**Meeting of Consultative Panel**

**21st March, 2018**

**Legal Aid Board, Training Room, 1st Floor, Montague Court, Dublin 2.**

Attendance:

The following attended the meeting:

Mr John McDaid, Chief Executive, Chair of the Panel

Ms Fiona McAuslan, Director of Family Mediation Services

Ms Susan Shanahan, Citizens Information Board

Ms Shirley Coulter, Council of the Bar of Ireland

Mr Joseph O’Sullivan, Council of Bar of Ireland

Ms Annmarie O’Connor, MABS

Ms Joan O’Mahony, Law Society

Mr Brian Collins, Irish Refugee Council

Ms Stephanie Lord, FLAC

Ms Andrea McDermott, AMEN

Mr Noel Gorman, Legal Aid Board, Secretary

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|  | Item for discussion | Person responsible | Discussions | Actions/Decisions |
| 1 | Minutes of meeting of 14th November and matters arising | CEO  Secretary | Matters arising from the previous minutes were discussed.  There were no suggested changes to the draft minutes circulated from the previous Panel meeting in November. Minutes were agreed and will be posted to the Board’s website in compliance with the Lobbying Act. | Secretary |
| 2 | Service Delivery update | CEO | Mr McDaid introduced Ms McAuslan to Panel members as the Director of Family Mediation Services.  Ms McAuslan outlined the developments in the Mediation Service since her appointment last November, which includes the piloting of group mediation information sessions in Cork.  The number of applicants awaiting services on 1st March 2018 was 1,800. The fact that such a number is required to wait for services is always a concern for the Board and the Board retains a very active interest in trying to ensure that waiting times are reduced and that the number waiting for services moves downwards.  A draft copy of the Board’s Corporate Plan 2018-2020 is currently with the Minister for his views.  The number of cases referred to Private Practitioners under the District Court family law scheme in 2017 was 6,000, increasing from 5,200 in the year before. The pilot solicitors’ panel for child care matters in the District Court continues in Dublin, Wexford and Donegal. This pilot will be internally reviewed in the near future.  Mr McDaid said that there were problems in recruiting solicitors, particularly in Dublin, which will potentially lead to more cases being referred to private solicitors.  Panel members were informed that the necessary legislation to transfer the administration of the Criminal Legal Aid Scheme has not moved significantly forward.  It is anticipated that Regulations on the Children and Family Relationships Act 2015 will be published shortly. It is hoped that the Regulation will define who an expert is for the purpose of the ‘voice of the child’ and provide some clarity on a fee structure for experts.  Ms McAuslan confirmed that mediators will not have a role under this Act as they are unlikely to be prescribed as ‘experts’.  Panel members contributed to a discussion about the General Data Protection Regulation (GDPR) that will come into effect in May. Training, system protocols, encryption and conflict with internal guidelines about the length of time that data can be retained were among issues discussed.    Ms O’Mahony informed Panel members that the Law Society is reviewing the take-up of solicitors who register to receive work under Private Practitioner Schemes.  The Board made a submission to the Dept. of Children and Youth Affairs on the Child Care (Amendment) Bill 2018. Work on this Bill is expected to be finalised in 2018.  A discussion took place about the manner in which waiting lists are assessed and reported. Ms O’Connor expressed her concern on the impact of ‘no shows’, a matter which Ms McAuslan said was also an issue for the Mediation Service.  Staff associated with the Kilkenny Project recently met with local MABS and CIB representatives. This was with a view to developing relationships among service providers and also conducting an ‘open day’ of service providers. | Mr McDaid and Ms O’Mahony to liaise on the definition of an expert  Mr McDaid and Ms Coulter to discuss GDPR compliance relating to Cloud, IT, laptops, phone usage etc. Ms Coulter to forward a link re overview of GDPR |
| 3 | Abhaile update |  | Mr McDaid confirmed that the Board is engaged with both of the Departments involved and with other agencies regarding the review of the Abhaile Scheme. An interim report in relation to the Scheme is being prepared.  Mr McDaid and Ms O’Connor provided background to the Scheme and informed Panel members about current issues.  Ms Shanahan said that a number of dedicated mortgage arrears advisors were now out of contract which would require consideration on foot of an internal review of the scheme. In response to a question from Ms Lord about a review, Ms Shanahan anticipated that the review would pay particular attention to the operational process rather than outcomes. |  |
| 4 | International Protection update |  | The number of applications for legal services in connection with International Protection, which was 140 applications at the 1st March 2018, is similar to the number of applications for the same period last year.  Mr Collins said that the current waiting time for asylum interviews for new applications is between 12 and 18 months. |  |
| **5** | Membership of the External Consultative Panel |  | Invitations were extended to Pavee Point and the National Disability Authority to nominate a representative to become a member of the Panel. | Secretary to issue an invitation to Justrom |
| 6 | Tour de Table |  | Mr Collins provided an update on recent staff recruitment in the Refugee Council. Client accommodation and delays in the Single Procedure process are among issues of concern.  Ms Lord confirmed that FLAC made submissions to the Review of the Administration of Civil Justice and to the Law Reform Commission. A brief discussion took place about the Board’s waiver guidelines for client contributions.  Ms Coulter confirmed that the Bar of Ireland made a submission to the Review of the Administration of Civil Justice. The Bar also made a recent submission to the Board about the terms and conditions for the retention of barristers on the Boards barristers’ panel.  Ms McDermott said that she was aware of two instances where clients were asked to make a contribution in domestic violence cases.  Access to a solicitor before a court date, waiting times for clients seeking to contact a solicitor or awaiting a response from a solicitor, and language issues were among other issues identified as a cause for concern.  Ms McDermott said that she has received feedback from clients about the lack of clarity in the wording and court directions in Court Orders, particularly in cases where the client is back in court soon after the Court Order.  Ms O’Connor highlighted MABS involvement with the National Safeguarding Committee, which is a public awareness campaign to improve the safeguarding of vulnerable adults. Ms O’Connor confirmed that MABS made a submission to the Central Bank on the Consumer Protection Code.  Ms O’ Mahony confirmed that she recently completed a series of seven seminars about domestic violence hosted by seven European countries. She is currently working with Caroline Counihan of Safe Ireland on a joint project about domestic violence.  Ms Shanahan informed Panel members that information about the Housing Assistance Payment (HAP) is available on the Citizens Information website. | Secretary to provide details about waiver guidelines to Ms Lord  Ms McDermott to provide details to the Secretary |
| 7 | AOB |  | No other business matters arose. |  |
| 8 | Date of next meeting |  | The next meeting of the Panel will take place in the Board’s offices in Jervis House on Thursday, 19th July @10.00. |  |