**Meeting of External Consultative Panel**

**11th April 2024**

**Via Zoom Video Conference**

Attendance:

Joan Crawford, CEO, Legal Aid Board

Nuala Egan, Chairperson, Legal Aid Board

Emily Sherlock, Director of Internal Service Delivery (Civil), Legal Aid Board

Catherine Fahy, Regional Manager, Legal Aid Board

Ronan Deegan, Assistant Director, Legal Aid Board

David Gray, Regional Manager, Legal Aid Board

Claire Castinel. Managing Solicitor, Legal Aid Board

Barbara Egan, Managing Solicitor, Legal Aid Board

Eleanor Leane, HEO, Legal Aid Board

Kevin Rogers, Secretary to the Panel, Legal Aid Board

Pamela Benson, Child and Family Agency

Jacinta Brack, Irish Traveller Movement

Joanne Condon, National Advocacy Service for People with Disabilities

Caroline Couhinan, Safe Ireland

Paul Dornan, Ballymun Community Law Centre

Síun Hurley, Law Society/O’Donovan Solicitors

Karen Kiernan, One Family

Katie Mannion, Irish Refugee Council

Donna Parau, RCNI

Cormac Quinlan, Tusla

Niall Quinn, Council of the Bar of Ireland

Gayle Smith, Treoir

Eavan Ward, Women’s Aid

Samantha Williams, Traveller Education Justice Project – UCC

Kate Heffernan, Mercy Law

Rose Wall, Community Law and Mediation

Apologies:

Mary Condell, Sage Advocacy

Margaret Gallagher, Children’s Rights Alliance

Monica Hynds, Barnardos

Dr. Amie Lajoie, MABS

Andrea McDermott, Men’s Aid

Geralyn McGarry, Citizens Information Board

Orla O’Connor, National Women’s Council of Ireland

Marcella Stakem, SVP

Joan O’Mahony, Law Society and O’Mahony’s Solicitors

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Item for discussion | Person responsible | Discussions | Actions/Decisions |
| 1. | Membership update of the External Consultative Panel | ES/LAB | ES/LAB: All attendees were welcomed to the meeting including our Chairperson, Nuala Egan. Each attendee then introduced themselves individually and the meeting commenced. |  |
| 2. | Draft minutes of meeting of 30th November 2023 and matters arising | ES/Secretary | ES/LAB: Invited members to approve the draft minutes of the meeting of the 30th November 2023 and noted that the minutes would be regarded as approved unless any member reverted to the Secretary within 7 days of today’s meeting. The minutes will then be published on the LAB website. | Action: Minutes to be published on LAB website once approved. |
| 3. | Sub Group on domestic violence | CF/LAB | CF/LAB: Noted that the Legal Aid Board (LAB) had a sub group dealing with domestic violence and outlined why the sub group was originally set up and the purpose of this sub group. CF noted that Cuan, a statutory agency under the remit of the Department of Justice has recently been established and they are the overall organisation that will have the responsibility for domestic violence matters. A meeting will be arranged between Cuan and the LAB and it’s felt if we both work in conjunction it will be a more efficient way to address any issues.  JC/LAB: We have been invited to a meeting with Cuan to be scheduled in due course and are delighted to do so as this is such an important topic. Once the meeting has taken place with Cuan we will be in a better position to inform the sub group of our views and together we can decide if we keep the sub group going or if we have it as a stand-alone item on the ECP agenda. CF will be in contact with all members of the sub group after the meeting with Cuan has taken place regarding this. We are hoping to invite Cuan to future ECP meetings.  CC/Safe Ireland: Had the opportunity to take a straw poll of some of their own members around their experiences of supporting women who are survivors of domestic violence through various legal processes and very often engaging with the LAB and noted how people went out of their way to share their experiences with the LAB and how the LAB staff have gone above and beyond to make sure applications are processed in time. CC also mentioned the problems that still exist which are completely beyond the power of the LAB, mainly the low threshold for access to legal aid and the difficulty in finding enough private practitioners (PPs) due to the level of fees paid. It was suggested that perhaps the LAB could give more Circuit Court work to the PP’s which would free up LAB solicitors to do more family law work, specifically domestic violence work in the District Court.  ES/LAB: We are fully aware of the concerns in relation to the threshold and the lack of PP’s and we are constantly working to address those issues. It’s great to hear all the positive comments in relation to the staff members. We are currently rolling out trauma informed practice training to all staff throughout the network and have had extremely positive feedback in relation to that training. We do have a panel for Circuit Court PP’s and this is a budget that has to be managed very carefully and therefor it may not be as widely spread as the District Court PP panel.  JC/LAB: Every time we meet with the Department of Justice, we are consistently looking for an increase in the PP fees and also the threshold. We are hoping the issue for meeting the threshold for legal aid will be in one of the recommendations that come from the Civil Legal Aid review but as of yet we have not received a positive response from the Department of Justice. | Action: Meeting to take place with Cuan and decision then to be made on our Sub Group on domestic violence.  Action: Cuan to be invited to the next ECP meeting. |
| 4. | Update on service delivery issues (combined with Tour de Table) to include:   * International Protection; * Abhaile related services; * The Assisted Decision Making Act (as amended) * Family mediation services * Initiative to better support the legal needs of Travellers * General legal services; |  | BE/LAB: Notes everyone will be well aware of the challenges involving International Protection at the moment. Smithfield Law Centre received 8,054 applications for International Protection last year and just shy of 3,000 applications this year to date. It is predicted there will be over 10,000 applications received this year to the Smithfield Law Centre. This would be approximately a 25% increase on the number of applications received in 2023 were we received an increase of 56% on the number of applications received in 2022. It was noted in 2019 there were 1,948 applications received and with a projected number of applications to be over 10,000 this year it really shows the challenges the unit face. Our staff are working diligently but there are backlogs due to the increase in demand and the shorter timelines we are receiving from the IPO. Our Solicitor full time equivalent is 7.8 at the moment and therefore we are hugely reliant on our PPs, where we have roughly 40/50 PPs, and the majority of cases are being referred to them under our Private Practitioner Scheme. Some cases are also being referred to BLs under our BL Sub Panel. A 5-day training course commencing tomorrow for PPs will be taking place in conjunction with the UNHCR and we are very pleased with the uptake we have got for that. Just over 40 solicitors have applied to come on board and we have also opened it up to existing panel members, our own staff and BLs. Altogether we will have roughly 120 people attending the training course. We also provide a service through our offices in Co. Cork and Co. Galway and a presentation was recently made to our Statutory Board in relation to the issues identified by all 3 offices.  It was noted that Human Trafficking is an advice only service generally provided by BE and we are constantly keeping this service under review but this unit is numerically small compared to the demand for International Protection services  RD/LAB: In terms of Abhaile, the LAB operates 3 parts of what is a larger scheme to deal with the impact of mortgage arrears and help insolvent people who may be facing possession proceedings in relation to their home. RD then explained the 3 parts of the scheme the LAB deal with (Voucher Scheme, Duty Solicitor Service and Legal Aid for proceedings under section 115A of the Personal Insolvency Act 2012) and noted there have been 119 vouchers issued year to date which is approximately a 20% decrease in vouchers issued at the same time in 2023 and it was noted that generally only about 50% of these present for payment. RD then noted that we have had Duty Solicitors at 150 court sittings in Q1 of 2024 which is roughly the same as what we had in Q1 of 2023. 95 Legal aid certificates have been granted regarding Legal Aid for proceedings under section 115A of the Personal Insolvency Act 2012 year to date which is a 63% increase from the 58 legal aid certificates granted at the same time in 2023 which is an interesting trend we will be keeping an eye on. The Abhaile scheme was originally put in place for 3 years from 2016 to 2019 and has been extended on a number occasions and has again been extended until 2027.  EL/LAB: Noted the total number of ADMCA applications for legal services received is 391 with 214 of these applications received in the first 3 months of this year which is approximately 55% of our total applications to date. EL then outlined the types of applications received (Part 5, Part 6, Decision Making Assistance Agreements and Co-Decision Making Agreements, Enduring Powers of Attorney and Advance Healthcare Directives) and broke down how many legal aid certs have been granted, how many cases have been referred to a private practitioner and how many cases are been dealt with in-house. It was noted that our Ballymun Law Centre has dealt with just under 50% of our Part 5 applications. Presentations have been made on 6 occasions to the Wards of Court Office staff and to Committees and families of Wards on the LAB, the legal aid application process and the eligibility for wards and committees applying on behalf of wards. One of these presentations was recorded and is available to view on the Courts Service website. We have also had engagement with the National Disability Authority regarding the research and work they are doing on Discharge from Wardship. Detailed information has been put on our website regarding the different case types under the Act, the criteria applying for legal aid in those cases and in respect of the different categories of applicants, where different criteria apply in different instances. We have engaged with the HSE, met with social workers and members of the National Office for Human Rights and Equality Policy and we have contributed an article with information to assist HSE staff with the Spring Newsletter of the National Office for Human Rights and Equality Policy. A leaflet has also been prepared for distribution in court in Part 5 cases regarding legal aid for relevant persons. It was noted that the LAB has joined the Interdepartmental Group for ADMCA and our internal Focus Group are continuing to meet and discuss service delivery in this area with training to be arranged in the coming months.  DG/LAB: General update on Family mediation services was provided and it was noted that across the Board our waiting lists have been reduced to an average waiting time of 11 weeks across the country. This time last year our average waiting time was roughly 15 weeks. We have recently launched our Call Back facility which has resulted in a significant uptake in the number of enquiries which are being dealt with by 4 of our clerical officers. DG then explained how the Call Back facility works. We are in the latter stages of filling 3 outstanding positions in the unit and are very hopeful we will have these positions filled soon. We continue our engagement with the Department of Justice on the Mediation Council and our Director Fiona McAuslan is very active on that front. DG also noted that our Blanchardstown mediation office has now moved to our new Ballymun office that will be formally launched sometime next month.  CC/LAB: Notes that we are into the third year of providing this service and are gradually helping more and more people. We currently have 52 open cases and hope that this increases significantly in the future. CC discussed the different case types that we can take on and noted in some cases we don’t have the ability to act for potential clients but we do provide a legal advice service to anybody who passes the financial threshold. CC encouraged everybody to apply for legal aid even if they are unsure if the case can be taken on. Once the application is made, we can then assess it and decide if we can take on the case. If we can’t, we are currently building a network of key partners and organisations who work with travellers and could possibly refer them to one of these. CC then explained how the application process works and noted we now have our own specific place on the LAB website and we cover the entire county with approximately 80% of our cases are of clients located outside of Dublin. There is currently no waiting list in the unit and we have the ability to deal with cases quite quickly. Although the unit is quite small with only one solicitor and one clerical officer, we have the help of solicitors within other law centres and BLs when needed. Our Unit is now based in our new Ballymun office and we are hoping to launch the service here sometime in June or July.  ES/LAB: It’s been a really busy time in the LAB. Our Ballymun Law Centre opened on 19th February 2024. We have never had an office in Ballymun and we felt that it’s extremely important that we had a presence there as it’s such a large community. We are hoping to engage with stakeholders, NGO’s and other organisations already in the area and form relationships with them. A lot of our Assisted Decision Making work is taking place out of our Ballymun office. We also provide a general legal service where we have 4 solicitors and we are dealing with a very large number of cases already. We have also moved our Minceir/Traveller Legal Support Service to our Ballymun office. A formal launch of our Ballymun office will be taking place on May 29th 2024 with a separate launch to take place regarding the Minceir/Traveller Legal Support Service. Applications for legal services increased from 21,653 in 2022 to 24,588 in 2023 which is just under a 3,000 increase. There were 6188 1st consultations in 2023 which was a 15% increase on 2022 numbers. We are facing a lot of challenges with our Assisted Decision Making and International Protection and we are continuing to address these challenges. Our waiting times throughout the network have remained very stable over the last year with an average of 17 weeks and we are working very hard to try and reduce these. A lot of our waiting times have been affected by staffing issues but all priority cases are dealt with on an immediate bases when possible.  RW/CLM: Is there any focus group or outreach/ partnership work being done in relation to the Traveller Legal Support Service? In relation to International Protection, what level of legal aid support is available to unaccompanied minors and various stages of their asylum application?  BE/LAB: Our solicitors are available to unaccompanied minors throughout the process and we are working closely with Tusla regarding this. We have certain solicitors who specialise in working with the unaccompanied minors.  CC/LAB: Our move to the Ballymun office took up a lot of our time and as we were understaffed our priority was to act on clients’ cases but I will be trying to contact all the relevant traveller organisations to make sure they are aware of our service and where we are now based.  KM/IRC: Has there been any success in trying to postpone interviews for homeless International Protection applicants  BE/LAB: We are very aware of the issue of homeless applicants. As so many of our cases are referred to private practitioners our primary goal is to make sure we have up to date contact information. I am unsure how many of our homeless applicants have been allocated to our in-house solicitors and that would be the only area I would have access to information regarding their interviews but I don’t believe we have had much success but I can revert if I get specific information from colleagues.  JC/LAB: I have been in contact with the Department on a number of occasions to see if they would agree to stretch out the interview times. At the time it wasn’t specifically to do with the homeless applicants but it wasn’t a positive response received to that ask. It is something I will continue to raise.  PD/ BCLC: Ballymun Law Centre welcomed ourselves from the Ballymun Community Law Centre a number of weeks ago and the facilities are fantastic and we will look forward to the official launch and continued collaboration.  JC/LAB: The Ballymun Law Centre is a really important project for us and its where we should be and where we need to be. We are doing a huge amount of community outreach to community groups and local organisations from all of our Law Centres and this is increasing month by month. If you need or want any presentation by us or if we can assist in any way you can contact our Civil Operations unit through KR and we will be more than happy to help particularly in respect of The Assisted Decision Making Act which we will be doing a communication piece on this legislation so everyone will know about this and how we can help them. Our new Statement of Strategy 2024 – 2026 has just been approved by the Minister and will be launched shortly.  JB/ITM: Welcome what has been said by JC in relation to the community engagement the LAB are involved with at the moment and asked if a list could be provided of what engagements have taken place.  RW/CLM: We will be linking in and talking with the LAB about the services provided and are in a position to help in relation to engaging with particular groups or organisations and promoting the service of LAB. | Action: List of engagements between community groups and local organisations to be sent to panel members |
| 8. | AOB |  |  |  |
| 9. | Date of next meeting. |  | Date of next meeting to be circulated to the panel members once agreed. | CEO/Secretary |