

# **LEGAL AID BOARD**



## **GUIDE TO THE FUNCTIONS AND RECORDS OF THE BOARD**

**FREEDOM OF INFORMATION ACTS, 1997 & 2003**

**SECTION 15 MANUAL**

July 2007 Edition

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## **1. INTRODUCTION**

The Freedom of Information Acts 1997 & 2003 ('the FOI Act'), assert the right of members of the public to obtain access to official information to the greatest extent possible, consistent with the public interest and the right to privacy of individuals.

This manual is prepared in accordance with publication requirements set out in section 15 of the FOI Act. In brief, this section of the FOI Act requires public bodies to set out a general description of its organisation, structure, functions, powers and duties; the services it provides; the records it holds; a general description of the rules, practices and procedures it uses, and its arrangements under FOI. Section 16 of the FOI Act requires public bodies to produce a guide to the rules, practices, procedures, guidelines and interpretations used in providing services.

### **1.1 Routinely Available Information**

The Legal Aid Board currently makes information routinely available to the public in relation to its functions, activities and schemes. Such information is available informally without the need to use the FOI Act. This manual highlights, in relation to each of the Board's activities, where information of this nature is available. In part 5 of the manual, each section of the Board is described along with the information routinely provided by that section.

The FOI Act is designed to allow public access to information held by public bodies which is NOT routinely available through other sources. Access to information under FOI is subject to certain exemptions and involves specific procedures and time limits. The manual also provides a guide to the structure of the Board so as to help you access information under the FOI Act.

## **2. FUNCTIONS OF THE BOARD**

The Legal Aid Board provides civil legal aid and advice in accordance with the terms of the Civil Legal Aid Act, 1995, ('the Act') and Regulations made under the Act. Legal aid and legal advice are provided in civil cases to persons who satisfy the financial eligibility and merits test set out in the Act and Regulations. Under the terms of the Act, the Board is precluded from providing legal aid or advice on certain designated matters, but persons should check with their local law centre if they consider that a matter may be excluded from the scope of legal aid or advice. The Act also provides for the dissemination of information by the Board in relation to its services and their availability.

In brief, **legal advice** is any oral or written advice given by a solicitor or barrister, including writing letters and negotiation.

**Legal aid** is representation by a solicitor or barrister in court proceedings in the District, Circuit, High and Supreme Courts. Legal aid is not available for the conduct of proceedings before an administrative tribunal, except for appeals to the Refugee Appeals Tribunal. Legal advice and assistance may be provided, however, to persons involved in proceedings before a tribunal.

Legal aid and advice are provided, in the main, through law centres by solicitors in the full-time employment of the Board. The Board operates 33 full-time law centres (see appendix) including 3 dedicated to the Refugee Legal Service (RLS), which provides independent legal advice and assistance to asylum seekers at all stages of the asylum process. The Board also has a dedicated unit dealing with alleged cases of medical negligence.

The services of barristers are retained in certain cases in accordance with the terms of an agreement between the Bar Council and the Board.

The Board also operates a complementary Private Practitioner Service, which involves the use of solicitors in private practice providing services on behalf of the Board on a fee-per-case basis. This Service operates for certain family law matters in the District Court (such as domestic violence, maintenance and custody/access cases); for divorce and judicial separation cases in the Circuit Court; and for asylum appeals before the Refugee Appeals Tribunal.

In addition, the Board operates a specialised Refugee Documentation Centre (RDC) to provide a library and research service for all bodies involved in the asylum process.

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, specific funding from the Oireachtas for the Refugee Legal Service, as well as other income including contributions from legally-aided persons and costs recovered by the Board.

## **2.1 Summary of Rules, Procedures, Practices and Interpretations Used**

The Board has also published a manual in accordance with section 16 of the FOI Act. The purpose of the section 16 manual is to provide information on the rules, procedures, practices, guidelines and interpretations used by the Board for the purposes of implementing the Civil Legal Aid Act, 1995. It also sets out how the Board administers its services on foot of the Act. What follows is a brief summary of the material contained in the section 16 manual.

### **2.1.1 Legal aid and advice**

#### ***Legal advice***

A person, who wishes to seek legal advice in relation to any matter, must apply in writing to a law centre. A copy of the application form (form LAA3) is available from law centres or may be downloaded from the Board's website [www.legalaidboard.ie](http://www.legalaidboard.ie). The application form must be completed fully and submitted to the law centre before it will be processed by the Board.

Legal advice is available in relation to most civil matters. It is a matter of law as to whether or not a particular matter comes within the scope of the Act. For that reason, law centres will provide further information about the services available from the Board.

#### ***Legal aid***

A person, who wishes to seek legal aid in relation to any matter, must apply in writing to a law centre. The form used is the same as that for legal advice. A copy of the application form is available from law centres or may be downloaded from the Board's website [www.legalaidboard.ie](http://www.legalaidboard.ie). The application form must be completed fully and submitted to the law centre before it will be processed by the Board.

Legal aid is not granted automatically. The Board must consider if it is reasonable to grant legal aid. This procedure is called the merits test. This test is applied to each individual case. The criteria for the merits test are set down in the Act, and include such matters as the applicant's prospects of success in the proceedings, and whether the cost of providing legal services outweighs the benefit to the person. If the Board considers that it is reasonable to grant legal aid, a legal aid certificate will be issued authorising legal representation in the case.

Solicitors employed by the Board in its law centres provide legal aid. In certain family law and asylum cases, solicitors in private practice who are contracted by the Board and placed on a panel for this purpose may provide legal aid.

Legal aid is available in relation to most civil matters. A limited number of matters are excluded from the scope of civil legal aid under the provisions of the Civil Legal Aid Act, 1995. Any person who wants additional information or clarification as to whether or not a particular matter is excluded should consult with a solicitor in the nearest law centre. The question as to whether or not a matter is included within the scope of the Act is a matter of law and the law centre is in a position to advise by reference to the particular facts of the case.

### ***Evaluating applications – criteria used***

Each application is evaluated on its merits by reference to the specific statutory provisions in the Act and Regulations.

### ***Appeals against refusal of legal services***

A person who is refused legal aid or is unhappy with any decision of the Board may have that refusal/decision reviewed, if he or she is able to produce more information that assists his/her case.

A person may appeal any refusal/decision to an appeal committee of the Board, which will consider the original decision and all the papers about the case and decide whether or not to allow the appeal.

## **2.1.2 Refugee Legal Service**

The Refugee Legal Service (RLS) is a specialised law centre established by the Legal Aid Board to provide confidential and independent legal services to persons applying for asylum in Ireland. Legal aid and advice is also provided on immigration and deportation matters. The same rules and procedures as contained in the Act and Regulations apply to asylum cases as they do to other civil law cases. The RLS provides its services from locations in Dublin, Cork and Galway.

The RLS provides a service to asylum seekers at all stages of the asylum process. A person applying for asylum in Ireland can obtain legal advice and assistance from the RLS to assist with the application. A person may register with the RLS at any stage of the asylum process, though it is strongly recommended that persons should apply for legal services at the earliest stage of the asylum process. The services available from the RLS include the following:

- Initial application for asylum
- Appeal stage of asylum process
- Immigration matters
- Leave to remain stage, and
- Subsidiary protection.

### **2.1.3 Refugee Documentation Centre**

The role of the Refugee Documentation Centre is to:

- provide a research and query service for all organisations involved in the asylum process
- build and maintain a collection of objective and up to date country of origin information (COI), asylum, immigration, legal and human rights documentation for general access
- provide training on country of origin information research
- undertake other research activities and provide a lending and research library service, and
- cooperate with similar agencies elsewhere to enhance knowledge of the country of origin research area.

Members of the public and other agencies may also use the Documentation Centre to conduct their own research. The query service is not available to them. Members of the public may consult the RDC library but may not borrow materials. Photocopying facilities are available and a note of the applicable copyright regulations is publicly displayed in the photocopying area. An acceptable usage policy document must be signed by any visitor wishing to access the Internet on the RDC standalone internet PC.

### **3. STRUCTURE AND ORGANISATION**

The Legal Aid Board employs 384 staff located in the Board's law centres and head office. The structure and organisation of the Board is set out below. Details of the organisation and functions of a law centre and each section of head office together with information on the services provided and the classes of records held are set out in part 5 of this manual.



#### **3.1 Board Members**

The Board is appointed by the Minister for Justice, Equality and Law Reform. The current Board was appointed in December 2006, as follows:

Ms Anne Colley (Chairperson - solicitor), Mr David Barniville SC, Dr Michael Buckley, Mr Bob Browne, (Department of Justice, Equality and Law Reform), Ms Dara Foynes BL, Ms Kate Hayes, Ms Niamh Moran\* (Solicitor), Ms Breege Leonard (Dept of Social and Family Affairs), Mr Jerry O'Connor (Solicitor), Mr Jim O'Farrell (Dept of Finance), Mr Eamonn Purcell (Staff), Mr Fergal Rooney (Solicitor – Staff), Ms Noirin Slattery. \*Replaced Mr John Lindsay in July 2007 following the latter's appointment as a District Court Judge.

## **4. HOW TO GET INFORMATION**

### **4.1 Applications for Routinely Available Information**

The main ways of accessing information about the Legal Aid Board and the services it provides are as follows:

- i. Contacting a law centre and obtaining one of the leaflets published by the Board. A list of law centres is included in the appendix.
- ii. Writing or telephoning with a request for information to the relevant section of the Board, as described in part 5 of this manual, and
- iii. Accessing information via the Board's website, [www.legalaidboard.ie](http://www.legalaidboard.ie). Copies of the Board's information leaflets and other publications such as annual reports, corporate plans etc. can be accessed via the website.

### **4.2 Applications under the Freedom of Information Act**

Under the FOI Act anyone is entitled to apply for access to information not otherwise publicly available. The FOI Act provides that every person has the following legal rights:

- The right to access official records held by Government Departments or other public bodies listed in the FOI Act.
- The right to have personal information held on them corrected or updated where such information is incomplete, incorrect or misleading, and
- The right to be given reasons for decisions taken by public bodies that affect them.

Regulations provide parents, guardians and next-of-kin with the personal information rights cited above.

The following records come within the scope of the Act:

- All records relating to personal information held by the Board irrespective of when created.
- All other records created from commencement date of the FOI Act i.e. 21 April 1998.
- Any other records necessary to the understanding of a current record, and
- Personnel records of serving staff created from 21<sup>st</sup> April, 1995 and those created prior to that date where such records are being used or proposed to be used in a way which adversely affects or may affect the person involved.

A request to the Legal Aid Board under the Freedom of Information Act must be sent to the Board's Freedom of Information Officer. The contact details are provided below.

When you make a request you must:

- submit the request in writing along with the appropriate fee, if applicable (see separate section on fees)
- specify that the request is being made under the Freedom of Information Act, and
- be clear enough so that the Board understands what records are being requested.

In cases where it is not clear what records are being sought in an FOI request, the Board will ask the applicant to put the request in such a way that the records being sought can be identified.

In general, the Board is required to make an initial decision on an FOI request within 4 weeks of receipt of the application. This decision may be to grant a request in full, to grant a request in part or to refuse a request. Under the FOI Act, a non-reply after 4 weeks is deemed to be a refusal.

***Freedom of Information Officer:***

Mr. Colm O'Connor  
Freedom of Information Officer  
Legal Aid Board  
Quay Street  
Cahirciveen  
Co. Kerry.  
Tel: (066) 9471000 or LoCall 1890 615 200  
Fax: (066) 9471035  
E-Mail: [cmoconnor@legalaidboard.ie](mailto:cmoconnor@legalaidboard.ie)

**4.2.1 Rights of Review and Appeal**

The FOI Act sets out a series of exemptions to protect sensitive information where its disclosure may damage key interests of the State or of third parties. Where the Board invokes these provisions to withhold information, the decision may be appealed. Decisions in relation to deferral of access, charges, forms of access, etc. may also be the subject of appeal. Details of the appeals mechanisms are as follows:

***Internal review***

An internal review of the initial decision may be sought which will be carried out by an official at a higher level if:

- i. a person is dissatisfied with the initial response received i.e. refusal of information, form of access, charges, etc., or
- ii. a person has not received a reply within 4 weeks of the initial application. This is deemed to be a refusal of a request and allows a person to proceed to internal review.

Requests for internal review should be submitted to the Board's Freedom of Information Officer (see details above).

Such a request for internal review must be submitted within 4 weeks of the initial decision. The Board must complete the review within 3 weeks. Internal review must normally be completed before an appeal may be made to the Information Commissioner.

### ***Appeal to the Information Commissioner***

Following completion of internal review, an independent review of the decision may be sought from the Information Commissioner. Also if an application for internal review is not replied to within 3 weeks, this is deemed to be a refusal and the matter can be appealed to the Information Commissioner. Appeals in writing may be made directly to the Information Commissioner at the following address:

Office of the Information Commissioner  
18 Lower Leeson Street  
Dublin 2  
Tel: (01) 6395689 or Lo call 1890 223030  
Fax: (01) 6395674 or (01) 6395676  
Email: info@oic.ie

### **4.2.2 Fees**

Fees for the provision of information under the Freedom of Information Acts may be charged as follows:

- In respect of personal records, application fees or fees in respect of the cost of copying the records requested will not apply, save where a large number of records are involved.
- In respect of other (non-personal) information, an application fee of €15 per request may be charged (€10 for medical card holders). For these requests, fees may also be charged in respect of the time spent in efficiently locating and copying records (€20.95 per hour and a photocopying fee of €0.04 per sheet; €0.51 per floppy disk; €10.16 per CD ROM). No charges apply in respect of the time spent by the Board in considering requests, and

- In respect of applications for internal review of other (non-personal) information decisions, a fee of €75 may also be charged (€25 for medical card holders).

A deposit may be payable where the total search and retrieval fee is likely to exceed €50.79. In these circumstances, the Board will, if requested, assist the member of the public to amend the request so as to reduce or eliminate the amount of the deposit.

Charges may be waived in the following circumstances:

- Where the cost of collecting and accounting for the fee would exceed the amount of the fee.
- Where the information would be of particular assistance to the understanding of an issue of national importance, or
- In the case of personal information, where such charges would not be reasonable having regard to the means of the requester.

Fees are also payable in respect of appeals to the Office of the Information Commissioner concerning non-personal information (€150 or €50 for medical card holders).

## **5. INFORMATION ABOUT THE STRUCTURAL UNITS OF THE BOARD AND THE RECORDS HELD**

This part of the manual gives more detailed information about the structure of the Board and the information available from its various sections. The Board consists of a head office, which is divided into distinct sections (Law Centre Management and Development; Legal Services; Finance; Human Resources; Information Technology and Organisation); thirty-four law centres, including the Refugee Legal Service; the Private Practitioner Service, and the Refugee Documentation Centre.

The information available from each section is included. The classes of records held in each section are also listed, whether or not these are made available to the public on a routine basis. Clarification can be sought from each section as to whether records held are available without recourse to the Freedom of Information legislation.

### **5.1 Law Centre (Management & Development) Section**

#### **5.1.1. Role of the section**

This section is responsible for:

- o the provision of a timely, professional and cost effective legal aid service through law centres and the private practitioner service, and
- o contributing to policy development and the overall management of the Board.

The section manages the law centre network and the managing solicitors of each of the Board's 33 law centres, including the Refugee Legal Service (RLS), report to the Director of Legal Aid, who is the head of the section.

#### **5.1.2. Staffing**

Director of Legal Aid  
Professional Liaison Officer  
Assistant Director  
Legal Staff Officer  
Executive Officer  
Clerical Officer

#### **5.1.3. Delivery of service**

The section provides services mainly to law centres, to staff, to other members of the senior management team, to the Board and its committees, and directly to the public in a limited number of circumstances, for example, considering complaints. The section liaises on a regular basis with professional bodies, state agencies and a

range of support, representative and other groups providing similar or complementary services, particularly in the family law area.

#### **5.1.4. Information available**

The section has produced a Circular on Legal Services. This Circular is a comprehensive set of instructions, procedures for the consideration of applications for legal services and for the provision of legal services.

The Board has published a number of leaflets, which describe the services that are provided by the Board as well as information on a number of legal matters that the Board encounters in its law centres.

These leaflets can be obtained, free of charge from any of the Board's offices in both Irish and English versions. Further information is available on the Board's website at [www.legalaidboard.ie](http://www.legalaidboard.ie). Leaflets are available on the following subjects:

- ❖ Applying for Legal Services
- ❖ Withdrawal of Legal Services
- ❖ Financial Eligibility
- ❖ Civil Legal Aid
- ❖ Family Law General
- ❖ Separation
- ❖ Divorce
- ❖ Nullity
- ❖ Maintenance
- ❖ Domestic Violence
- ❖ Children and Family Law
- ❖ Wills and Inheritance
- ❖ Customer Care and Complaints Procedure
- ❖ Civil Legal Aid for Complaints in Rape and Certain Sexual Assault Cases
- ❖ Collaborative Practice

#### **5.1.5. Classes of records held**

Records held by the section are in both paper and electronic form. Paper records are held on files under the following headings:

- Scheme of Civil Legal Aid and Advice
- Legal proceedings involving the Board
- Civil Legal Aid Bill
- Civil Legal Aid Act 1995
- Civil Legal Aid Regulations
- Civil Legal Aid Circulars
- Individual law centre files

- Professional indemnity insurance

#### **5.1.6. Further information**

Requests for further information, other than a specific FOI request, about any matters in relation to this section should be addressed to:

Director of Legal Aid  
Legal Aid Board  
47 Upper Mount Street  
Dublin 2  
Tel: (01) 6441900  
Fax: (01) 6623661

## **5.2 Law Centres**

### **5.2.1. Role of law centres**

The Board provides legal aid and advice in civil cases to persons who satisfy the requirements of the Civil Legal Aid Act, 1995. The principal requirements are that a person's means test must be below a certain limit and there must be merit to the case.

Services are provided at 30 law centres and in 12 part-time law centres (see appendix). In addition, the Board operates a dedicated Medical Negligence Unit. Legal services are also provided through a complementary Private Practitioner Service in the District and Circuit Courts.

Because of the differences between the Refugee Legal Service (RLS) and the remainder of the law centres, the RLS is dealt with under a separate heading.

### **5.2.2. Staffing**

A managing solicitor manages each law centre and the number and grade of the remainder of the staff depends on the size of the law centre. There may be any number from one to seven solicitors in a law centre, with a corresponding variation in the number of support staff.

The grades of staff include solicitors, law clerks and clerical staff. The overall number and grade of staff in law centres is as follows:

Managing Solicitors (31)

Solicitors (59)

Law Clerks (30)

Clerical Officers (89)

### **5.2.3. Delivery of service**

Legal aid and legal advice are provided through the Board's 30 law centres and the Private Practitioner Service. Services available include legal aid and advice on civil law matters. The vast majority of the cases dealt with are in the area of family law, including divorce, separation, custody and domestic violence.

A person seeking legal services can apply at any of the law centres listed in the appendix.

Further details of how to apply for services are contained in the Board's information leaflets, which are available from any of the Board's offices or on the Board's website at [www.legalaidboard.ie](http://www.legalaidboard.ie) (see below).

#### **5.2.4. Information available**

The Board has published a number of leaflets, which describe the services that are provided by the Board and on particular areas of law that the Board encounters most frequently. These leaflets can be obtained, free of charge from any of the Board's offices in both Irish and English versions. Further information is available on the Board's website at [www.legalaidboard.ie](http://www.legalaidboard.ie). Details of the leaflets available are set out at paragraph 5.1.4 above.

#### **5.2.5. Classes of records held**

Records held by law centres are mostly in paper form with some material in electronic format. Records consist of:

- individual case files
- files relating to the administration of the law centre

#### **5.2.6. Further information**

Requests for further information about any matters in relation to a particular law centre should be addressed to the managing solicitor of the law centre, as listed in the appendix.

## **5.3 Legal Services Section**

### **5.3.1. Role of the section**

This section is responsible for:

- the provision of administrative and support functions for the delivery of legal services to the public in accordance with the provisions of the Civil Legal Aid Act, 1995 and Regulations made thereunder
- the management of the system for the granting and refusing of legal services
- liaison with solicitors in difficult/urgent cases including discussions on relevant legislation and case law and clarifying Board policy and instructions
- the management and monitoring of the work of law centres
- value for money in the provision of legal services and ensuring compliance with the Civil Legal Aid Act 1995, and
- the compilation and provision of management information as required.

The majority of the staff are involved in operational matters relating to the granting, refusal and withdrawal of legal services and the authorisation of payments arising from the provision of legal services. This includes reviews and appeals of decisions and the collection of contributions and costs.

### **5.3.2. Staffing**

Assistant Directors (X2)

Higher Executive Officers (X 4)

Executive Officers (X 4)

Clerical Officers (X 8)

### **5.3.3. Delivery of service**

Legal Services Section provides services mainly to law centres, members of the public, to the Board and its committees and to senior management. The section liaises on a regular basis with a range of support, representative and other groups providing similar or complementary services, particularly in the family law area.

### **5.3.4. Information available**

The Board has published a number of leaflets which describe the services that are provided by the Board. These leaflets can be obtained, free of charge from any of the Board's offices in both Irish and English versions. Further information is available on

the Board's website at [www.legalaidboard.ie](http://www.legalaidboard.ie). See section 5.1.4 above for a list of the leaflets.

### **5.3.5. Classes of records held**

Records held by Legal Services Section are in both paper and electronic form. Paper records are held on files under the following headings:

- Annual Reports
- Annual Statistics
- Applications for Legal Services (individual applicant files are maintained)
- Granting of Legal Aid - Delegation
- Engaging of Counsel
- Financial Eligibility/ Contributions
- Divorce
- Asylum
- Complaints against solicitors

### **5.3.6. Further information**

Requests for further information, other than a specific FOI request, about any matters in relation to this section should be addressed to:

Legal Services Section  
Legal Aid Board  
Quay St  
Cahirciveen  
Co Kerry  
Tel: (066) 9471000 or LoCall 1890 615 200  
Fax: (066) 9471035

## 5.4 Refugee Legal Service

### 5.4.1. Role of Refugee Legal Service

The Refugee Legal Service (RLS) is a specialised law centre set up by the Board to provide confidential and independent legal services to persons applying for asylum in Ireland. Legal advice is also provided in appropriate cases on immigration matters.

### 5.4.2. Staffing

The Refugee Legal Service is a law centre and is staffed by solicitors and paralegal staff. Due to the size of the RLS, a dedicated Corporate Services structure was put in place to provide support to ensure the timely provision of legal services. Administrative and other support staff provide corporate support dealing with staffing, administrative services, client registration, legal services support, organisational and financial matters.

#### ***RLS Offices***

There are four offices – two in Dublin and one each in Cork and Galway – within the RLS. They are staffed by solicitors, paralegals and administrative staff. Total staffing is as follows:

Managing Solicitor (x9)  
Solicitors (X10)  
Trainee Solicitors (X3)  
Paralegals (X28)  
Clerical Officers (8)

The ***Corporate Services*** function is staffed as follows:

Assistant Director (x2)  
Higher Executive Officers (X4)  
Executive Officers (X4)  
Clerical Officers (X18)

### 5.4.3. Delivery of service

In Dublin, registration for legal services and information are provided to asylum seekers at Timberlay House, Lower Mount St, Dublin, 2 while legal assistance, aid and advice are provided at 48/49 North Brunswick St, Dublin 7. Legal services are provided also from the Board's offices in Galway and Cork (see appendix for details).

An outreach service is provided to asylum seekers in the east, south-east, west, south-west, and the midlands by holding regular clinics in hostels and other locations.

Asylum seekers dispersed outside Dublin may register for legal services by post at the Brunswick St. offices.

Corporate Services are based at the Brunswick St offices.

#### ***Private practitioner and barrister schemes***

To complement the services of the RLS, a panel of solicitors and barristers in private practice may submit appeals on behalf of legally aided asylum applicants and represent them before the Appeals Tribunal.

The RLS decides the allocation of cases as between solicitors on the private panel, barristers and its own solicitors on the basis of the level of cases on hand and its ability to deal with cases in-house. The use of private practitioners 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. Where practical, every effort is made to refer an asylum seeker outside of Dublin to a local solicitor. At the end of 2006, there were 20 solicitors on the private practitioner panel, and 372 on the panel of barristers.

#### **5.4.4. Information available**

The Board provides information on its services through the Refugee Legal Service information leaflets, which are available in a number of languages (viz English, Arabic, Albanian, French, Kurdish Sorani, Romanian, Russian and Somali), directly from the RLS or the website at [www.legalaidboard.ie](http://www.legalaidboard.ie).

Information leaflets available:

- ❖ Refugee Legal Service – Note for Information for Applicants
- ❖ The Asylum Process
- ❖ The Asylum Process for Unaccompanied Minors

#### **5.4.5. Classes of records held**

Records held by the Refugee Legal Service are in both paper and electronic form. Paper records are held on files under the following headings:

##### ***Legal and administrative support service***

- RLS policy
- Individual client files
- Correspondence with governmental and non-governmental agencies
- Private Practitioner Panel - Solicitors
- Agreement with Bar Council
- Correspondence with interpreting and translation companies

- Quality control/complaints procedure
- File of legislation
- File of court decisions
- File of counsel's opinions and other source materials

***Finance / Organisation***

- Acquisition of Premises
- Maintenance
- Service/Tax Clearance
- Equipment
- Furniture
- Fire Precaution
- Stationery
- Security/Key Holding
- Cleaning
- Health & Safety
- Fit-out and Refurbishment
- Insurance
- Facilities Management for all RLS Offices

***Finance***

- Budgetary Estimates
- Funding
- Bank a/cs returns / Bank Statements
- Petty cash returns
- Expenditure tracking files
- Copy Invoices for all RLS Offices

**5.4.6. Further information**

Requests for further information about the Refugee Legal Service should be addressed to:

Refugee Legal Service  
 48/49 North Brunswick St  
 Georges Lane  
 Dublin 7.  
 Tel: 01 6469600  
 Fax 01 6710200

## **5.5 Refugee Documentation Centre and Legal Aid Board Library**

### **5.5.1. Role of Refugee Documentation Centre**

The Refugee Documentation Centre (RDC), which originally had been established by UNHCR, is also funded from the budget provided for the Refugee Legal Service. It provides an independent research service supplying essential material in relation to the asylum process, to the RLS as well to as the Department of Justice, Equality and Law Reform, Office of the Refugee Applications Commissioner, Refugee Appeals Tribunal, Ministerial Decision Unit, Asylum Policy, Repatriation Unit and private solicitors and barristers on the Board's Private Practitioner Panel. The section is responsible for:

- provision of an objective independent query/research service (Country of origin and legal information) to user groups as specified above
- provision of a specialised library service for general public access. Lending rights restricted to user groups specified above
- undertaking of additional research activities such as commissioning of reports on relevant topics or completion of in-house condensed reports
- provision of training in Country of Origin Information (COI) and related areas in-house and externally to user groups as specified
- promotion of best practice by developing and maintaining contacts in the area both nationally and internationally and encouragement of cooperation by means of information sharing, visiting delegations, hosting of talks and seminars and general presentations on RDC activity
- contribution to implementation of COI Knowledge Management System, and
- a search service of the Refugee Appeals Tribunal Decisions Database, which is provided by the Decision Search Unit.

### ***Role of Legal Aid Board Library***

The role of the Legal Aid Board Library is to provide an information service to support the work of the Board. To this end, the library functions as a central resource for information provision and lending to staff in head office and the law centres around the country.

### **5.5.2. Staffing**

Assistant Director (Manager) (1)

Librarian (1)

Higher Executive Officer (1)

Executive Officer (4)  
Paralegals (4)  
Clerical Officers (6)

### **5.5.3. Delivery of service – Refugee Documentation Centre**

The Research Service currently operates on the basis of receipt of an information request by phone, fax, email or visit from a representative of one of the user agencies specified above. Research is carried out on foot of queries and a completed standardised query form and research results obtained forwarded to requester either in hardcopy or electronically according to preference. A standardised referencing system is in place for the listing of sources of research information used and this list of sources is included on the standardised query form. A copy of each completed query request form is retained by the RDC and stored in hardcopy. Emailed query responses are stored electronically in the RDC.

Article requests to the RDC library are supplied subject to the provision of a completed copyright declaration form by the requester. Books and reports in the lending collection are supplied in accordance with RDC library policy. A reading area is provided for visitors to the RDC.

Reports are commissioned on the basis of information gaps perceived as significant and taking into consideration the needs of the user agencies and are subject to contract. Training sessions are custom designed by the RDC to suit the needs of the user.

### ***Delivery of service – Legal Aid Board Library***

Information requests are received by phone, fax, email or visit. A standardised query form is available. Information on requests made are stored electronically. Information is supplied to requesters by hardcopy or email as required.

Article requests to the Legal Aid Board (LAB) Library are supplied subject to the provision of a completed copyright declaration form by the requester. Books and reports in the lending collection are supplied in accordance with LAB library policy. A user guide for the LAB library is available. The LAB library collection is not available to members of the public.

An information leaflet on the Refugee Documentation Centre is available.

### **5.5.4. Information available**

- ❖ Reports
- ❖ Leaflets
- ❖ Books

- ❖ Reference Books
- ❖ COI documents electronically stored
- ❖ Legislation
- ❖ Caselaw
- ❖ COI Query responses
- ❖ 'The Researcher' newsletter, also available on [www.legalaidboard.ie](http://www.legalaidboard.ie)

#### **5.5.5. Classes of records held**

Most records are in paper format with electronic storage of emailed query responses, certain key country reports and materials such as journal contents lists circulated on mailing list. Records are held under the following categories:

- Query response forms (non client-specific and client-specific) and correspondence with requesters (client-specific requests are not publicly accessible)
- Invoices (copies paid)
- Price quotations for library fittings
- Electronic Subscription contracts
- Commissioned reports contracts
- Copyright declarations
- COI correspondence from other agencies
- Internal policy documents and reports
- Minutes of meetings
- Statistics on RDC activity
- General library collection including books, reports, Country Folders (in-house collection of COI specific documentation), maps, position papers, leaflets, caselaw, CD-ROMs
- Journal contents lists (stored electronically).
- Caselaw
- Redacted Refugee Appeals Tribunal Decisions

#### **5.5.6. Further information**

Requests for further information, other than a specific FOI request, about any matters in relation to this section should be addressed to:

Refugee Documentation Centre  
 Legal Aid Board  
 Montague Court  
 7-11 Montague Street  
 Dublin 2.  
 Tel: (01) 4776250/4776268  
 Fax: (01) 6613113  
 Email: [Refugee\\_Documentation\\_Centre@legalaidboard.ie](mailto:Refugee_Documentation_Centre@legalaidboard.ie)

## **5.6 Finance Section**

### **5.6.1. Role of the section**

The Finance Section is responsible for the provision of the financial functions for the Board in that it:

- maintains and utilises systems to produce salary payments for the employees of the Board
- produces payments for all invoices or services received
- processes payment of fees and expenses to both barristers and solicitors who provide their services under the Civil Legal Aid Act 1995
- monitors and controls various imprest accounts and processes all claims from staff of the Board for the reimbursement of expenses
- manages, co-ordinates and submits the Board's annual estimated expenditure requirements
- operates financial controls and provides financial reports and information regularly and as required to help ensure proper financial management, and
- maintains accounts of income and expenditure and prepares the Board's financial statements on an annual basis for audit.

### **5.6.2. Staffing**

Financial Controller

Higher Executive Officer

Executive Officers (x3)

Clerical Officers (x5)

### **5.6.3. Delivery of service**

Finance Section provides services on a regular basis to staff, the Board's suppliers and contractors, the Board and its committees and senior management.

### **5.6.4. Information available**

The Board's annual final accounts are available in the Board's Annual Report and from Finance Section (details below) and also on the Board's website, [www.legalaidboard.ie](http://www.legalaidboard.ie).

### **5.6.5. Classes of records held**

Records held by Finance Section are in both paper and electronic form. Paper records are held on files under the following headings:

- Funding
- Bank Accounts/Statements
- Estimates
- Annual Accounts
- Financial Reporting
- Means Testing
- Contributions
- Law Centre Returns
- Internal Audit
- Costs
- Expenditure Files
- Travel and Subsistence & Miscellaneous
- Utility Bills
- Phone Bills
- Notification of Bank Lodgements
- Petty Cash Returns
- Local Bank Account Returns
- Journal Vouchers
- Accounts Archive Files

#### **5.6.6. Further information**

Requests for further information, other than a specific FOI request, about any matters in relation to this section should be addressed to:

Finance Section  
Legal Aid Board  
Quay St  
Cahirciveen  
Co Kerry  
Tel: (066) 9471000 or LoCall 1890 615 200  
Fax: (066) 9471035

## **5.7 Organisation Section**

### **5.7.1. Role of the section**

This section is primarily responsible for the provision of corporate services for the Board's thirty-one law centres and head office. This includes:

- property management and maintenance
- provision of supplies and services
- maintaining the highest standards of procurement and value for money
- effective implementation of health and safety legislation and compliance with other legislative requirements for premises
- corporate services for the Board, and
- administering Freedom of Information requests.

The Assistant Director in Organisation Section also acts as one of the Board's internal auditors.

### **5.7.2. Staffing**

Assistant Director  
Higher Executive Officer (X2)  
Executive Officer  
Clerical Officers (X4)

### **5.7.3. Delivery of service**

Organisation Section provides the foregoing services on a regular basis to law centres and other sections of head office. The section is also in regular contact with the Board's architectural, legal and property advisers in relation to property matters concerning the Board's premises. It maintains regular contact with the Board's suppliers to ensure delivery of services and undertakes market exercises for the provision of supplies and services to the Board.

### **5.7.4. Information available**

The following information is available from Organisation Section:

- ❖ The Legal Aid Board's Annual Reports - these are also available on the Board's website, [www.legalaidboard.ie](http://www.legalaidboard.ie)
- ❖ The Board's Safety Statement under the Safety, Health and Welfare at Work Act, 2005

- ❖ The manuals the Board is required to produce under Freedom of Information legislation - also available on the Board's website [www.legalaidboard.ie](http://www.legalaidboard.ie)
- ❖ The scheme drawn up by the Board under the Official Languages Act 2003

#### **5.7.5. Classes of records held**

Records held by Organisation Section are in both paper and electronic form. Records are held on files under the following headings:

- Acquisition of Premises
- Leases
- Rent Reviews
- Maintenance of Premises and Equipment
- Services
- Office Equipment
- Furniture
- Fire Precautions
- Stationery
- Health and Safety
- Security
- Insurance
- Cleaning
- Operations in Law Centres
- Administration in Law Centres
- Part-time Law Centres
- Freedom of Information
- Corporate Governance
- Internal Audit
- Procurement
- Official Languages Act

#### **5.7.6. Further information**

Requests for further information, other than a specific FOI request, about any matters in relation to this section should be addressed to:

Organisation Section

Legal Aid Board

Quay St

Cahirciveen

Co Kerry

Tel: (066) 9471000 or LoCall 1890 615 200

Fax: (066) 9471035

## **5.8 Information Technology Section**

### **5.8.1. Role of the section**

The section is responsible for:

- information technology development
- procurement, maintenance and support of hardware and software
- IT Training
- electronic communication links for all Law Centres, the Refugee Legal Service and the Refugee Documentation Centre, and
- help-desk function for all Law Centres, the Refugee Legal Service and the Refugee Documentation Centre.

### **5.8.2. Staffing**

Assistant Director

Higher Executive Officer Analysts (X1)

Higher Executive Officers (X1)

EO/Systems Analysts (X1)

Executive Officers (X4)

Clerical Officers (X3)

### **5.8.3. Delivery of service**

IT Section provides the foregoing services on a regular basis to law centres, other sections of head office, the Refugee Legal Service and the Refugee Documentation Centre.

### **5.8.4. Information available**

IT Section does not produce any information which is routinely made available to the public.

### **5.8.5. Classes of records held**

Records held by IT Section are in both paper and electronic form. Paper records are held on files under the following headings:

- Tenders
- Software/Hardware
- Invoices/Quotes and Submissions
- IT Administration
- IT Training

**5.8.6. Further information**

Requests for further information, other than a specific FOI request, about any matters in relation to this section should be addressed to:

IT Section  
Legal Aid Board  
48-49 North Brunswick St.  
Dublin 7  
Tel: (01) 6469600 LoCall 1890 615 200  
Fax: (01) 474 3298

## **5.9 Human Resources Section**

### **5.9.1. Role of the section**

The role of the section is to:

- discharge the central human resource function for the Board
- plan and deliver strategic training and development programmes (including performance management training)
- support quality customer service in the section and across the organisation
- liaise with the providers of an employee assistance service to staff, and
- provide a number of ancillary support services, promote and develop change management including strategic management, Partnership and PMDS.

One of the Assistant Directors of Human Resources, the Personnel Officer, also acts as one of the Board's internal auditors.

### **5.9.2. Staffing**

Director of Human Resources  
Assistant Director (x2)  
Higher Executive Officers (X3)  
Executive Officers (X 4)  
Clerical Officers (X 7)

### **5.9.3. Delivery of service**

The majority of services provided by the HR Section are delivered internally to the staff of the Board, former staff, and to members of the public, unions and the Commission for Public Service Appointments. The section liaises on staffing matters with other public bodies, the Departments of Justice, Equality and Law Reform and Finance, the Public Appointments Service and Unions.

### **5.9.4. Information available**

Human Resources publish the following documents, which can be requested from the section (address below) and also on the Board's website, [www.legalaidboard.ie](http://www.legalaidboard.ie):

- ❖ The Board's Corporate Plans
- ❖ The Board's Customer Charter
- ❖ The Board's Customer Service Action Plan 2006-08
- ❖ The Board's Human Resource Strategy 2006-08
- ❖ The Board's Training and Development Strategy 2006-08

The Civil Service Personnel Code which informs day-to-day decisions on Human Resources issues is available on the following website: [www.codpearsanra.gov.ie](http://www.codpearsanra.gov.ie).

#### **5.9.5. Classes of records held**

Records held by Human Resources Section are in both paper and electronic form. Paper records are held on files under the following headings:

- Staff Policy
- Recruitment of Solicitors
- Recruitment of Civil Service Staff
- Recruitment of Law Clerks
- Recruitment of Trainee Solicitors
- Industrial Relations
- Training
- Attendance at courses, seminars
- Refund of fees
- Salaries/Allowances
- Superannuation
- Personal Files - solicitors
- Personal Files - Law Clerks
- Personal Files – civil service staff
- Office Notices
- Personnel Matters
- Change Management issues
- Partnership and related Committees

#### **5.9.6. Further information**

Requests for further information, other than a specific FOI request, about any matters in relation to this section should be addressed to:

Human Resources Section  
Legal Aid Board  
Quay St  
Cahirciveen  
Co Kerry  
Tel: (066) 9471000 or LoCall 1890 615 200  
Fax: (066) 9471035

## APPENDIX – Contact Details for Law Centres and the RLS

### Full-Time Law Centres

Centre	Address	Tel. No.	Fax No.
<b>Cavan</b>	The Newcourt Shopping Centre, Church Street, Cavan	(049) 4331110	(049) 4331304
<b>Clare</b>	Unit 6A, Merchants Square, Ennis, Co. Clare	(065) 6821929	(065) 6821939
<b>Cork</b>	North Quay House, Pope's Quay, Cork	(021) 4551686	(021) 4551690
<b>Cork</b>	5th Floor, Irish Life Building, 1a South Mall, Cork	(021) 4275998	(021) 4276927
<b>Donegal</b>	Houston House, Main Street, Letterkenny, Co. Donegal	(074) 9126177	(074) 9126086
<b>Dublin</b>	9 Lower Ormond Quay, Dublin 1	(01) 8724133	(01) 8724937
	45 Lower Gardiner Street, Dublin 1	(01) 8745440	(01) 8746896
	48/49 North Brunswick Street, Dublin 7	(01) 6469700	(01) 6469799
	44/49 Main Street, Finglas, Dublin 11	(01) 8640314	(01) 8640362
	Unit 6, Blanchardstown Business Centre, Clonsilla Road, Dublin 15	(01) 8200455	(01) 8200450
	Tower Centre, Clondalkin Village, Dublin 22	(01) 4576011	(01) 4576007
	Village Green, Tallaght, Dublin 24	(01) 4511519	(01) 4517989
	Medical Negligence Unit 7-11 Montague Court, Dublin 2	(01) 4776200	(01) 4776241
<b>Galway</b>	9 Francis Street, Galway	(091) 561650	(091) 563825
<b>Kerry</b>	1 Day Place, Tralee, Co. Kerry	(066) 7126900	(066) 7123631
<b>Kildare</b>	Law Centre, Canning Place, Newbridge, Co. Kildare	(045) 435777	(045) 435766
<b>Kilkenny</b>	86 Maudlin Street, Kilkenny	(056) 7761611	(056) 7761562
<b>Laois</b>	Unit 6A, Bridge Street, Portlaoise, Co. Laois	(057)8661366	(057)8661362
<b>Limerick</b>	Unit F, Lock Quay, Limerick	(061) 314599	(061) 318330
<b>Longford</b>	Credit Union Courtyard, 50 A Main Street, Longford	(043) 47590	(043) 47594
<b>Louth</b>	Condil House, Roden Place, Dundalk, Co. Louth	(042) 9330448	(042) 9330991

<b>Mayo</b>	Humbert Mall, Main Street, Castlebar, Co. Mayo	(094) 90 24334	(094) 9023721
<b>Meath</b>	Kennedy Road, Navan, Co. Meath	(046) 9072515	(046) 9072519
<b>Monaghan</b>	Alma House, The Diamond, Monaghan	(047) 84888	(047) 84879
<b>Offaly</b>	Harbour Street, Tullamore	(057)9351177	(057)9351544
<b>Sligo</b>	Bridgewater House, Rockwood Parade, Thomas Street, Sligo	(071) 9161670	(071) 9161681
<b>Tipperary</b>	Friars Court, Abbey Street, Nenagh, Co. Tipperary	(067) 34181	(067) 34083
<b>Waterford</b>	Canada House, Canada Street, Waterford	(051) 855814	(051) 871237
<b>Westmeath</b>	Paynes Lane, Irishtown, Athlone, Co. Westmeath	(090) 6474694	(090) 6472160
<b>Wexford</b>	Unit 8, Redmond Square, Wexford	(053) 9122622	(053)9124927
<b>Wicklow</b>	Bridge Street, Wicklow	(0404) 66166	(0404) 66197
<b>RLS Dublin</b>	Registration Unit Timberlay House, 79-83 Lower Mount St., Dublin 2	(01) 6310800	(01) 6615011
	48/49 North Brunswick St. Brunswick Street, Dublin 7	(01) 6469600	
<b>RLS Cork</b>	North Quay House, Pope's Quay, Cork	(021) 4554634	(021) 4557622
<b>RLS Galway</b>	Seville House, New Dock Rd. Galway	(091) 562480	(091) 562599

### Part-time Law Centres

Location and telephone	Open	Law Centre
<b>Carlow</b> St. Catherine's Citizens Info. Bureau, St. Joseph's Road, Carlow. Tel: (059) 9138700	First and last Friday of every month	Kilkenny
<b>Cork</b> Citizens Info. Bureau, Wolf Tone Square, Bantry . (021) 4551686	Once a month	Cork (Popes Quay)
<b>Donegal</b> The Courthouse, Donegal Town. Tel: (074) 9126177	Once a month	Letterkenny
<b>Kerry</b> 52 High Street, Killarney Tel: (066) 7126900	Every Friday morning	Tralee

<b>Leitrim</b> The Health Centre, Leitrim Road, Carrick-on-Shannon. Tel: (043) 47590	Once a month	Longford
<b>Louth</b> Drogheda Community Services Centre, Scarlett Crescent, Drogheda Tel: (041) 9836084/9833490	First and second Tuesday of every month	Monaghan
<b>Mayo</b> The Pastoral Centre (Cathedral Grounds) Ballina, Co. Mayo Tel: (094) 9024334  Health Centre, Knock Road, Ballyhaunis Tel: (094) 9024334	Once a month   Fourth Tuesday of every month	Castlebar   Galway
<b>Roscommon</b> Citizens Information Centre, 7 Elphin Street, Boyle Tel: (071) 9161670	Once a month	Sligo
<b>Tipperary</b> Thurles Community Social Services, Rossa Street, Thurles Tel: (0504) 22169  Citizens' Information Centre, 14 Wellington Street, Clonmel. Tel: (052) 22267	Second Tuesday of every month  Three or four times a month	Nenagh  Nenagh
<b>Westmeath</b> Enterprise Centre, Bishopgate Street, Mullingar Tel: (090) 6474694	Once a month	Athlone