**Meeting of Consultative Panel – 12th July, 2016**

**FLAC offices, 13 Lower Dorset Street, Dublin 1**

**Attendance:**

The following attended the meeting:

Mr John McDaid, Chief Executive, Chair of the Panel

Ms Sinead Harrison, Women’s Aid

Ms Shirley Coulter, Council of the Bar of Ireland

Mr Michael Culloty, MABS

Mr Ciaran Finlay, FLAC

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

Ms Polly Phillimore, Director, Mediation Services

Ms Andrea McDermott, AMEN

Ms Susan Shanahan, Citizens Information Board

Mr Joseph O’Sullivan, Bar Council

Mr Noel Gorman, Legal Aid Board, Secretary

**Apologies:**

Mr Niall Murphy

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|  | Item for discussion | Person responsible | Discussions | Actions/Decisions |
| 1 | Minutes of meeting of 15th March and matters arising | CEO  Secretary | Matters arising from the previous minutes were discussed.  In response to the issue of legal representation for Travellers facing eviction, which was raised by Mr Finlay at the March meeting, Mr McDaid confirmed that there were few applications for legal aid.    Ms Shanahan informed the Panel that Eileen Fitzgerald would be retiring this year.  There was one suggested change to the draft minutes circulated from the previous Panel meeting in March. Subject to that change the minutes were agreed and will be posted to the Board’s website. |  |
| 2 | Service Delivery update | CEO | Mr McDaid confirmed that the numbers waiting for civil legal aid has decreased from 2,300 in January 2016 to 2,200 in July. However, the demand for legal services overall is increasing. Waiting times are longest at the Board’s law centres in Wexford, Cork, Smithfield and Athlone.  Mr McDaid indicated that it was his understanding that the Department of Justice and Equality wished to commence the ‘single procedure’ provisions of the International Protection Act 2015 in October.  Ms Phillimore noted that a recent article in a national newspaper about waiting times for mediation services was misleading. The current waiting time in all bar two offices is between 4 and 12 weeks. Current information in relation to waiting times is available on the Board's website.  It was confirmed that the Ormond Quay Family Mediation Office and Gardiner Street Law Centre have both moved premises to Jervis Street and are now co-located. Other co-locations may follow in the future at Tallaght, Dundalk, Finglas, Kilkenny and possibly Portlaoise.  The Panel was informed that the Board’s new website is expected to go live by the end of July. During recent testing of the online application some issues were identified which will require further testing. It is anticipated that this feature will go live by the end of September.  There is nothing further to report following a Consultation process which issued on the Guardian ad Litem Service.  Mr McDaid informed the Panel that the term for the current members serving on the Board will finish in October.  The Board is continuing to pilot the use of private solicitors in child care cases involving Tusla in Dublin, Wexford and Donegal. Mr McDaid emphasised that the Board is a “budget led” rather than “demand led” organisation and as such is constantly monitoring its financial position. Currently costs for this scheme are running over budget and there is likely to be a slowdown in future referrals for the remainder of this year.  A Customer Service poster is on display in public areas in the Boards offices along with comment cards and free-post envelopes. The purpose of this initiative is to seek feedback about how the Board may improve its services.  The Board is in discussion with the Courts Service in relation to the relocation of the child care courts from Dolphin House to Chancery Street and the wish to retain its presence on-site with the courts. At issue is the size of accommodation, which may not be sufficient to accommodate two solicitors and a support staff member. Should this matter be resolved it is anticipated that the relocation will occur in the autumn. |  |
| 3 | Children and Family Relationships Act 2015 - impact |  | As stated at the March meeting Mr McDaid confirmed that the provisions of the Children and Family Relationships Act 2015 in relation to the voice of the child had commenced. It remains difficult to assess how it is working in practice.  Ms Harrison said that there would be financial implications in providing experts as required under the Act.  Mr O’Sullivan said that Section 31, which outlines the powers of authorised persons, would require further analysis. |  |
| 4 | Interagency scheme to assist persons facing repossession proceedings |  | Mr McDaid reiterated the three aspects to Governments interagency scheme, namely a solicitor consultation service, a duty solicitor service and to provide legal representation for an appeal against a refusal by a creditor to approve a proposed Personal Insolvency Arrangement. Mr Culloty concurred with this overview. It was noted that although the duty solicitor would not be on record in court that county registrars would hopefully take a pragmatic approach to allow solicitors to speak in court. Mr Culloty confirmed that there are a lot of players involved and that he hoped for cooperation from the banks.  In a response to Mr Finlay who enquired about an awareness initiative Mr Culloty said that Simon Coveney TD was due to announce an Action Plan for Housing and Homelessness shortly. Mr Finlay also enquired if a voucher was required for the duty solicitor in court and was informed that that person would need to go to MABS first.  Mr Culloty said that there is a dedicated and creative mortgage team in MABS who are there to help people stay in their homes. |  |
| 5 | Assisted Decision Making (Capacity) Act 2015 - possible commencement |  | Mr McDaid confirmed that the provisions of this Act which provide for the transfer to the Legal Aid Board of the responsibility of legal representation at a mental health tribunal are unlikely to be commenced until the required supports are put in place. Ms O’Mahony said that the complexities surrounding this Act required consideration and training prior to the totality of the Act being commenced,. | . |
| 6 | International Protection Act 2015 - impact |  | The latest indication is that the single procedure provisions of the International Protection Act will commence in October. |  |
| 7 | Mediation Awareness Week | Ms Phillimore | Ms Phillimore provided an overview of a mediation awareness week which will take place from 10-15 October and will end with a Conference at the end of the week. Activities may include open days/lunchtime gatherings and information giving in family mediation offices, articles in the local press, local radio etc. |  |
| 8 | FLAC – current issues | Mr Finlay | In his overview Mr Finlay confirmed that in 2014 FLAC received some 15,000 calls through their Telephone Information Line and just over 13,000 calls to FLAC clinics.  Mr Finlay informed the Panel that Sinead Lucey has joined FLAC as a new solicitor.  A brief outline of the recently published report on the civil legal aid system in Ireland, *Accessing Justice in Hard Times,* highlighted issues such as the impact that the recession had on the service delivery provided by the Board, increases in costs for access to civil legal aid, and the narrow parameters of the scheme, which, the Report argues, should be broadened to include housing, social welfare and employment related issues, and transparency regarding the waiver of costs.  Mr Finlay confirmed that FLAC had received funding from the Public Interest Law Support Fund to undertake a further report on the civil legal aid scheme. |  |
| 9 | Tour de Table | Ms O’Mahony  Ms Harrison  Ms Coulter  Mr Joseph O’Sullivan  Ms McDermott  Ms Shanahan  Mr Culloty | The Law Society is actively engaged in providing an outreach education programme under the National Strategy and is currently updating its website. They would be interested to hear from Panel members of useful material, books etc, to post on the website.  There has been a broad interest by the media in recent weeks following the launch of the Women’s Aid Impact Report 2015. This report is available on its website.  The Bar of Ireland recently announced a three-year sponsorship of Community Law and Mediation free legal advice clinics. The Bar is conducting a survey of court lists to assess appearance times in the Circuit and High Court. 25 barristers volunteered to take part in this survey which, when concluded, may inform future policy across all areas.  The Family Lawyers Association of Ireland is organising a conference on 14th July which will be attended by the President of the Family Law Division of the High Court of England and Wales and a number of English High Court Judges. Views will be exchanged on challenges in family law litigation, including how the voice of the child is dealt with in England. Mr O’Sullivan said that conference papers may be available to share afterwards.  Mr O’Sullivan confirmed that the Council of the Bar of Ireland will revert to the Board in due course with a submission on the operation of counsel fees.  Ms McDermott informed the Panel that funding is available to Amen for a training officer. It is anticipated that an office will open in Athlone shortly.  Citizen’s Information is currently focusing on disability issues and housing/ accommodation for people who are granted refugee status or leave to remain. They are in discussions with the Department of Social Protection and County Councils in relation to housing and also working with MABS on house repossessions.  MABS is currently waiting for the voucher process to commence to assist persons facing repossession proceedings. |  |
| 10 | AOB |  | Ms Harrison said that Women’s Aid and FLAC will be making a joint submission in relation to the abolition of the financial contribution in domestic violence cases.  Staff members in the Board have attended awareness training in responding to victims of domestic abuse hosted by Women’s Aid. |  |
| 11 | Date of next meeting |  | The Panel’s next meeting will take place in the Law Society offices @ 11 on Tuesday, 8th November. |  |