais do na cliant é lúide, i gcásanna áirithe, an méid costas a bhí ar an mBord i leith soláthar na seirbhísí dlíthiúla.

Bhí iomlán na gCreidiúnaithe agus na bhFabhruithe cothrom le £1,121,000, geall leis, ar an 31 Nollaig. Áirithe ansin bhí £277,187 a bhí dlite do na Coimisinéirí Ioncaim i dtaca le PAYE/PRSI agus £172,576 i dtaca le Cáin Shiarchoinneálach ar Sheirbhís Ghairmiúil.

An tAcht um Íoc Pras Cuntas, 1997

Cuireadh An tAcht um Íoc Pras Cuntas, 1997 i bhfeidhm ar an 2 Eanáir 1998. De réir Alt 4 den Acht tá dualgas ar an mBord íoc as soláthar earraí nó seirbhísí faoin "dáta íoctha forordaithe". Faoi láthair bíonn an dáta íoctha forordaithe ann 45 lá tar éis sonrasc a fháil nó tréimhse níos lú ná sin de réir mar a bhíonn luaite go sonrasc i gconradh scríofa. Má theipeann ar an mBord íocaíocht a dhéanamh faoin dáta íoctha forordaithe beidh ús dlite don soláthróir.

Cuireadh gnáthaimh chuimsitheacha a bhfeidhm

chun a chinntiú go gcloífeadh an Bord le gach gné ábhartha de na riachtanais a bhaineann leis an Acht um Íoc Pras Cuntas, 1997.

Déanann an bhainistíocht athbhreithniú míosúil ar na tuairiscí faoi chásanna inar gearradh ús agus déantar ceartúcháin de réir mar a bhíonn gá leo chun a chinntiú go gcloítear leis an Acht agus chun íoslághdú a dhéanamh ar an ús a ghearrtar ar mhall-íocaíochtaí sna tréimhsí ina dhiaidh sin.

I rith 2001 íocadh £1,585 (£1,971 in 2000) san iomlán le soláthróirí earraí agus seirbhísí mar ús ar mhall-íocaíochtaí, sin 0.01% (0.03% in 2000) de na híocaíochtaí ábhartha ar fad.

Bhí 118 cás mall-íocaíochta ann i rith na bliana ina raibh breis agus £250 le n-íoc (£220 in 2000). San iomlán, chosain na haisíocaíochtaí sin £92,461 agus bhí tréimhse moille de 28 lá ar meán i gceist (33 in 2000) ar na híocaíochtaí sin. Mall-íocaíochtaí do ea 1.38% de na híocaíochtaí iomlána (3.38% i 2000) i dteárnaí airgeadaíochta.

AGUISÍNÍ



AGUISÍN I

AN CISTE CÚNAIMH DHLÍTHIÚIL

TUAIRISC AN ARD- REACHTAIRE CUNTAS AGUS CISTE DO THITHE AN OIREACHTAIS

Tá iniúchadh déanta agam ar na ráitis airgeadais atá ar leathanaigh 35 go 44 de réir Alt 5 den Acht an Ard-Reachtair Cuntas agus Ciste (Leasú), 1993.

Freagrachtaí an Bhoird agus Ard- Reachtair Cuntas agus Ciste faoi seach

Tá freagrachtaí cuntasáochta an Bhoird um Chúnaimh Dlíthiúil leagtha síos sa Ráiteas faoi Fhreagrachtaí an Bhoird atá ar leathanach 47. Tá sé de fhreagracht ormsa, bunaithe ar an iniúchadh a rinne mé, tuairim neamhspleách a thabhairt faoi na ráitis airgid a chuir an Bord ar fáil dom, agus tuairisc a chur ar fáil fúthu.

An Bunús leis an Tuairim faoin Iniúchadh

I gcomhlíonadh mo dhualgas mar Ard-Reachtair Cuntas agus Ciste, rinne mé iniúchadh ar na ráitis airgid de réir na gcaighdeán iniúchta atá eisithe ag an mBord um Chleachtais Iniúcháireachta agus trí thagairt do na cúinsí speisialta a bhaineann le eagraíochtaí Stáit i dtaca lena mbainistiú agus lena n-oibriú.

Mar chuid den iniúchadh, déantar scrúdú, ar bhonn tástála, ar an bhfianaise a bhaineann leis na suimeanna agus leis an bhfaisnéisiú atá sna ráitis airgeadais. Áirithe ann freisin tá measúnú ar na meastacháin agus ar na breithiúnais shuntasacha a rinneadh nuair a bhí na ráitis airgeadais á n-ullmhú, agus ar an dóigh a glacadh nó nár glacadh le polasaithe cuí cuntasáochta a oireann do staid an

Chiste, ar cuireadh iad sin i bhfeidhm go leanúnach agus ar tuairiscíodh mar is cóir iad.

D'eagraigh mé an t-iniúchadh agus chuireas i bhfeidhm é chun go dtiocfainn ar an eolas agus ar an míniú go léir a mheasas a bheith riachtanach chun dóthain fianaise a fháil go mbeinn in ann dearbhú réasúnach a thabhairt go bhfuil na ráitis airgeadais saor ó aon mhíríteas ábhartha, bíodh sin de bharr calaoise, de bharr mírialtachta eile nó de bharr earráide. Freisin, agus mo thuairim á bhaint agam as an eolas, rinne mé meastóireacht ar an bhfhiúntas ginearálta a bhí san eolas ina iomláine mar a cuireadh ar fáil é sna ráitis airgeadais.

Costais Phinsin

Gan coinníoll a chur le mo thuairim, is mian liom aird a tharraingt ar nóta 16 atá leis na ráitis airgeadais ina mínítear cén fáth nach raibh an Bord in ann cloí leis na riachtanais nochtaithe atá in FRS 17.

Tuairim

Is é mo tuairim gur choinnigh an Bord na leabhair chuntais mar is cóir agus go dtugann na ráitis airgeadais, atá ag teacht leo sin, tuairisc fhírinneach chothrom ar an staid ina raibh An Ciste Cúnaimh Dhlíthiúil ar an 31 Nollaig 2001, agus ar a chaiteachas agus ioncam agus ar a shreabhadh airgid don bhliain a chríochnaigh ag an am sin.



John Purcell

an tArd-Reachtair Cuntas agus Ciste

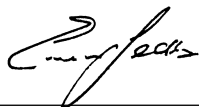
3 Nollaig 2002

RÁITEAS FAOI FHREA-GRACHTAÍ AN BHOIRD

De réir Alt 20 den Acht um Chúnammh Dlíthiúil Sibhialta, 1995, tá dualgas ar an mBord gnáthchuntas cóir a choinneáil ar dhóigh a bheidh faofa ag an Aire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí, le cead an Aire Airgeadais, ar gach airgead a fuair nó a chaith an Bord. Agus na Ráitis Chuntais sin á n-ullmhú tá dualgas ar an mBord:

- polasaithe oiriúnacha cuntasáochta a roghnú agus ansin iad a chur i bhfeidhm go leanúnach
- cinnidh agus meastacháin a dhéanamh atá réasúnach agus stuama
- na ráitis airgeadais a ullmhú ar bhunús gnóthais leantaigh muna mbíonn sé neamhoiriúnach a mheas go leanfaidh an Ciste ag oibriú.
- léiriú gur leanadh de chaighdeáin oiriúnacha cuntasáochta, faoi réir aon eisceacht ábhartha a bheidh faisnéisithe agus mínithe sna ráitis airgeadais.

Tá an Bord freagrach as leabhair chuí chuntas a choinneáil ina bhfuil cur síos cruinn réasúnach ag aon am ar leith ar stádas an Chiste chun a chinntiú go mbeidh an sé in ann a dheimhniú go bhfuil na Ráitis Airgeadais ag cloí le Alt 20 den Acht. Tá an Bord freagrach freisin as cosaint a thabhairt do shócmhainní an Chiste agus dá réir sin a bheith in ann céimeanna a ghlacadh chun calaois agus mírialtachtaí eile a chosc agus a bhraith.



Cathaoirleach



Comhalta den Bhord

Dáta 27/1/02.

RÁITEAS FAOI NA POLASAÍ CUNTASAÍOCHTA DO 2001

Go Ginearálta

Tá an Ciste Cúnaimh Dhlíthiúil, faoi réir Alt 19 den Acht um Chúnaimh Dlíthiúil Sibhialta, 1995, á bhainistiú ag Bord um Chúnaimh Dlíthiúil a bhíonn ceaptha ag an Aire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí. Acmhainní airgeadais iomlán an Bhoird atá sa Chiste sin. In 2000 bhí an Bord ag feidhmiú as 34 Ionad lánaimseartha agus as 13 Ionad páirtaimseartha ar fud na tíre.

Bunús na Cuntasaíochta

Ullmhaítear na ráitis airgeadais de réir chóras cuntasaíochta na bhfabhrúithe, seachas mar a luaitear thíos, agus de réir na ngnáthphrionsabail a nglactar leo go ginearálta faoi choinbhinsiún na gcostas stairiúil. Baintear úsáid as na caighdeáin tuairiscithe airgeadais atá molta ag na cuideachtaí aitheanta cuntasaíochta, de réir mar a thagann feidhm leo.

Deontais Stáit

Tuairiscítear ioncam faoin teideal seo ar bhunús fáltais airgid.

Airgeadra

Is é an Punt Éireannach an t-aonad airgeadra a úsáidtear sna Ráitis Airgeadais. Tugtar figiúirí comparáideacha Euro mar eolas amháin.

Ranníocaíochtaí ó Dhaoine a fuair Cúnaimh agus Costais a Aisghabhadh

Mar gheall ar nádúr an ioncaim seo, i.e. ranníocaíochtaí ó dhaoine atá ar acmhainní teoranta, meastar gur fearr ioncam dá leithéid a chuntas ar bhunús fáltais airgid. Meastar gur thart ar £25,000 a bhí le bailiú ar an 31 Nollaig 2001. Níor díscríobhadh aon drochfhiacha in 2001.

Sócmhainní Dochta agus Dímheas

Léirítear sócmhainní dochta ar an gClár Comhardaithe mar chostas lúide dímheas carnaithe. Ríomhtar dímheas thar shaol úsáideach na sócmhainní trí úsáid a bhaint as an modh dronlíneach, agus gearrtar é ar na rátaí bliantúla seo a leanas:-

CBL ar Léasanna, Troscáin & Trealamh Oifige,
Trealamh Ríomhaireachta, Feistiú Áitreabh 20%

Gearrtar dímheas leathbhliana i mbliain an cheannacháin agus i mbliain na diúscairte.

An Cuntas Caipitil

Is éard atá sa Chuntas Caipitil ná an méid ioncaim nach raibh amúchta a úsáideadh chun na sócmhainní dochta a cheannach.

Aoisliúntas

Feidhmíonn an Bord scéimeanna sainiúla buntáistí aoisliúntais dá fhostaithe. Na buntáistí aoisliúntais sin a thagann chun cinn faoi na scéimeanna, íoctar as ioncam reatha iad agus gearrtar ar an gCuntas Ioncaim agus Caiteachais iad don bhliain ina mbíonn siad iníoctha. Níl aon fhoráil déanta sna ráitis airgeadais i dtaca le buntáistí san am atá le theacht. Gearrtar tuarastail agus pá atá sna ráitis airgeadais glan ó ranníocaíochtaí aoisliúntais na bhfostaithe.

CUNTAS IONCAIM AGUS CAITEACHAIS

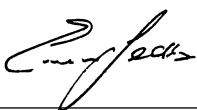
don bhliain dar críoch 31 Nollaig 2001

	Nóta	2001		2001		2000	
		£	£	€	€	€	€
IONCAM							
Maoiniú Stáit	1	19,219,504		24,403,736		17,703,332	
Ranníocaíochtaí ó dhaoine a fuair Cúnamh Dí		339,980		431,686		336,287	
Costais Aisghafa		368,133		467,432		471,597	
Brabús/Caillteanas ar dhiolachán sócmhainní		401		509		(1,086)	
Ioncam Eile	2	<u>83,540</u>		<u>106,074</u>		<u>85,786</u>	
			20,011,558		25,409,437		18,595,916
Aistriú Chuig an gCuntas Caipitil	3		<u>(2,141,394)</u>		<u>(2,719,010)</u>		<u>(240,360)</u>
			17,870,164		22,690,427		18,355,556
CAITEACHAS							
Tuarastail agus costais ghaolmhara	4	9,294,832		11,802,002		8,203,751	
Táillí do Bhaill an Bhoird		68,280		86,698		43,171	
Costais Iontais agus							
Bhunaíochta	5	2,911,805		3,697,230		3,329,618	
Táillí agus costais dlí	6	3,993,640		5,070,877		3,743,072	
Riarachán ginearálta	7	2,165,741		2,749,924		1,425,501	
Dímheas	8	855,619		1,086,412		540,886	
Táille Iniúchóireachta		<u>8,080</u>		<u>10,259</u>		<u>10,056</u>	
			19,297,997		24,503,402		17,296,055
Easnamh/Barrachas don Bhliain			<u>(1,427,833)</u>		<u>(1,812,975)</u>		<u>1,059,501</u>
Iarmhéid Tosaigh mar a bhí ar an 1 Eanáir			2,690,145		3,415,780		2,356,279
Iarmhéid Deireadh mar a bhí ar an 31 Nollaig			<u>1,262,312</u>		<u>1,602,806</u>		<u>3,415,780</u>

Ní raibh aon ghnóthachan ná caillteanas sa Chiste i rith na bliana airgeadais ná sa bhliain airgeadais díreach roimhe sin cé is moite díobh sin atá luaite sa chuntas Ioncaim agus Caiteachais.

Baineann torthaí na bliana leis na hoibríochtaí atá ag leanacht ar aghaidh.

Tá an Ráiteas faoi Pholasaithe Cuntasaíochta agus an Ráiteas faoi Shreabhadh Airgid mar aon le Nótaí 1 go dtí 16 mar chuid de na Ráitis Airgeadais seo.



Cathaoirleach

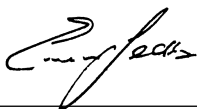


Príomhfheidhmeannach

Dáta 27/1/02.

CLÁR COMHARDAITHE <i>mar a bhí ar an 31 Nollaig 2001</i>							
	Nóta	2001		2001		2000	
		£	£	€	€	€	€
SÓCMHAINNÍ SEASTA	8		4,034,568		5,122,845		1,718,177
SÓCMHAINNÍ REATHA							
Airgead sa Bhanc agus ar Lámh		2,663,323		3,381,723		4,856,628	
Féichiúnaithe agus Réamhíocaíochtaí	9	327,769		416,181		180,117	
			2,991,092		3,797,904		5,036,745
LÚIDE FIACHAIS REATHA							
Féichiúnaithe agus Fabhruithe	10	1,121,494		1,424,004		985,873	
Cistí Cliant	11	607,286		771,094		635,093	
			1,728,780		2,195,098		1,620,966
GLANSÓCMHAINNÍ REATHA/ (FIACHAIS)			1,262,312		1,602,806		3,415,779
SÓCMHAINNÍ IOMLÁNA			5,296,880		6,725,651		5,133,956
LÉIRITHE AG:							
Cuntas Ioncaim agus Caiteachais			1,262,312		1,602,806		3,415,780
Cuntas Caipitil	3		4,034,568		5,122,845		1,718,176
			5,296,880		6,725,651		5,133,956

Tá an Ráiteas faoi Pholasaithe Cuntasaíochta agus an Ráiteas faoi Shreabhadh Airgid mar aon le Nótaí 1 go dtí 16 mar chuid de na Ráitis Airgeadais seo.



Cathaoirleach



Príomhfheidhmeannach

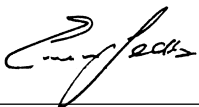
Dáta 27/10/02.

RÁITEAS FAOI SHREABHADH AIRGID

don bhliain dár críoch 31 Nollaig 2000

	Nóta	2001 £	2001 €	2000 €
Insreabhadh/eis-sreabhadh glan airgid ó Gníomhaíochtaí Oibreacha	13	1,756,236	2,229,960	1,240,753
Aischiú ar Infheistíocht agus Fónamh Airgeadais				
Ús Faighte		97,880	124,282	66,583
Ús íoctha ar Shocraíochtaí Cliant		(18,451)	(23,428)	(14,961)
Gníomhaíochtaí Infheistíochta				
Díol Sócmhainní Inláimhsithe		727	923	1,812
Ceannach Sócmhainní Inláimhsithe		(2,997,974)	(3,806,642)	(782,522)
Insreabhadh Eis-sreabhadh Glan Airgid		<u>(1,161,582)</u>	<u>(1,474,905)</u>	<u>511,665</u>
Laghdú/Méadú ar Airgead agus ar Urdail Airgid	14	<u>(1,161,582)</u>	<u>(1,474,905)</u>	<u>511,665</u>

Tá an Ráiteas faoi Pholasaithe Cuntasaíochta, mar aon le Nótaí 1 go dtí 17, ina gcuid de na Ráitís Airgeadais seo.



Cathaoirleach



Príomhfheidhmeannach

Dáta 27/1/02.

NÓTAÍ LEIS NA RÁITIS AIRGEADAIS DON BHLIAIN DÁR CRÍOCH 31 NOLLAIG 2001**1. Cistiú Stáit**

Fuarthas Cistiú Stáit as Vóta 19 - Oifig an Aire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí mar a leanas:

Fotheideal:	2001 £	2001 €	2000 €
K. Deontas i gCabhair an Oireachtais	12,470,336	15,834,060	16,378,351
G.I Tascfhórsa na nIarrthóirí Tearmainn - Cúnamh Dlíthiúil*	6,749,168	8,569,676	1,324,981
	<u>19,219,504</u>	<u>24,403,736</u>	<u>17,703,332</u>

*Tugadh na deontais seo i leith an chaiteachais a bhain leis an tSeirbhís Dhlíthiúil Dídeanaithe. Féach Nóta 15

2. Ioncam Eile

	2001 £	2001 €	2000 €
Ús faighte agus infhaighte	83,212	105,658	82,939
Fáltais Éagsúla	328	416	2,847
	<u>83,540</u>	<u>106,074</u>	<u>85,786</u>

3. An Cuntas Caipitil

	£	£
Iarmhéid ar an 1 Eanáir **		1,893,174
Aistriú as an gCuntas Ioncaim agus Caiteachais		
- Ioncam a úsáideadh chun sócmhainní dochta a cheannach	2,997,013	
- An méid a scaoileadh ar dhiúscairt sócmhainní dochta	0	
- Ilioncam amúchta sa bhliain de réir dhímheas na sócmhainní	<u>(855,619)</u>	
		<u>2,141,394</u>
Iarmhéid ar an 31 Nollaig		<u>4,034,568</u>

** Tá an iarmhéid tosaigh athráite chun cuntas a dhéanamh ar CBL ar Léasanna a glacadh in 2000 agus ar dearnadh áireamh orthu i gCuntas Ioncam & Caiteachais na bliana roimhe sin.

NÓTAÍ LEIS NA RÁITIS AIRGEADAIS DON BHLIAIN DÁR CRÍOCH 31 NOLLAIG 2001

4. Líon agus Costas na bhFostaithe

Bhí foireann iomlán de 410 ceadaithe ag an Aire faoin 31 Nollaig 2001. Bhí 411 ball foirne fostaithe ag an mBord ar an 31 Nollaig 2001 (2000 - 333). Ba é an meánlíon a bhí fostaithe ag an mBord rith na bliana ná 408 (2000 - 302). Seo a leanas na costais a bhain leis na fostaithe:

	2001 £	2001 €	2000 €
Tuarastail	8,552,779	10,859,789	7,598,815
Costas na Foirne ar Shealaistriú	128,278	162,879	66,323
PRSI Fostóra	613,775	779,333	538,613
	<u>9,294,832</u>	<u>11,802,002</u>	<u>8,203,751</u>

5. Costais Chóiríochta agus Áitribh

	2001 £	2001 €	2000 €
Cíos	2,018,177	2,562,556	2,457,044
Glanadh	172,719	219,307	175,901
Solas agus Teas	106,197	134,842	96,199
Cothabháil - Áitreabh	424,387	538,861	499,843
Cothabháil - Trealamh	190,326	241,664	100,631
	<u>2,911,805</u>	<u>3,697,230</u>	<u>3,329,618</u>

6. Táillí agus Costais Dhlíthiúla

	2001 £	2001 €	2000 €
Táillí Abhcóidí	1,912,312	2,428,135	1,992,755
Táillí dlíthiúla	751,097	953,696	663,333
Scéim na gCleachtóirí Príobháideacha	545,771	692,986	226,058
Táillí Gairmiúla Eile	400,316	508,296	500,998
Costais eile	384,145	487,764	359,928
	<u>3,993,640</u>	<u>5,070,877</u>	<u>3,743,072</u>

NÓTAÍ LEIS NA RÁITIS AIRGEADAIS DON BHLIAIN DÁR CRÍOCH 31 NOLLAIG 2001

7. Riarachán Ginearálta

	2001 £	2001 €	2000 €
Costais Pháipéarachais, Oifige agus Oiliúna	702,681	892,221	392,003
Leabhair agus Priontáil	143,237	181,874	106,111
Postas agus Teileafón	663,246	842,148	417,411
Árachas	72,813	92,453	76,222
Taisteal agus Cothabháil	583,764	741,227	433,754
	<u>2,165,741</u>	<u>2,749,924</u>	<u>1,425,501</u>

8. Sócmhainní Dochta

	CBL ar Léasanna £	Troscaín Oifige £	Trealamh Oifige £	Trealamh Ríomhaireachta £	Iomlán £
COSTAS					
armhéid ar an 1/1/01	* 600,000	593,953	2,777,524	0	3,971,477
Éadálacha	667,500	148,075	903,405	1,278,033	2,997,013
Díúscairtí	0	(2,500)	0	0	(2,500)
Iarmhéid ar an 31/12/01	<u>1,267,500</u>	<u>739,528</u>	<u>3,680,929</u>	<u>1,278,033</u>	<u>6,965,990</u>
DÍMHEAS SÓCMHAINNÍ DOCHTA					
Iarmhéid ar an 1/1/01	* 60,000	447,815	1,570,488	0	2,078,303
Muirear na Bliana	186,750	65,280	475,786	127,803	855,619
Díúscairtí	0	(2,500)	0	0	(2,500)
Iarmhéid ar an 31/12/01	<u>246,750</u>	<u>510,595</u>	<u>2,046,274</u>	<u>127,803</u>	<u>2,931,422</u>
Luach Glan Leabhair ar an 31/12/01	<u>1,020,750</u>	<u>228,933</u>	<u>1,634,655</u>	<u>1,150,230</u>	<u>4,034,568</u>
Luach Glan Leabhair ar an 31/12/00	* <u>540,000</u>	<u>146,138</u>	<u>1,207,036</u>	<u>0</u>	<u>1,893,174</u>

* Tá an iarmhéid tosaigh athráite chun cuntas a dhéanamh ar CBL ar Léasanna a glacadh in 2000 agus ar dearnadh áireamh orthu i gCuntas Ioncam & Caiteachais na bliana roimhe sin.

NÓTAÍ LEIS NA RÁITIS AIRGEADAIS DON BHLIAIN DÁR CRÍOCH 31 NOLLAIG 2001

8a. Sócmhainní Dochta (Euro)

	CBL ar Léasanna €	Troscaín Oifige €	Trealamh Oifige €	Trealamh Ríomhaireachta €	Iomlán €
COSTAS					
Armhéid ar an 1/1/01	* 761,843	754,165	3,526,728	0	5,042,736
Adálacha	847,550	188,016	1,147,088	1,622,767	3,805,421
Diúscairtí	0	(3,174)	0	0	(3,174)
Iarmhéid ar an 31/12/01	1,609,393	939,007	4,673,816	1,622,767	8,844,983
DÍMHEAS SÓCMHAINNÍ DOCHTA					
Iarmhéid ar an 1/1/01	* 76,184	568,608	1,994,108	0	2,638,900
Muirear na Bliana	237,124	82,889	604,124	162,277	1,086,412
Diúscairtí	0	(3,174)	0	0	(3,174)
Iarmhéid ar an 31/12/01	313,308	648,322	2,598,232	162,277	3,722,138
Luach Glan Leabhair ar an 31/12/01	1,296,085	290,685	2,075,584	1,460,491	5,122,845
Luach Glan Leabhair ar an 31/12/00	* 685,659	185,556	1,532,621	0	2,403,835

* Tá an iarmhéid tosaigh athráite chun cuntas a dhéanamh ar CBL ar Léasanna a glacadh in 2000 agus ar dearnadh áireamh orthu i gCuntas Ioncam & Caiteachais na bliana roimhe sin.

9. Féichiúnaithe agus Réamhíocaíochtaí

	2001 £	2001 €	2000 €
Féichiúnaithe - Ús ar Thaisce	77,037	97,817	86,097
Réamhíocaíochtaí			
- Cíos	89,730	113,934	48,656
- Árachas	85,426	108,469	23,065
- Pá & Tuarastail	34,455	43,749	0
- Eile	41,121	52,213	22,299
	327,769	416,181	180,117

NÓTAÍ LEIS NA RÁITIS AIRGEADAIS DON BHLIAIN DÁR CRÍOCH 31 NOLLAIG 2001

10. Creidiúnaithe agus Fabhruithe

	2001 £	2001 €	2000 €
Suimeanna dlíte taobh istigh de bhliain:			
Creidiúnaithe & Fabhruithe	1,121,494	1,424,004	985,873
	<u>1,121,494</u>	<u>1,424,004</u>	<u>985,873</u>

Áirithe sna Creidiúnaithe ar an 31 Nollaig 2001, bhí suim de £172,576 i dtaca le Cáin Shiarchoinneálach ar tháillí Abhcóidí, táillí Dlíthiúla agus táillí Gairmiúla eile, agus suim de £277,187 i dtaca le PAYE agus PRSI.

11. Cistí Cliant

Suimeanna comhlána móide ús fabhraithe atá sna cistí sin a bhí ag an mBord ar an 31 Nollaig 2001 de bhun dámhachtana agus socraíochtaí a tugadh i bhfabhar cliant a ndearna an Bord ionadaíocht ar a son. Tig leis an mBord aisghabháil a dhéanamh as sin i leith an chostais iomlán a bhaineann lena leithéid de sheirbhísí a chur ar fáil agus íoctar an fuílleach leis na daoine ar dearnadh ionadaíocht ar a son.

	£	€
Cistí Cliant a bhí i seilbh ar an 1 Eanáir	491,898	624,582
Suimigh Dámhachtana/socraíochtaí a fuarthas i rith 2001	5,029,596	6,386,270
Lúide Socraíochtaí íoctha amach, ina measc, ús a ceadaíodh agus costais athghafa	4,926,733	6,255,660
Cistí Cliant a bhí i seilbh ar an 31 Nollaig	<u>594,761</u>	<u>755,191</u>
Ús fabhraithe ar Chistí Cliant a bhí i seilbh	12,525	15,903
Iomlán dlíte do Chliant	<u>607,286</u>	<u>771,094</u>

12. Ceangaltas faoi Léasanna atá i bhFeidhm

Tá an Bord lonnaithe in áitreabh ag St. Stephen's Green House, Baile Átha Cliath 2 agus feidhmíonn sé as 34 Ionad eile ar fud na tíre. Tá ceangaltas ar an mBord cíos de £1,865,780 (€2,369,052) a íoc i rith 2002 i dtaca le léasanna a chríochnóidh mar a leanas:

	£	€
2002	4,700	5,968
2003-2007	21,000	26,664
2008 ar aghaidh	1,840,080	2,336,420
Iomlán	<u>1,865,780</u>	<u>2,369,052</u>

NÓTAÍ LEIS NA RÁITIS AIRGEADAIS DON BHLIAIN DÁR CRÍOCH 31 NOLLAIG 2001

13. Barrachas na Bliana a réiteach leis an airgead tirim ó Ghníomhaíochtaí Oibriúcháin

	2001 £	2001 €	2000 €
Easnamh / Barrachas don Bhlain	(1,427,833)	(1,812,974)	1,059,501
Coigeartú do Nithe Neamh-oibriúcháin			
Ús Bainc Infhaighte	(83,212)	(105,657)	(82,939)
Brabús/Cailteanas ar Dhiúscairt Sócmhainní Dochta	(401)	(509)	1,086
Gluaiseacht ar an gCuntas Caipitil	2,141,394	2,719,010	240,360
Coigeartú do Nithe Seachas Airgead Tirim			
Dímheas	855,619	1,086,412	540,884
Méadú/Laghdú ar na Féichiúnaithe	(176,685)	(224,344)	754,552
Méadú/Laghdú ar na Creidiúnaithe	447,354	568,022	(1,272,691)
	<u>1,756,236</u>	<u>2,229,960</u>	<u>1,240,753</u>

14. Gluaiseacht Airgid agus Urdail Airgid

	2001 £	2001 €	2000 €
Iarmhéis ar an 1 Eanáir	3,824,905	4,856,628	4,344,962
Insreabhadh/Eis-sreabhadh Glan Airgid	(1,161,582)	(1,474,905)	511,665
Iarmhéis ar an 31 Nollaig	<u>2,663,323</u>	<u>3,381,723</u>	<u>4,856,627</u>

NÓTAÍ LEIS NA RÁITIS AIRGEADAIS DON BHLIAIN DÁR CRÍOCH 31 NOLLAIG 2001

15. An tSeirbhís Dhlíthiúil Dídeanaithe

	2001 £	2001 €	2000 €
Tá Caiteachas agus Ioncam a bhaineann leis an tSeirbhís Dhlíthiúil Dídeanaithe áirithe sa chuntas Ioncaim agus Caiteachais faoi na teidil seo a leanas:			
Tuarastail agus Pá	1,692,943	2,149,595	862,131
CBL ar léasanna	600,000	761,843	761,843
Costais Chóiríochta Eile	1,265,839	1,607,284	283,526
Táillí Dlíthiúla agus táillí Gairmiúla	871,691	1,106,819	429,487
Riarachán Ginearálta	339,364	430,903	88,073
Sócmhainní Dochta	1,670,282	2,120,820	-
	<u>6,440,118</u>	<u>8,177,264</u>	<u>2,425,060</u>
Lúide ranníocaíochtaí ó dhaoine a fuair cúnamh dlíthiúil	(41,960)	(53,278)	(54,736)
Caiteachas glan sa bhliain	<u>6,398,159</u>	<u>8,123,986</u>	<u>2,370,324</u>

16. Pinsin

I gcás na dtréimhsí cuntasáíochta dar críoch ar, nó i ndiaidh, an 22 Meitheamh 2005, beidh gá, de réir Chaighdeán 17 um Thuairisciú Airgeadais, go léireodh na ráitis airgeadais sin luach cúí ar na sócmhainní agus ar na fiachais atá mar thoradh ar oibleagáidí aoisliúntas an fhostóra agus aon mhaoiniú gaolmhar eile, agus aitheantas a thabhairt do na costais a bhaineann le soláthar na mbun-táistí aoisliúntais sna tréimhsí cuntasáíochta ina saothraíonn na fostaithe iad. Mar bheart eastramhach éilíonn an Caighdeán go léireofaí an luach reatha atá ar fhiachais na scéimeanna sna nóta atá le ráitis airgeadais 2001. In 2001, ní raibh sé ar chumas an Bhoird cloí le riachtanais an FRS 17 mar nach bhfuair sé aon luach achtúireach ar fhiachais na scéimeanna. Tá socrúithe déanta ag an mBord anois chun a chinntiú go mbeidh sé in ann cloí le riachtanais an Chaighdeáin sna blianta atá le theacht.

17. Faomhadh na Ráitis Airgeadais

D'fhaomhaigh an Bord na Ráitis Airgeadais ar an 21 Samhain, 2002.

AGUISÍN 2

STATAISTICÍ DO 2001

TÁBLA 1: Anailís de na hlarratais a láimhsíodh i 2001

Líon na ndaoine a fuair seirbhísí dlíthiúla		Líon na ndaoine nach bhfuair ach comhairle dlíthiúil		Líon na ndaoine a fuair comhairle dlíthiúil agus ionadaíocht (i.e., teastais chúnaimh dhlíthiúil)	
2001	2000	2001	2000	2001	2000
14,214	14,382	9,151	9,411	5,063	4,971

Tábla 1a: Anailís de na hlarratais a láimhsigh An tSeirbhís Dlí do Dhídeanaithe i 2001

Líon na ndaoine a fuair seirbhísí dlíthiúla		Líon na ndaoine nach bhfuair ach comhairle dlíthiúil		Líon na ndaoine a fuair comhairle dlíthiúil agus ionadaíocht (i.e., teastais chúnaimh dhlíthiúil)	
2001	2000	2001	2000	2001	2000
4,520	3,424	1,705	1,198	2,815	2,226

Tábla 2: Anailís de Theastais Chúnaimh Dhlíthiúil de réir Cúirte

Cineálacha Cásanna	Cúirt Dúiche		Cúirt Chuarda		Ardchúirt		Cúirt Uachtarach		Iomlán	
	2001	2000	2001	2000	2001	2000	2001	2000	2001	2000
Ionaid Dlí										
Dlí Teaghlaigh	1,469	1,257	2,000	2,493	60	111	0	2	3,529	3,863
Eile	16	17	46	48	41	118	0	2	103	185
Cleachtóirí										
Príobháid	1,174	923	257	0	0	0	0	0	1,431	923
Iomlán	2,659	2,197	2,303	2,541	101	229	0	4	5,063	4,971

TÁBLA 3**(a) Cásanna Dí Teaghlaigh**

Ionaid Dí

Imeachtaí	Cúirt Dúiche	Cúirt Chuarda	Ardchúirt	Cúirt Uachtarach	Iomlán
Urchosc	458	10	0	0	468
Ordú Sábháilteachta	181	1	0	0	182
Rochtain	229	21	1	0	251
Coimeád	169	11	2	0	182
Cothabháil	360	29	1	0	390
Cúram Leanaí	171	24	7	0	202
Caomhnóireacht	119	7	0	0	126
Idirscaradh					
Breithiúnach	0	820	10	0	830
Colscaradh	0	991	19	0	1,010
Urghaire	2	41	0	0	43
Neamhniú	0	23	0	0	23
Fuadach Linbh	0	0	34	0	34
Uchtáil	0	1	1	0	2
Coimircíocht	1	5	5	0	11
Foréigean Teaghlaigh	187	0	0	0	187
Atharthacht	0	7	1	0	8
Cosaint	13	0	0	0	13
Stádas Pósta	0	1	0	0	1
Acht Idir-roinnte	0	6	0	0	6
Teaghlach	0	14	0	0	14
Éagsúil	9	0	0	0	9
Iomlán	1,899	2,012	81	0	3,992

Cleachtóirí Príobháideacha

Imeachtaí	Cúirt Dúiche	Cúirt Chuarda	Ardchúirt	Cúirt Uachtarach	Iomlán 2001	Iomlán 2000
Ordú Urchoisc	431	0	0	0	431	463
Ordú Sábháilteachta/ Cosanta	383	0	0	0	383	102
Rochtain	452	0	0	0	452	248
Coimeád	206	0	0	0	206	110
Cothabháil	344	0	0	0	344	239
Caomhnóireacht	204	0	0	0	204	77
Idirscaradh Breithiúnach	0	133	0	0	133	0
Colscaradh	0	124	0	0	124	0
Eile	16	0	0	0	16	0
IOMLÁN	2,036	256	0	0	2,293	1,239

(B) Cásanna nár bhain le Dlí Teaghlaigh

Ionaid Dlí

Imeachtaí	Cúirt Dúiche	Cúirt Chuarda	Ardchúirt	Cúirt Uachtarach	Iomlán
Tort	1	13	12	0	26
Conradh	3	7	1	0	11
Fostóir/Fostaí	0	1	0	0	1
Fiachas	3	5	0	0	8
Tiarna Talún agus Tionónta	6	4	0	0	10
Éagsúil	4	8	21	0	33
Athbhreithniú Breithiúnach RLS	0	0	143	0	143
Iomlán	17	38	177	0	232

AGUISÍN 3 - IONAD DLÍ

Ionaid dlí lánaimseartha

IONAD DLÍ	ATURNAE BAINISTÍOCHTA
AN CABHÁN Ionad Siopadóireachta na Cúirte Nua, Sráid na hEaglaise, An Cabhán Fón: (049) 4331110 Facs: (049) 4331304	Margaret O'Shea-Grewcock
AN CLÁR Aonad 6A, Cearnóg na gCeannaithe, Inis, Co an Chláir Fón: (065) 6821929 Facs: (065) 6821939	Mary Cuffe
CORCAIGH Teach an Ché Thuaidh, Cé Pope, Corcaigh Fón: (021) 551 686 Facs: (021) 551 690 1A An Meal Theas, Corcaigh Fón: (021) 275 998 Facs: (021) 276 927	Betty Dineen Brian Sheridan
DÚN NA nGALL Teach Houston, An Phríomhshráid, Leitir Ceanainn Co. Dhún na nGall Fón: (074) 26177 Facs: (074) 26086	Geraldine O'Connor
BAILE ÁTHA CLIATH 45 Sráid Gardiner Íocht., Baile Átha Cliath I Fón: (01) 874 5440 Facs: (01) 874 6896 9 Cé Urumhan Íochtarach, Baile Átha Cliath I Fón: (01) 872 4133 Facs: (01) 872 4937 Ionad an Chloighthí, Cluain Dolcáin, Baile Átha Cliath 22 Fón: (01) 457 6011 Facs: (01) 457 6007 Faiche an tSráidbhaile, Tamhlacht, Baile Átha Cliath 24 Fón: (01) 451 1519 Facs: (01) 451 7989 44/49 An Phríomhshráid, Fionnghlas, Baile Átha Cliath I I Fón: (01) 864 0314 Facs: (01) 864 0362 48/49 Sráid Brunswick Thuaidh, Lána Sheoirse, Baile Átha Cliath 7 Fón: (01) 646 9700 Facs: (01) 646 9799 Aonad 6-8, An tIonad Gnó, Bóthar Chluain Saileach, Baile Bhlainséir, Baile Átha Cliath 15 Fón: (01) 820 0455 Facs: (01) 820 0450	Kevin Liston Gerard Kirwan Hugh Cunniam Pauline Corcoran John Weston Ray Finucane Marie Quirke
GAILLIMH Sráid Proinsias, Gaillimh Fón: (091) 561 650 Facs: (091) 563 825	Mary Griffin
CIARRAÍ 1 Plás Day, Trá Lí, Co Chiarraí Fón: (066) 7126900 Facs: (066) 7123631	Carol Ann Coolican

IONAD DLÍ	ATURNAE BAINISTÍOCHTA
CILL DARA Plás Uí Chainín, An Droichead Nua, Co Chill Dara Fón: (045) 435 777 Facs: (045) 435 766	Maeve Slattery
CILL CHAINNIGH Sráid Maudlin, Cill Chainnigh Fón: (056) 61611 Facs: (056) 61562	Niall Murphy
LAOIS Aonad 6A, Sráid an Droichid, Port Laoise, Co Laois Fón: (0502) 61366 Facs: (0502) 61362	Marie Ni Cruadhlaioich
LUIMNEACH Cé na Comhla, Luimneach Fón: (061) 314 599 Facs: (061) 318 330	Fergal Rooney
LONGFORT Clós an Chomhair Chreidmheasa, 50A An Phríomhshráid, Longfort Fón: (043) 47590 Facs: (043) 47594	Eugene Kelly
LÚ Na Labhrais, Dún Dealgan, Co Lú Fón: (042) 9330448 Facs: (042) 9330991	Deirdre McMichael
MAIGH EO Halla Humbert, I An Phríomhshráid, Caisleán an Bharraigh, Co Mhaigh Eo Fón: (094) 24334 Facs: (094) 23721	Tom O' Mahony
AN MHÍ Bóthar Uí Chinnéide, An Uaimh, Co na Mí Fón: (046) 72515 Facs: (046) 72519	Vivienne Crowe
MUINEACHÁN Teach Alma, An Diamant, Muineachán Fón: (047) 84888 Facs: (047) 84879	Stephanie Coggans
UÍBH FHAILÍ Sráid an Chalafoirt, An Tulach Mór Fón: (0506) 51177 Facs: (0506) 51544	Helen O'Reilly
SLIGEACH Teach Bridgewater, Paráid Rockwood, Sráid Thomáis, Sligeach Fón: (071) 61670 Facs: (071) 61681	Fiona McGuire
TIOBRAD ÁRANN Cúirt na mBráithre, An tAonach, Co Thiobraid Árann Fón: (067) 34181 Facs: (067) 34083	Josephine Fair
PORT LÁIRGE Teach Ceanada, Sráid Ceanada, Port Láirge Fón: (051) 855 814 Facs: (051) 871 237	Aidan Lynch
AN IARMHÍ Sráid an Gheata Thuaidh, Áth Luain, Co na hIarmhí Fón: (0902) 74694 Facs: (0902) 72160	Phil O'Laoide

IONAD DLÍ	ATURNAE BAINISTÍOCHTA
LOCH GARMAN Aonad 8, Cearnóg Redmond, Loch Garman Fón: (053) 22622 Facs: (053) 24927	Shane Dooley
CILL MHANTÁIN Sráid an Droichid, Cill Mhantáin Fón: (0404) 66166 Facs: (0404) 66197	Barbara Smyth

AN tSEIRBHÍS DLÍ DO DHÍDEANAITHE 48/49 Sráid Brunswick Thuaidh, Lána San Seoirse, Baile Átha Cliath 7 Fón: (01) 646 9600 Facs: (01) 671 0200 Cúirt Montague, 7-11 Sráid Montague, Baile Átha Cliath 2 Fón: (01) 476 0265 Facs: (01) 476 0271 Teach Timberlay, 79/83 Sráid an Mhóta Íochtarach, Baile Átha Cliath 2 Fón: (01) 631 0800 Facs: (01) 661 5011	Frank Caffrey, John McDaid, Grainne Brophy
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Ionaid dlí Páirtaimseartha

IONAD agus TEILEAFÓN	OSCAILTE AR	IONAD DLÍ
CEATHARLACH Ionad Seirbhísí Sóisialta Naomh Cairtriona, Bóthar Naomh Seosamh, Ceatharlach. Fón: (0503) 31354	An chéad agus An tríú Aoine de gach mí	Cill Chainnigh
AN CLÁR Ionad Pobail Chill Rois, Sráid Toler, Cill Rois, Fón: (065) 6821929	An ceathrú Céadaoin de gach mí	An Clár
DÚN NA nGALL Teach na Cúirte, Baile Dhún na nGall. Fón: (074) 26177	An chéad Aoine de gach mí	Dún na nGall
CIARRAÍ Seirbhísí Pobail Chill Áirne 57 An tSráid Ard, Cill Áirne Fón: (066) 7126900	Gach maidin Aoine	Ciarraí
LIATROIM Bord Sláinte an Iarthuaiscirt, Bóthar Liatroma, Cora Droma Rúisc. Fón: (043) 47590	An chéad Chéadaoin de gach mí	Longfort
LÚ Ionad Sheirbhísí Pobail Dhroichead Átha Sráid an Aonaigh, Droichead Átha Fón: (041) 36084/33490	An chéad & an dara Máirt de gach mí	Cé Urumhan , Baile Átha Cliath
MAIGH EO Ionad Pobail Bhéal an Átha, Sráid Teeling, Béal an Átha Fón: (094) 24334	An chéad Luan de gach mí	Maigh Eo
An tIonad Sláinte, Bóthar Chnoc Mhuire, Béal Átha hAmhnais Fón: (091) 561650	An ceathrú Máirt de gach mí	Gaillimh
ROS COMÁIN Ionad Eolais do Shaoránaigh, Sráid Phádraig, Mainistir na Búille. Fón: (071) 61670	An chéad Luan de gach mí	Sligeach
TIOBRAID ÁRANN Seirbhísí Sóisialta Phobal an Aonaigh, Sráid Rossa, Durlas. Fón: (067) 34181	An dara Máirt de gach mí	Tiobraid Árann
Ionad Eolais do Shaoránaigh, 14 Sráid Wellington, Cluain Meala. Fón: (052) 22267	An chéad, an dara & an tríú Luan de gach mí	Tiobraid Árann
AN IARMHÍ An tIonad Fiontraíochta, Sráid Gheata an Easpaig, An Muileann gCearr Fón: (0902) 74694	An Aoine dheireanach de gach mí	An Iarmhí

AGUISÍN 4 - TÁSTÁIL ACMHAINNE

Tá na critéir a bhaineann le measúnú ar incháilitheacht airgeadais le fáil in Alt 29 den Acht um Chúnamm Dlíthiúil Sibhialta, 1995 agus in Alt 5 de na Rialacháin um Chúnamm Dlíthiúil Sibhialta, 1996, mar atá leasaithe ag na Rialacháin um Chúnamm Dlíthiúil Sibhialta, 2002. Tháinig feidhm leis na figiúirí atá léirithe thíos ar an Iú Feabhra, 2002.

Incháilitheacht Ioncaim

Incháilitheacht Ioncaim de €13,000 sa bhliain d'ioncam indiúscartha atá i bhfeidhm faoi láthair. Ioncam indiúscartha is ea an t-ioncam a bhíonn fágtha tar éis asbhaintí éagsúla i dtaca le cleithiúnaithe, costais chóiríochta, cáin ioncaim, árachas sóisialta, srl.

Ranníocaíocht Ioncaim

Muna mbíonn ioncam indiúscartha duine os cionn €8,300 sa bhliain ní mór dó/di ranníocaíocht de €6 a íoc ar chomhairle dhlíthiúil agus €35 ar chúnamm dlíthiúil.

Má bhíonn an t-ioncam indiúscartha os cionn €8,300 sa bhliain, ní mór do dhuine ranníocaíocht níos mó a íoc suas go dtí uasmhéid de €1,210. I gcásanna den sórt sin ríomhtar an ranníocaíocht mar seo a leanas: -

Comhairle dhlíthiúil -

aon deichiú cuid den difríocht idir an t-ioncam indiúscartha agus €8,300, faoi réir íosmhéid ranníocaíochta de €6 agus uasmhéid de €100;

Cúnamm dlíthiúil -

€35 móide aon cheathrú cuid den difríocht idir an t-ioncam indiúscartha agus €8,300.

Caipiteal

Má bhíonn gá dul chun cúirte, cuirtear san áireamh freisin na hacmhainní caipitil atá ag an iarratasóir (m.sh., teach, talamh, airgead sa bhanc, carr) agus d'fhéadfadh ranníocaíocht chaipitil a bheith i gceist. Ní bhíonn ranníocaíochtaí caipitil i gceist ach i gcásanna annamha, áfach.

Liúntais Reatha in aghaidh ioncaim

Seo a leanas na huasliúntais a cheadaítear chun ioncam indiúscartha iarratasóirí a ríomh do sheirbhísí dlíthiúla :-

Liúntais:	€
Céile an iarratasóra	1,900
Cleithiúnaí Linbh	1,100
Costais chóiríochta	4,900
Costais chúraim leanaí	1,100
Cáin ioncaim	An t-iomlán
Árachas sóisialta	An t-iomlán
Íocaíochtaí Ex Gratia	1,040

Samplaí den bhealach a Oibríonn an Tástáil Acmhainne

Seo roinnt samplaí de chásanna inar oibríodh an tástáil acmhainne i leith daoine a bhí pósta agus cleithiúnaithe orthu mar aon le eisíocaíochtaí áirithe.

Duine Pósta le beirt leanaí ar ollioncam de €18,067 agus gan an céile a bheith ina c(h)leithiúnaí.

	€
Income	18,067
Lúide liúntais:	€
2 leanaí	2,200
P.R.S.I.	762
Cáin Ioncaim	917
Costais Chóiríochta	4,900
	<u>8,779</u>
Ioncam indiúscartha	9,288
Ranníocaíocht :€282	

Single Person with four children on a gross income of €13,565 and Lone Parent Allowance of €10,192.

Ioncam		€	23,757
Ioncam:	€		
4 leanaí	4,400		
Cúram leanaí	1,040		
Costais Choiríochta	3,840		
P.R.S.I.	746		
P.A.Y.E.	<u>1,147</u>		<u>11,173</u>
Ioncam indiúscartha			12,584
Ranníocaíocht : €1,106			

Duine pósta le leanbh amháin ar ollioncam de €17,620 i gcás is nach bhfuil an céile ina c(h)leithiúnaí.

Ioncam		€	17,620
Lúide Liúntas :	€		
1 leanbh	1,100		
Costais Choiríochta	4,900		
P.R.S.I.	458		
P.A.Y.E.	<u>1,389</u>		<u>7,847</u>
Ollioncam indiúscartha			9,773
Ranníocaíocht : €403			

Duine singil le triúr leanaí ar ollioncam de €11,458 agus Liúntas Tuismitheora Aonair de €7,108.

Ioncam		€	18,566
Lúide liúntas	€		
3 leanaí	3,300		
Costais Choiríochta	4,900		
Cúram leanaí	<u>2,200</u>		<u>10,400</u>
Ollioncam indiúscartha			8,166
Ranníocaíocht : €35			

AGUISÍN 5

**BILEOGA EOLAIS ATÁ AR FÁIL IN
IONAID DLÍ AN BHOIRD AGUS AR
LÁITHREÁN GRÉASÁIN AN BHOIRD AG
www.legalaidboard.ie:**

Bileog Uimh. 1	Cúnamh Dlíthiúil Sibhialta
Bileog Uimh. 2	An Dlí Teaghlaigh – Ginearálta
Bileog Uimh. 3	Idirscaradh
Bileog Uimh. 4	Colscaradh
Bileog Uimh. 5	Neamhniú
Bileog Uimh. 6	Cothabháil
Bileog Uimh. 7	Foréigean Teaghlaigh
Bileog Uimh. 8	Leanaí agus an Dlí Teaghlaigh
Bileog Uimh. 9	Uachtanna agus Oidhreacht

