

LEGAL AID BOARD



# Annual Report 2005



professional, efficient,  
cost-effective, accessible legal aid  
and advice service

# Our Mission:

To provide a professional, efficient, cost-effective and accessible legal aid and advice service.



# Our Goal:

**01** To provide a professional, accessible quality service.

**05** To develop the capacity of the Board to deliver a quality professional service.

**02** To ensure the Board is innovative and responsive in its approach to effective service delivery.

**06** To develop the capacity of the organisation to respond positively to a changing work environment.

**03** To provide services in an environment that is appropriate to the business being conducted by the Board.

**07** To achieve the best use of the financial and operational resources allocated to the Board and to ensure value for money.

**04** To put in place an effective public information, education and communication process.

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# Overview

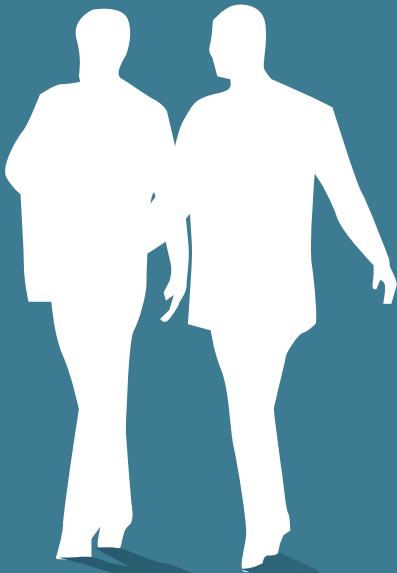
## of the Legal Aid Board

### 01 Function and Purpose

The Legal Aid Board is the statutory, independent body responsible for the provision of civil legal aid and advice to persons of modest means, in accordance with the provisions of the Civil Legal Aid Act, 1995.

Legal advice is any oral or written advice given by a solicitor or barrister, including writing letters and negotiations.

Legal aid is representation by a solicitor or barrister in court proceedings. A person must first obtain a legal aid certificate, which specifies the legal services being granted, and must pay the legal aid contribution specified on the certificate.



### 02 Service Provision

Legal aid and advice are provided primarily by solicitors employed by the Board in law centres. A complementary service is provided by solicitors in private practice who are engaged by the Board on a case-by-case basis.

The service is provided on a nationwide basis with some 33 full-time and 12 part-time law centres across the country, including three full time law centres that comprise the Refugee Legal Service (RLS).

The Board also operates a specialised Refugee Documentation Centre, which provides an independent and professional research and library service for all of the main bodies involved in the asylum process.

### 03 Obtaining Legal Services

A person seeking legal services must apply to any of the law centres set out at Appendix 2; must complete an application form, stating the subject matter on which legal advice and/or aid is sought; and must also complete a Statement of Income/Capital form providing details of income and of any capital resources.

A person who is financially eligible will be offered an appointment with a solicitor within a maximum period of four months from the time the application is completed. In certain cases, a priority service is provided.

## 04 Payment for legal services

All persons who are granted legal advice and/or legal aid must pay a contribution to the Board. The legal advice contribution is assessed on the applicant's disposable income, i.e. income after certain deductions. The legal aid contribution is assessed on the applicant's disposable income and disposable capital. The minimum contribution in 2005 was €6 for legal advice and €35 for legal aid. The law centre advises a person of the actual contribution in each individual case. In the event that a person recovers money or property arising from the case, the Board may seek to recover its costs.

## 05 Head Office

The Board's Head Office is located in Cahirciveen, County Kerry where some 50 staff are located. Some of the headquarter functions are also located in Dublin.

## 06 Governance arrangements

The statutory Board is appointed by the Minister for Justice, Equality and Law Reform and has responsibility for:

- the strategic direction of the organisation;
- determining policy and monitoring its implementation;
- overseeing the proper and effective management of the organisation;
- monitoring the implementation of effective financial procedures and providing accountability;
- approving and monitoring budgets; and
- making certain reserved decisions.

The Board consists of a chairperson and 12 ordinary members.

The Board continues to maintain the standards of corporate governance set out in the Code of Practice for the Governance of State Bodies. This involves:

- at Board level, the use of seven committees to assist it in achieving its objectives and in the effective discharge of its responsibilities: the Appeal and Certifying Committees, the Finance Committee, the Audit Committee, the Lawyers' Committee, the Human Resources Committee and the Performance Committee;
- a defined division of roles between the Board, the Chairperson and the Chief Executive;
- the submission to the Minister of an Annual Report that meets the requirements of the Code;
- an internal audit function that operates effectively and as required; and
- a code of conduct, which incorporates procedures to deal with any conflict of interest issues.

# Chairperson's Foreword



In my Foreword to the 2004 Annual Report I stated: “It is with a great sense of optimism that the Board looks forward to 2005. The funding being provided to the Board will enable it to achieve its objective of providing a timely service to all applicants.” I am pleased to report that the Board achieved this objective and provided a significantly enhanced service to its customers in 2005.



## One of the highlights of the year was the Board's hosting of the International Legal Aid Conference in Killarney in June on "Legal Aid in the Global Era".

In particular, an increased financial allocation enabled the Board to reduce the number of persons awaiting a service from 2,200 at the end of 2004 to less than 1,000 by the end of 2005. The Board also succeeded in achieving its primary service delivery objective of providing legal services to all applicants within a maximum period of four months. In fact, most law centres were offering appointments well within the four month period by the end of the year.

A critical strategic objective for the Board during the year was the preparation and subsequent publication (December 2005) of its new Corporate Plan 2006 – 2008. The Plan gives the organisation a clear strategic direction for the medium term and seeks to ensure that it is flexible and responsive to changing circumstances. Our objective of providing a high quality service in a timely, customer-focused, cost effective and efficient manner will be greatly facilitated by the overall thrust of, and attention to detail in, the Plan.

The Plan identifies seven high level goals designed to enable it achieve its overall objective. Among these is a commitment to put in place an effective public information, education and communication process. The Board regards this goal as critical in ensuring that persons of limited means are aware of the availability and scope of legal aid and have an effective means of access to justice. I look forward to seeing significant progress being made in this area over the three year period of the Plan and to working with my fellow Board members, the management team and staff to achieve this objective.

One of the highlights of the year was the Board's hosting of the International Legal Aid Conference in Killarney in June on "Legal Aid in the Global Era". This prestigious event involved legal aid providers and distinguished academics reflecting on how services are provided in the different jurisdictions and the common challenges that are faced. The conference was a huge success and attracted delegates from across the world. The experiences gained from the conference will continue to inform developments in the Board in the area of legal aid.

The Board also hosted a conference to mark the 25th anniversary of the establishment of the Legal Aid Board. Conference speakers included former Chief Justice, Mr. Ronan Keane, Ms Justice Mella Carroll, a former Chairperson of the Legal Aid Board, who sadly has passed away since the Conference, Ms Justice Fidelma Macken, and the Ombudsman and Information Commissioner, Ms. Emily O' Reilly. The theme of the Conference was: "Access to Justice: Hallmark of a Civilised Society".

In conclusion I would like to commend my fellow Board members, the Chief Executive and all the staff of the Board for their dedication, commitment and effort during the year to the provision of a timely and quality professional service to our customers.

Anne Colley  
Chairperson  
June 2006.

# The Board



**Anne Colley**  
Chairperson



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



**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



**David Barniville**  
Barrister-at-law



**Tony McCarthy**  
Retail Business



**Frank Goodman**  
Chief Executive  
Advertising Standards  
Authority of Ireland



**Ann Nolan**  
Principal Officer,  
Department of Finance



**Catherine Egan**  
Barrister-at-law



**Nóirín Slattery**  
Administrator



**Clare Pilkington**  
Staff representative,  
Cahiriveen office



# Head Office Executive staff

<b>Chief Executive:</b>	Moling Ryan
<b>Director of Legal Aid:</b>	Frank Brady
<b>Director of Human Resources:</b>	Pat Fitzsimons
<b>Director of Operations:</b>	Dara Mullally
<b>Director of Corporate Services Refugee Legal Service:</b>	Feargal Ó Brolcháin
<b>Professional Liaison Officer:</b>	John McDaid
<b>Financial Controller:</b>	Joan Enright
<b>Secretary to the Board:</b>	Clare Kelly
<b>Auditors:</b>	Comptroller and Auditor General
<b>Solicitors:</b>	Mason, Hayes and Curran
<b>Head Office:</b>	Quay Street, Cahirciveen, Co. Kerry. Phone: 066 947 1000 LoCall: 1890 615 200 Fax : 066 947 1035
<b>Dublin Office:</b>	47 Upper Mount Street, Dublin 2. Phone: 01 644 1900 Fax: 01 662 3661
<b>Website:</b>	<a href="http://www.legalaidboard.ie">www.legalaidboard.ie</a>

# Key Achievements and Developments in 2005

By the end of the year, **waiting times** for an appointment with a solicitor had been **reduced considerably**, with no law centre having a waiting time greater than 4 months.

The number of **new clients** registering with the **Refugee Legal Service** (RLS) was just over **3,300**, a slight reduction on 2004. Over 75% of applicants for refugee status now seek and get assistance from the RLS.

The numbers **waiting for appointment with a solicitor** had been reduced from 2,200 at the end of 2004 to just **under 1,000** at the end of 2005.

**Total funding** for the Board in 2005 was **€30.562m**. This represented an increase of 16% on 2004 for the law centres and a very slight increase for the RLS.

The **Private Practitioner Service**, which supplements the law centre service, was **fully operational** in respect of family law matters in both the District and Circuit Courts.

The Board made a significant commitment to the development of **collaborative practice in family breakdown**. This practice enables parties to a family dispute to work towards solving the legitimate needs of both sides rather than engaging in an adversarial process. Benefits ensuing are both personal and societal.

Some **17,500 persons** were provided with **legal services** by the Board.

The Board launched its **new Corporate Plan** for the three years 2006-2008. Significant initiatives are planned in the areas of service delivery, accessibility and developing information and communication processes nationally.

A new  
**Customer Charter**  
was published setting out  
**defined standards**  
that persons can expect when dealing  
with the Board.

Corporate governance issues  
were further progressed with the  
**adoption of a Risk  
Management policy**  
and the completion of a Risk Register covering  
all aspects of the Board's business.

The Board's  
**Consultative Panel**,  
which is representative of all the key  
stakeholders in the business of the Board,  
was **restructured** and contributed  
significantly to the new Corporate Plan and to  
ongoing matters relating to service delivery.

The Board celebrated its  
**25th Anniversary**  
and hosted a Conference marking the event.

The Board published a new  
**Information and  
Communications  
Technology (ICT)  
Strategy** for the three-year period  
2005-2007.



# Introduction from CEO



2005 was my first full year with the Legal Aid Board and I am pleased to report significant progress on a considerable number of important matters during the year. The Chairperson's Foreword outlines

some of the main highlights including improvements in the provision of service, the hosting of the International Legal Aid Conference and the Conference to mark the Board's 25th year in existence.



## “A more formalised and structured approach to the provision of training and development opportunities was introduced in 2005”.

Considerable work was also undertaken in the development of the Board's new Corporate Plan which runs to 2008. The Board, all staff, the general public and the organisation's other key stakeholders were afforded an opportunity to contribute, in a meaningful way, to the development of the Plan. A review of how similar organisations operated in other jurisdictions was also undertaken to ensure that the Plan reflected best practice internationally. The Plan charts the strategic direction of the organisation up to 2008 and identifies challenging objectives and actions to drive the development of the organisation over the three-year period. It sets a solid foundation for future progress. I am confident that the implementation of the objectives and actions, set out in the Plan, will enable the Board to further improve the quality and accessibility of our services.

A number of other important issues were also addressed in the year under review. In February, the Board published a Customer Charter setting out how customers can expect to be treated in their dealings with the organisation. A review of the Board's partnership process was also undertaken. As a result, the Board's internal consultative arrangements were revised so that a number of critical organisational issues could be addressed in a more structured and representative manner.

An external review of the Board's Performance Management and Development System (PMDS) was completed in July. The results of the review highlighted a number of areas for improvement in the operation of the system. These included proposals for streamlining PMDS documentation, better communication of the objectives of the system and a more structured, and timely, response to training and development needs identified. The implementation of the recommendations in the review commenced during 2005 and is reflected in the actions outlined in the Corporate Plan 2006 – 2008.

A more formalised and structured approach to the provision of training and development opportunities was introduced in 2005. This led to the introduction of specialised training in advocacy and in collaborative law for the Board's solicitors. The latter training, which is open to all solicitors in the Board, is intended to underpin the proactive promotion of a more collaborative and less adversarial approach to the resolution of family law disputes, with better outcomes for the parties involved. I welcome the developments that have taken place in this and other areas of alternative dispute resolution to date and I anticipate that they will have a continuing positive impact on the quality of our services into the future.

I am pleased to note that the future staffing structure for the Refugee Legal Service (RLS) and the Refugee Documentation Centre (RDC) was resolved towards the end of the year. This gives the Board a sound basis to continue to provide high quality services in the asylum area.

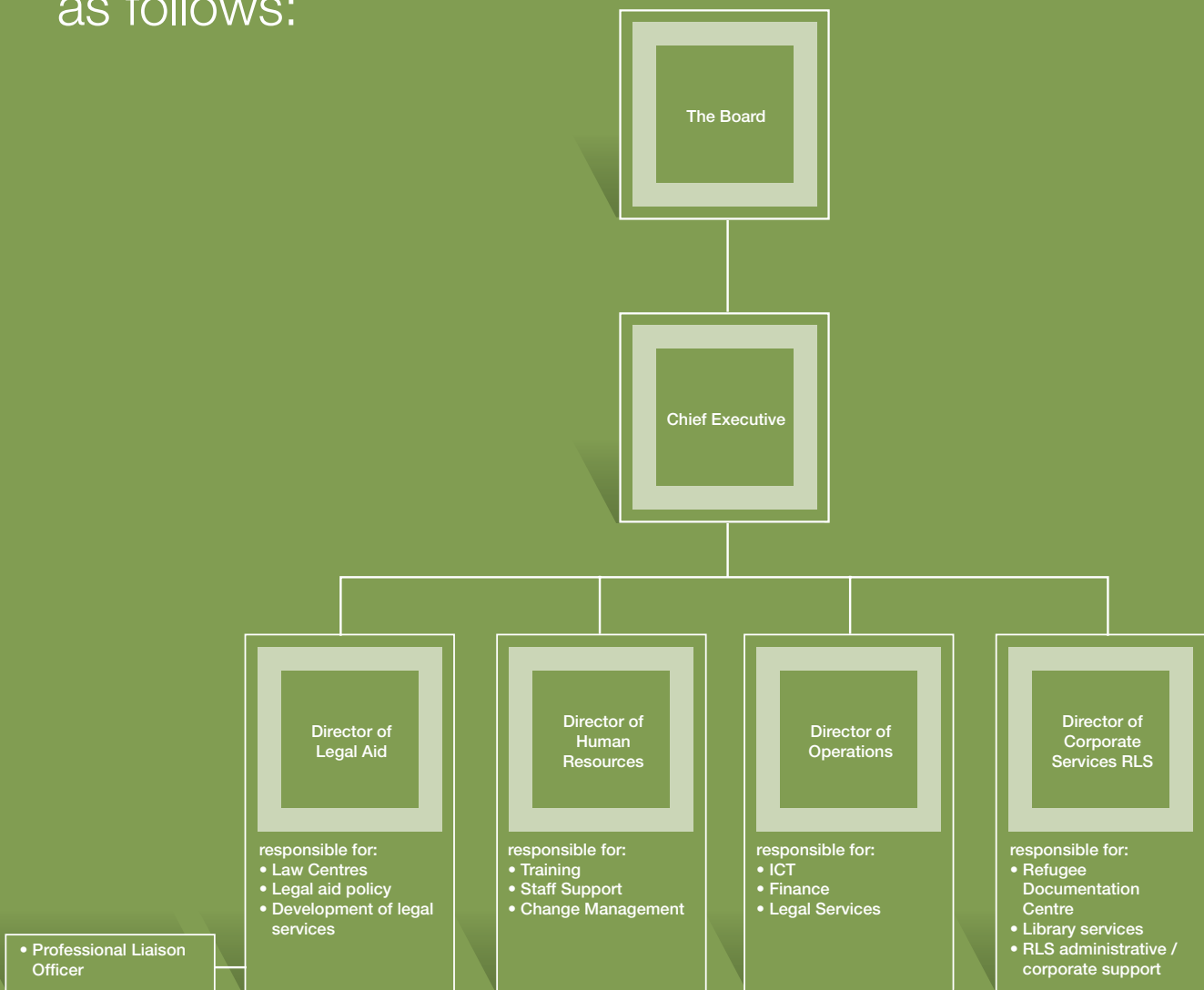
Finally, I would also like to join with the Chairperson in commending the staff of the Board for their continuing efforts to deliver the services expected of us in a timely, efficient and cost effective manner.

**Moling Ryan**  
Chief Executive  
June 2006.

# Board Staff

The Board has some 400 staff in total. This includes some 110 solicitors located in 33 law centres throughout the country and supported by paralegals and administrative staff. There are also a number of key units in Cahirciveen and Dublin managing functions including legal services, finance, ICT, human resources and corporate services.

The management structure of the organisation is as follows:



# Staff Developments in 2005

The Board recognises that its staff are key to delivering a constantly improving service to meet the needs of clients. In 2005, there was a particular focus on further developing communication and consultation processes; renewing the emphasis on training and development; enhancing the quality of work of the Board; and addressing performance management and development. Developments in 2005 included the following:

- The structure of the Partnership Committee was reviewed and revised to allow for greater staff input. The Committee continued to oversee the change management / modernisation programme. Details of its work are provided later in the Report.
- The Board continued to provide and support the provision of comprehensive training to its staff in the areas of its core business and in the support areas to enable business to be conducted more effectively.
- Having commissioned an external audit of the effectiveness of its Performance Management and Development System (PMDS), the Board re-launched its PMDS Programme at the end of 2005 in order to address some of the issues and concerns identified by the external reviewers.
- The Board's Professional Practice Work Group was reconstituted and contributed significantly to policy development in a number of areas, including
  - best practice guidelines for core areas of the Board's work;
  - risk management for the law centres;
  - developing a collaborative practice process in the Board;
  - a regulated system of contracting work out to private practitioners; and
  - an effective technology-based case management system.
- The Board appointed one of its managing solicitors to a role within its senior management structure involving the strategic development of its service delivery systems and the monitoring of its legal service delivery performance.
- The Board finalised an industrial relations procedural agreement with the unions representing the solicitors in the Board.
- The Board's Refugee Legal Service (RLS) staffing structure was established on a more sustainable footing. This should allow the RLS to meet any future demand for its services. It will also allow for the proposed further development of the service provided by the Refugee Documentation Centre (RDC).
- The RDC Steering Committee was established following a strategic review of the RDC's function and remit. Representatives of all the RDC's client agencies, as well as the office of the United Nations High Commissioner for Refugees (UNHCR), sit on the Committee. The focus of the Committee is the implementation of the recommendations of the strategic review, in particular the promotion of the RDC as the central clearing house for Country of Origin information.

# Service Provided in 2005

Legal advice and assistance is provided mainly through the Board's complement of solicitors in its network of full-time and part-time law centres. In order to ensure that clients receive a timely service, the Board has also established panels of solicitors in private practice to complement the service provided by the law centres. These solicitors provide services in certain family law matters that come before the courts and also in appeals before the Refugee Appeals Tribunal.



The Board is in the process of reviewing and developing its arrangements for the use of solicitors in private practice for the provision of legal services and it is anticipated that revised and improved schemes will be put in place during the course of 2006.



## General Summary

The total number of cases in which legal services were provided by the Board through its law centres, including the RLS, and the private practitioner service in 2005 was just under 17,500, compared with 16,700 in 2004. The increase is attributable to the introduction of a private practitioner scheme for divorce and judicial separation cases, and the greater usage of private practitioners in District Court matters.

This section of the Report is broken down into;

- services provided by the law centres in civil, including family matters;
- services provided by private practitioners in family matters; and
- services provided by both the RLS and private practitioners in asylum matters.

## Law centres

**Table 1**

Legal aid and advice was provided through the Board's law centres in 12,232 cases in 2005. Comparative information for 2004 and 2003 and a breakdown between aid and advice cases are set out below:

Year	2005	2004	2003
<b>Advice only</b>	<b>3,336</b>	3,462	3,504
<b>Court proceedings</b>	<b>8,896</b>	9,065	9,439
<b>Total</b>	<b>12,232</b>	12,527	12,943

As can be seen, the number of cases dealt with shows a slight fall in each of the last two years.

It is important to note that the figure for legal advice represents the number of cases in which persons were provided with legal advice only during 2005. A proportion of these will be granted legal aid in 2006 and this will be reflected in the statistics for that year.

**Table 2**

The issues in relation to which an advice service has been provided by solicitors in the law centres and the comparative information for 2004 and 2003 are set out in Table 2:

Year	2005	2004	2003
<b>Family law</b>	<b>2,353</b>	2,437	2,305
<b>Conveyancing</b>	<b>328</b>	356	478
<b>Other civil matters</b>	<b>655</b>	669	721
<b>Total</b>	<b>3,336</b>	3,462	3,504

The figures are similar to previous years and again highlight the extent to which the service is dealing with family law matters.

**Table 3**

The issues in relation to which the Board's law centre solicitors provided representation in court in 2005 and the comparative information for 2004 and 2003 are set out below:

Subject matter	2005	2004	2003
<b>Divorce separation nullity</b>	<b>5,363</b>	5,553	6,125
<b>Child care</b>	<b>557</b>	511	499
<b>Other family law matters</b>	<b>2,053</b>	2,150	1,941
<b>Other civil matters</b>	<b>923</b>	751	774
<b>Total</b>	<b>8,896</b>	8,965	9,339

The divorce and judicial separation cases were processed in the Circuit Court, with a small number of appeals to the High Court. Child care cases were processed in the District Court only, as were most other family law matters.

**Table 4**

Table 4 provides an age profile of cases in which legal aid was provided in 2005, by court. The year is indicative of when the file was opened.

Court	2005	2004	2003	Pre 2003	Total
<b>District</b>	1,462	760	267	194	<b>2,683</b>
<b>Circuit</b>	1,551	1,530	964	1,843	<b>5,888</b>
<b>High/Supreme</b>	126	67	32	100	<b>325</b>
<b>Total</b>	3,139	2,357	1,263	2,137	<b>8,896</b>

The relatively longer duration of the Circuit Court cases is attributable to a variety of factors including the greater level of work involved in many such cases relative to District Court matters and difficulties in obtaining early court hearing dates. High Court cases can also take a considerable length of time for the same reasons.

**Table 5**

Table 5 gives an overview of cases completed in 2005 and those ongoing at the end of the year:

2005	Completed	Active on 31.12	Total
<b>Aid</b>	<b>3,329</b>	<b>5,567</b>	<b>8,896</b>
<b>Advice</b>	<b>1,552</b>	<b>1,784</b>	<b>3,336</b>
<b>Total</b>	<b>4,881</b>	<b>7,351</b>	<b>12,232</b>

The table underlines the fact that cases involving court representation are likely to be of longer duration than cases that don't involve going to court.

## Service Provided in 2005 continued

**Table 6**

Table 6 gives an age profile of the cases involving court proceedings completed in 2005 by subject matter:

Year	2005	2004	2003	Pre-2003	Total
<b>Divorce/separation /nullity</b>	271	394	321	657	<b>1,643</b>
<b>Childcare</b>	76	85	36	37	<b>234</b>
<b>Other family law matters</b>	587	405	118	51	<b>1,161</b>
<b>Other civil law matters</b>	105	70	38	78	<b>291</b>
<b>Total</b>	<b>1,039</b>	<b>954</b>	<b>513</b>	<b>823</b>	<b>3,329</b>

The table is indicative of the fact that divorce, separation and nullity cases are generally of relatively longer duration than most other civil matters for which law centres provide legal aid services.

**Table 7**

This table gives the status of the legal aid cases on hand on the 31st December 2005:

Status	No. cases
<b>Legal aid certificate granted</b>	<b>407</b>
<b>Counsel briefed</b>	<b>725</b>
<b>Proceedings issued</b>	<b>1,461</b>
<b>At court</b>	<b>1,437</b>
<b>Re-entry</b>	<b>241</b>
<b>Under appeal</b>	<b>53</b>
<b>Court orders made</b>	<b>1,243</b>
<b>Total</b>	<b>5,567</b>

The table helps to identify the progress that is being made on cases and how they are progressing through the court process.

### Private practitioners in family law matters

Table 8 gives a breakdown of the number of legal aid certificates granted in 2005 to enable representation to be provided in the District and Circuit Courts by solicitors in private practice who are on the Board's panels. It also gives comparable figures for 2004 and 2003 for the District Court. The Circuit Court scheme, which had been piloted in 2001/2002, was introduced in 2005 and will be put on a formal footing in 2006. The scheme was not operative in 2003 and 2004.

**Table 8**

Year	2005	2004	2003
<b>District Court</b>	<b>1,590</b>	650	900
<b>Circuit Court</b>	<b>330</b>	N/A	N/A
<b>Total</b>	<b>1,920</b>	650	900

The significant increase in the number of District Court cases referred to private solicitors in 2005 is attributable to the removal of restrictions on the scheme that had been in place in 2004 due to funding difficulties.

The number of Circuit Court cases referred to private practitioners in 2006 and future years, will depend on the level of demand for the Board's services and the need to ensure that all applicants receive a service within a maximum period of four months.

### Asylum

The Board granted 3,136 legal aid certificates in 2005 to enable representation before the Refugee Appeals Tribunal. The following table shows the comparative figures for 2004 and the breakdown between the number of certificates in respect of which representation was provided by RLS solicitors and by private solicitors/barristers:

**Table 9**

Number of Certificates	2005	2004
<b>RLS solicitors</b>	<b>974</b>	1324
<b>Private solicitors</b>	<b>660</b>	462
<b>Barristers instructed by the RLS</b>	<b>1502</b>	1596
<b>Total</b>	<b>3136</b>	3382

The use of private solicitors in asylum matters is confined to appeals to the Refugee Appeals Tribunal. All other legal aid services in relation to asylum are provided by the Board's legal staff in the RLS offices with the assistance of barristers in judicial review cases. Those services include the following:

- advice prior to interviews with the Office of the Refugee Applications Commissioner;
- representation in the District Court of asylum seekers detained on foot of Section 9(8) of the Refugee Act 1996 (as amended);
- representation at the Refugee Appeals Tribunal;
- advice following the decision of the Refugee Appeals Tribunal;
- assistance with leave to remain applications;
- advice in relation to Deportation Orders;
- taking judicial review cases.

# Summary Account of a Selection of Legally Aided Cases

**Table 10**

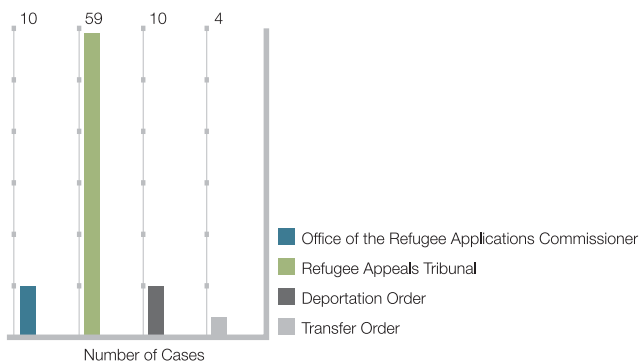
The Board granted 83 legal aid certificates in 2005 to enable judicial review proceedings to be instituted in relation to asylum cases.

Table 10 gives comparative figures for 2004 and 2003 and also the outcomes of the cases.

Judicial Review	2005	2004	2003
<b>Proceedings instituted</b>	<b>83</b>	85	44
<b>Cases settled</b>	<b>40</b>	74	37
<b>Cases successfully litigated</b>	<b>2</b>	0	0
<b>Unsuccessful Cases</b>	<b>0</b>	0	6
<b>Cases struck out</b>	<b>0</b>	2	0
<b>Cases still active</b>	<b>41</b>	9	1

The table indicates an extremely high level of positive outcomes in relation to the judicial review cases taken. Cases that are settled are generally settled on terms that are no less advantageous to the asylum seeker than if they were successfully litigated in court.

The following chart gives a breakdown of the decision/Order that was the subject of the judicial review in 2005.



As can be seen, the majority of cases taken are against decisions of the Refugee Appeals Tribunal (RAT). This is largely attributable to the fact that there is no appeal from its decisions. Accordingly, defects can be dealt with generally only by way of judicial review.

## Appeal Committee

Legal services are provided in individual cases on foot of the provisions of the Civil Legal Aid Act and the Regulations made under that Act. Initial decisions on the grant and refusal of legal services are taken at staff level, with a right of review and appeal against a refusal of legal services. During 2005, a total of some 11,500 applications for legal services were progressed and granted at staff level, while just over 170 applications were refused.

### Child Care

A client mother sought legal aid to defend an application by the Health Service Executive (HSE) to have her children taken into care. The father of the children had been imprisoned in a different jurisdiction for sex offences against a minor (his step-daughter). While in prison he completed a sex offenders' programme. The HSE became aware of the father's past. The mother was unable to obtain a barring order against the father. The matter came before the District Court and the HSE indicated that they felt there were serious child protection concerns having regard to the father's past. The father indicated his willingness to undergo an up-to-date assessment.

It was submitted to the Court that there was no evidence that the children had been abused, neglected or ill treated in any way and the HSE agreed that there was no such evidence and conceded that no concerns had been reported to them. It was further argued that the HSE, having been aware of the circumstances for a significant period of time, should have acted sooner if they felt there were legitimate child protection concerns.

Having heard the evidence and submissions, including submissions based on jurisprudence from the European Courts, the District Court found that the best interests of the children were served by the making of an interim care order. After the interim Order was made, an up to date assessment was carried out on the father, which concluded that the likelihood of him re-offending was minimal. On foot of that assessment the children were returned to the care of their parents.

## Service Provided in 2005 continued

An appeal against a refusal of legal services lies to an appeal committee, which comprises five members of the statutory Board. An appeal committee meets each month, or as required. The following table sets out the details of the appeals considered by the Board in 2005, together with comparative information for 2004.

Table 11

Year	2005		2004	
<b>Number of decisions upheld</b>				
Financial eligibility	11		4	
Merits criteria	73	84	66	70
<b>Number of decisions overturned</b>	44		48	
Number of appeals on hands	9		6	
Number of appeals	137		124	

It will be seen that the number of decisions to refuse legal services is a very small proportion of the total number of cases in which decisions were made to grant legal aid and/or legal advice. While there is a decrease in the number of decisions overturned on appeal, from 38% in 2004 to 33% in 2005, it is not considered that this is significant in the context of the overall number of appeals. One factor in the reduction was the granting at staff level of a small number of applications for judicial review in asylum cases that would previously have been refused at that level, following a review and consideration of decisions taken by appeal committees.

### Timeliness of the service

As a consequence of the increased budget for 2005 and a number of administrative initiatives, the Board was able to dramatically reduce the number of persons on its waiting lists and also the waiting time for a first appointment with a solicitor. The following table and chart sets out the number of persons waiting as of the 31st December 2005 and similar figures for the 31st December 2004 and the 31st December 2003.

Table 12

Year	2005	2004	2003
Number waiting	999	2,200	3,500

The following table sets out the waiting time (in months) for an initial appointment with a solicitor as of the 31st December 2005 and similar figures for the 31st December 2004 and the 31st December 2003.

Table 13

Law centre	Waiting time in months on 31st Dec 05	Waiting time in months on 31st Dec 04	Waiting time in months on 31st Dec 03
Athlone	3	3	1
Blanchardstown	3	11	6
Castlebar	1	4	2
Cavan	1	4	1
Clondalkin	3	3	4
Dundalk	1	5	5
Ennis	3	9	12
Finglas	1	15	11
Galway	2	4	10
Gardiner St	1	8	9
Kilkenny	4	7	11
Letterkenny	4	8	8
Limerick	1	3	4
Longford	0	0	0
Monaghan	1	4	5
Navan	2	10	12
Nenagh	3	6	4
Newbridge	3	20	8
Nth Brunswick St	2	4	16
Ormond Quay	2	3	6
Popes Quay	3	2	14
Portlaoise	4	10	13
Sligo	2	2	5
South Mall	3	11	9
Tallaght	3	6	7
Tralee	4	4	6
Tullamore	3	3	2
Waterford	2	3	5
Wexford	3	6	4
Wicklow	2	15	0

The Board is committed to ensuring that no applicant waits for more than four months for a first appointment with a solicitor. This was achieved in 2005 and the Board constantly monitors and reviews waiting lists so as to ensure that this target continues to be achieved.

# Summary Account of a Selection of Legally Aided Cases (continued)

## Priority cases

The Board has identified categories of cases where, by their nature, it is essential that an applicant get an immediate or near immediate service. Those categories include cases involving domestic violence, child abduction, child care and statutory time limits. In 2005, some 22% of first appointments were given because of the urgent nature of the case, which figure is broadly consistent with recent years.

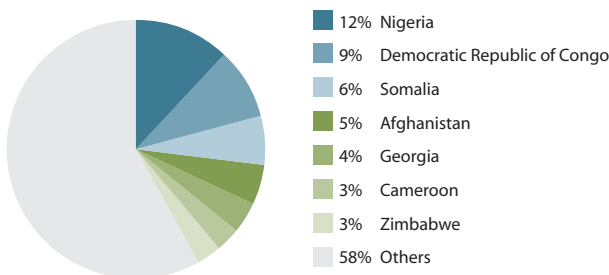
The Board is committed to continuing to offer this 'priority' service where necessary.

## Refugee Documentation Centre

The Board's RDC continued to be recognised as one of the most developed information centres in its specialist area in the western world. The RDC was established in late 2000 as an independent service operating under the aegis of the Legal Aid Board. The role of the RDC is:

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

In 2005, over 3,100 queries were completed by the RDC compared to 2,500 in 2004. Over 90% of those queries related to information about an asylum seeker's country of origin with the remaining split between legal/quasi-legal and library queries (book/report requests or other enquiries). The following pie chart gives a breakdown of the different countries that were the subject of the country of origin queries:



## Child Abduction

A client grandmother brought her grandchild with her from England to live in Ireland.

The child's mother initiated child abduction proceedings on foot of the Hague Convention. The High Court ordered on consent that the child be returned to England. A stay was put on the coming into effect of the Order to permit the grandmother initiate and re-open an application for a Residence Order before an English Court. The outcome of these proceedings was favourable to the grandmother and an Order was made by the relevant County Court in England permitting the child to be removed from the jurisdiction of the English Court on the condition that there would be contact between the child and its mother.

The English Court was assisted by a comprehensive guardian's report. The guardian travelled from England to assess the living circumstances of the child. The child did not have to return to England and was able to continue attending school in Ireland without disruption.

The earlier Order of the High Court was subsequently cancelled. The ability to put a stay on the order of the High Court gave the client grandmother much greater latitude to explore the welfare grounds surrounding the case, which otherwise would have been precluded from being entertained.

## Child Care

The client mother had a number of children of young age. One child was found by the Gardai outside in the grass, drenched wet, early in a mid-October morning. The mother had been drinking the previous evening and was not aware that the child was missing. The child was taken into care and placed with foster parents. The HSE were contacted and when their representatives called they found the home without electricity and in a very poor state. They decided that the remaining children were at a serious and immediate risk and successfully applied for Emergency Care Orders. The children were taken into care and placed with family members. There had been previous referrals to the HSE because of alleged neglect, and alcohol and drug misuse.

The client consented to a subsequent application for a Care Order for a short period, acknowledging that the children had not been her priority and that she had been depressed for some months and had started to drink excessively. She attended her GP, an addiction counsellor, and continued on her medication. She found new accommodation and cooperated with the HSE who were in a position to tell the court that they had not witnessed such a turnaround in any case and that they would be happy to proceed with a lesser application that did not involve the children being in care. The children were reunited with their mother before Christmas.

## Service Provided in 2005 continued

### Other services provided

In addition to providing legal aid and advice and a specialist documentation centre for the asylum area, the Board also provided:

- information about the law in a variety of forms, including through a number of outreach clinics, information leaflets, talks given to local community groups, and regular interaction with bodies representing the interests of the Board's potential clients;
- general library services to its own staff; and
- assistance to applicants seeking legal aid services in other jurisdictions.

### Legislative and other developments in 2005 that impacted on service provision

In the asylum area, a pilot project was introduced by the Government for accelerated processing of asylum applications from selected countries namely Romania, Bulgaria, Croatia, South Africa and Nigeria. These cases were assigned a shorter time for completion of the formal application for asylum, and were also prioritised for the scheduling of appeal hearings.

In relation to other civil matters, significant changes came on stream with the coming into force of many of the provisions of the Civil Liability and Courts Act, 2004. These included the relaxing of the in camera rule in family matters and the reduction in the statutory time periods for the issuing of certain legal proceedings.

On an international level, a European Union Directive of 2003 led to the Board being designated as the Central Authority for the processing of applications for legal aid in cross-border disputes. The Directive established minimum common rules relating to legal aid for such disputes and provided that a person may submit an application to the Central Authority in their country of residence, which must then transmit it to the authorities of the country which is to grant the aid.

From 1 March 2005, Brussels II Regulation (Brussels II) was replaced by Brussels II Revised (Brussels II bis). This relates to jurisdiction and the recognition and enforcement of judgments in matrimonial matters and in matters of parental responsibility. In 2005, the Board provided training to its staff on the effect of this Regulation and also provided legal services in several cases where this Regulation applied.

### Collaborative practice

The Board is keen to promote resolution rather than conflict in the areas in which it does business and in particular in the area of family law. It is generally recognised that the court process can exacerbate rather than alleviate already difficult family situations and that better outcomes are achieved by negotiation rather than adversarial court hearings. Collaborative practice provides the opportunity for separating and divorcing couples to work with trained professionals to resolve disputes without going to court. Collaborative practice is distinguished from the traditional dispute resolution process of litigation, by certain core elements. These elements are set out in a contractual commitment entered into by the clients and their solicitors in which they agree to:

- negotiate a mutually acceptable settlement without using court to decide any issue for the clients;
- engage in open communication and information sharing;
- create shared solutions that take into account the highest priorities of both clients; and
- facilitate the withdrawal of the professionals if either client goes to court.

Collaborative practice strives to provide clients with the support, information and structure they need to reach agreements that are voluntary and of maximum mutual benefit. In order to achieve this goal, it focuses on exploring common goals instead of divisive positions, and creating a safe environment for constructive engagement. The process involves a significant change in approach to dispute resolution on the part of solicitors. In 2005, the Board piloted a 'collaborative' process among its in house solicitors. The Board aims to build a collaborative structure in partnership with the legal profession and will be rolling out comprehensive training in the area both to its own and to private solicitors. One Board solicitor's experience of the process is described below.

#### "First toe dipping into Collaborative Waters"

My first entry into the collaborative law area has been a resounding success. I would advise at the outset that this was not a full collaborative engagement in that proceedings had already been drafted and there had been no commitment by either side to sign up to a non engagement in legal proceedings. This was mainly because this case commenced in 2004 and proceedings had been drafted by private solicitors. There was no written agreement to abandon or withdraw from the proceedings although there was a will on my part to try and avoid proceedings, if at all possible. The client's husband changed solicitors on a number of occasions and this made negotiations extremely difficult. The main difficulties, as is not unusual, related to the home and the residence / contact arrangements in relation to the children. The client had very serious reservations about her husband's contact arrangements with the children, which had been difficult from day one. A psychologist's Report was of some help but the client found it particularly difficult

## Summary Account of a Selection of Legally Aided Cases (continued)

to accept its recommendations. The family home was of modest value, its net worth would not purchase two properties. There were some monies held in the husband's account from a failed business.

My approach with this case was to try to negotiate. The client's husband finally instructed a solicitor who was an excellent negotiator. An initial meeting took place in a Courthouse venue which did not prove productive. This was because both parties felt that there had not been full disclosure and the client's concerns about her husband's contact arrangements with the children remained a huge obstacle. As the correspondence grew, I decided to approach my colleague in relation to collaboration. I would point out that my colleague was not familiar with collaboration, but saw the value of a meeting.

The meeting took place in the law centre. Both clients had to travel an equal distance to this location. One room was allocated to the husband and his solicitor, one room to the client and I, and we met for "four way" meetings in a third room. The meeting took place over a number of hours. There was willingness on both sides to retain the family home for the children's sake and in the end this was achieved through the client foregoing any interest in "the husband's business money" and he agreeing to be bought out for a small share which the client was able to raise by re-mortgaging the family home. (She had done all her homework in this regard well in advance of the meeting).

The next major obstacle to overcome was the contact arrangements. In the presence of the solicitors and each other, the parties were able to rise above petty allegations and accusations. Both solicitors emphasised their client's great love and regard for the welfare of the children and the clients appeared to respond. They couched their accusations and allegations in a less hostile manner and eventually contact arrangements were agreed.

We concluded the matter on that day. I waited with bated breath for the fallout and there was none. This is a client who had telephoned me every single Monday morning with complaints about her husband's contact with the children the preceding weekend. A number of weeks later she advised that while there were still difficulties she was learning to accept that it wouldn't be perfect. "I can remember from our meeting in the law centre that he does have the best interests of the children at heart". The abusive text messages have stopped and both appeared to be getting on with their lives.

On a scale of 1 – 10, with 10 being at the extreme end of hostile relations between the parties, this would have ranked about 8. It amazed both myself and the other solicitor how the clients behaved so much better at the meetings than we would have expected it. As I confessed, this was my first effort at collaboration and it was not a Collaborative Law case in the pure sense, but it worked!!."

### Personal Injury

A client alleged that he had been the victim of repeated sexual abuse by a priest in the early 1970s. The abuse occurred while the client, then 12, was a student at a local technical school. The abuse also occurred in the local presbytery. The client alleged that the priest had befriended his family by offering financial assistance when his father had become incapacitated in a work related accident. When he complained to his family he was not believed because they held the priest in high esteem. The applicant alleged that as a result of the abuse he suffered lifelong mental illness and psychological harm. He had made a number of attempts on his life.

It emerged that the priest had died. Proceedings were instituted against a number of defendants including the State and the Catholic Church. The case was settled for a significant sum.

### Asylum

The client couple and their two children, who were non-EU citizens from eastern Europe, applied for asylum in the State fearing persecution as a result of their fear of organised crime and corruption in their country of origin. The family's fear was based on previous attacks and victimisation they had suffered resulting from a land dispute between their family and that of another family, who were heavily involved in human trafficking, prostitution and the drugs trade. They also feared that the children would be abducted and sold into prostitution by this family if returned to their country of origin.

The clients were refused refugee status at first instance by the Refugee Applications Commissioner and appealed this finding to the Refugee Appeals Tribunal. Their appeal was also refused.

On foot of a review of their case, the RLS believed there were substantial grounds for taking judicial review proceedings regarding the conduct of their appeal. Legal proceedings were instituted which contended that the Tribunal had breached the applicants right to fair procedures in the conduct of their appeal, in particular relating to the issue of the Tribunal member's refusal to hear submissions and his objection to the applicants application for an adjournment given interpreting difficulties which arose during the appeal. The matter was subsequently settled on the basis that the clients be afforded a new appeal before a different Tribunal member. The new appeal was successful and the Refugee Appeals Tribunal has now recommended that the family be declared refugees in accordance with Irish law.

# Developing the civil legal aid service

The Board has identified a number of key issues that it sees as being pivotal to the development of the civil legal aid service in Ireland. In doing so, the Board is mindful of its Mission Statement, set out in its Corporate Plan for 2006-2008, “to provide a professional, efficient, cost-effective and accessible legal aid and advice service”.





### Quality

The first of these key issues is to ensure that every client of the Board gets a quality service. The Board will:

- continue to roll out best practice guidelines in relation to all of the remaining core areas of its work. These will act as a benchmark for measuring the quality of service given to each individual client;
- undertake an ongoing quality audit and review programme in relation to the legal services provided by solicitors in the Board's law centres and also by the private solicitors to whom work is contracted;
- contract out work only to private solicitors who sign up to the quality standards / best practice guidelines that issue and who comply with those standards / guidelines;
- undertake client surveys to ensure that the services being provided are meeting client needs; and
- review its risk management strategy to ensure that every client is getting a service that meets the commitment set out in the Mission Statement.

### Accessibility to those seeking a service

As is evident from the earlier material in this Report, waiting periods for a first appointment with a solicitor have dropped dramatically during the course of 2005. It is the Board's intention to build on this into the future. The Board will:

- pilot an 'advice' service whereby applicants will be offered a relatively short appointment with a solicitor without having to wait any significant period if it is felt that such an appointment will be sufficient to deal with the problem;
- review the feasibility of piloting a similar 'telephone' service;
- review the feasibility of having a centralised applications facility to ease the administrative aspect of applying for services; and
- review the demand for an 'out of hours' service

The Board is committed to ensuring that no applicant waits for longer than four months to see a solicitor.

### Educating and informing people about legal aid

In 2005, the Board engaged in a comprehensive strategic planning process for the delivery of legal services over the next three years. Arising from that process, the Board identified a lack of information and knowledge of its services as being a potential barrier to accessing justice. In 2006 the Board will undertake a review of how it communicates information about itself with a view to better informing the public, and in particular its potential customers, about the services that it provides. Among the steps that will be taken are:

- redesigning the Board's website with a view to making it more informative and user friendly;
- more active engagement with certain community and other groups; and
- reviewing the geographic availability of the Board's services.

# Enabling Service Delivery

The provision of legal aid and advice by the Board is heavily dependent on the efficient and effective operation of a range of Head Office support services. These include:

- Human Resource Management
- Legal Services Support
- Information and Communications Technology (ICT)
- Financial Management
- Organisational Support

These services are essential to enable the Board to operate effectively as the quality of the support offered to the organisation as a whole has an impact on the capacity of the Board to deliver responsive front-line services.

## Human Resources Management

The HR function consists of three discrete areas – staff support, training and development, and change management.

Particular developments during 2005 in the staff support area included:

- finalisation of an Industrial Relations procedural Agreement with the solicitor unions, following lengthy negotiations;
- completion of a Staff Handbook that provides all staff with an easily accessible guide to relevant policies and procedures in the Board;
- further development of the Human Resources Management System (HRMS);
- agreement relating to the substantive staffing of the RLS; and
- obtaining a Recruitment Licence from the Commission for Public Service Appointments.

A broad range of initiatives for the training and development of staff was undertaken during 2005. Notable initiatives included:

- intensive training in Collaborative practice for solicitors;
- advocacy training for solicitors;
- two sessions of training on Refugee Status Determination conducted by the UNHCR;
- considerable emphasis on anti-racism awareness training; and
- an organisational training and skills audit.



There were also a number of important developments in the area of change management and modernisation. Particular ones included:

- The Partnership Committee was re-structured, subsuming some existing committees and expanding membership so that it now includes management, union and staff representatives. Active Partnership sub-committees that were re-constituted in 2005 include Training and Development, Communications, Health and Safety and the Exceptional Performance Scheme. Further sub-committees are planned. The Committee also played an active role in the development of the new Corporate Plan, developments under Sustaining Progress and in customer service.
- A Customer Charter was published during the year and sets out the standards of service to be provided to customers of the Board.
- An external review of PMDS was conducted and the recommendations are being implemented.
- The Board's internal magazine, LABLIFE, was reintroduced and three editions were published during the year including an extended edition at Christmas and an edition celebrating the Board's 25th anniversary.

#### **Legal Services Support**

During 2005, the Legal Services Section of Head Office continued to provide administrative support to law centres in the processing of applications, the granting of legal aid certificates and authorising additional services, such as counsel and expert witnesses.

The Section also handled all general queries and specialised applications. In addition, it compiled statistical management information regarding service delivery for presentation to the Board and inclusion in the Annual Report.

#### **Information and Communications Technology**

In 2005, the Board adopted a formal strategy for ICT developments to the end of 2007. The strategy sets out an ambitious programme of work aimed at strengthening the Board's technical infrastructure through the introduction of central storage and effective disaster recovery and business continuity measures; improving operational capacity by introducing a Legal Aid Board portal and further developing applications to support service delivery; and improving the information service to clients by use of web enabled technology.

Improved funding in 2005 enabled the Board to commence this programme by making the investment in the hardware, software and communications upgrades necessary to implement central storage. Further resources will be assigned throughout 2006 and 2007 to ensure the enhancement of its applications to support new and improved service delivery, including the capacity to interface with its clients and to disseminate information about its services more effectively.

#### **Financial Management**

The Board has a dedicated Finance Unit that is responsible for the financial management of the organisation. During 2005, the Unit continued to support the work of the Board through maintenance of effective accounting systems. Regular financial reports, together with periodic expenditure analysis reports were provided to Management, the Finance Committee and the Board to assist in the effective management of the Board's budgets.

Once again a major element of the Unit's work in 2005 was the production of the annual audit file and financial statements for approval by the Board and clearance by the Comptroller and Auditor General's office. A copy of the accounts for 2005 is included at Appendix 1 and a copy of the C&AG's certificate is at page 29.

#### **Organisational Support**

The Board's organisational support unit continues to oversee the provision of corporate services support to staff in 37 different locations throughout the country. This entails a property portfolio management function for all of the Board's leased premises that includes fit out and maintenance of accommodation, in conjunction with legal and property advisors, managing the utility requirements at all locations and meeting the day to day supply needs of the Board's staff.

The section also co-ordinates the Board's risk management, corporate governance, Health and Safety and Freedom of Information responsibilities, as well as overseeing the production of publications and contributing to the Internal Audit function. In addition to the property/support aspect, the section co-ordinated the biannual International Legal Aid Conference which took place in Killarney, Co Kerry in June and the Board's 25th anniversary conference.

Further organisational support is provided through the Corporate Service function in the RLS which deals with registration of new RLS clients, outreach services, interpretation and translation services, management of the RLS Private Practitioner service, the granting of legal aid in judicial review proceedings and other corporate functions.

#### **Equality of Opportunity**

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 in question. All persons are treated on equal terms as regards career development, promotion and training. The Board has an Equality Officer who monitors compliance with the Board's policy of equality and the Employment Equality Act 1998.

#### **Health and Safety**

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

# Finance

The Board's financial statements for 2005 are shown at Appendix 1.

## 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. Funding provided by the Government in 2005 was €21.362 million, as compared with €18.388 in 2004.

### (b) Refugee Legal Service

Exchequer funding for the RLS in 2005 was €9.226 million. This level of funding was adequate to cover the full year cost of the provision of legal aid services by the Refugee Legal Service.

### (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 €6 for legal advice and €35 for representation in court. This minimum contribution can be waived in cases of hardship.

### (d) Recovery of costs

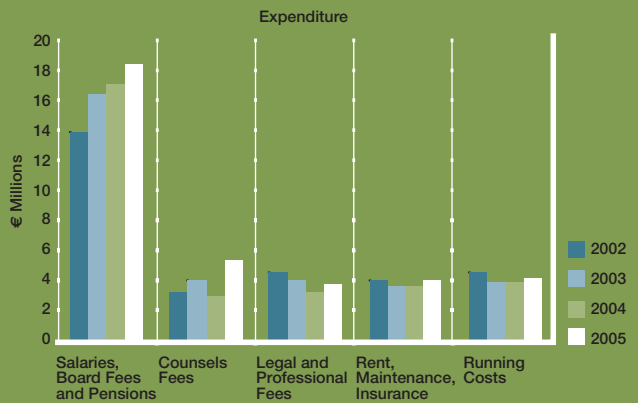
The Board may recover the cost of providing legal services from:

- (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.

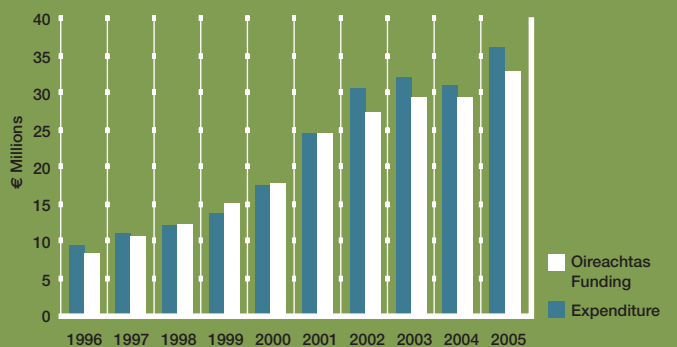
The amount of costs recovered can vary significantly from year to year, especially if a legally aided person obtains an award for costs in a case in which the other party is in a position to meet the costs. This does not generally arise in family law cases, which form the bulk of the Board's caseload.

Costs recovered in 2005 (€676,183) were 29% lower than in 2004 (€955,074)

The following graph shows a breakdown of expenditure by the Board over the last four years.



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



**Expenditure**

The following are comments on the major items of expenditure shown in the 2005 financial statements:

1) *Salaries*

The increase of €1,045,233 (6%) in expenditure on employee costs in 2005 (excluding pension charges for solicitors) is due to a number of factors including the filling of vacancies left unfilled in 2004, carryover costs of increases paid in 2004, pay increases in 2005 and the cost of increments.

2) *Accommodation*

Expenditure in this area increased by 12% in 2005. This increase occurred mainly in the area of maintenance of premises where significant refurbishment works arose in relation to an office move and work postponed from earlier years in a number of law centres.

3) *Legal fees and expenses*

There are a number of differing elements covered in this heading - see Note 7 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 almost €2.4 million or 79% when compared with 2004. This arises from increased processing of legal aid certificates in 2005 (€600,000), but mainly from a revised method of accruing for legal aid certificates issued (€1.8 million), where work has been incurred but not yet presented for payment. When costs are recovered, the amount recovered in respect of counsel fees is paid to the barrister and this is generally higher than the fee normally paid by the Board.

The following table shows the trend in expenditure on counsel fees in respect of legal aid and advice over the past six years.

Year	Counsel Fees	Year	Counsel Fees
2000	€1,996,000	2003	€3,978,000
2001	€2,318,000	2004	€2,995,000
2002	€3,326,000	2005	€5,376,000

(ii) *Legal fees - expenses*

These case-related expenses are the additional expenses incurred by the Board, over and above counsels fees, in providing a civil legal aid and advice service to members of the public. The increase of 28% in these, as compared with 2004, is a reflection of the increased expenditure on expert witness fees in 2005, and to a higher level of expenditure on refugee cases. Some 53% of this expenditure is attributable to the RLS, and includes, in particular, expenditure on translation and interpretation services for asylum seekers.

(iii) *Private practitioner scheme*

Expenditure in 2005 on the private practitioner scheme was €1,770,210. Over 67% of this expenditure is attributable to the RLS, which makes significant use of private solicitors and barristers for appeals before the Refugee Appeals Tribunal.

(iv) *Other professional fees*

Costs under this heading relate to the engagement by the Board of professionals to provide independent legal advice and other professional services to the Board. The increase of 24% over 2004 reflects the expenditure on design assistance with the Board's ICT central storage project.

(v) *Other expenses*

Solicitors employed by the Legal Aid Board must have a practising certificate, which is issued by the Law Society of Ireland. The cost of these certificates in 2005 totaled almost €210,000. 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 €4.63 million on hand at the end of 2005. Of this amount, moneys totalling €910,000 were held on behalf of clients. It will be seen from Note 12 to the accounts that the throughput of client funds in 2005 was over € 9.5 million. This arises from cases where, as a result of legal advice or representation in court, clients received moneys either from the other party or from the disposal of property. All such moneys 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. The cash at bank figure, apart from client funds, is similar to the level of expenditure incurred by the Board each month and is considered to be a reasonable level of funding to have on hands at any one time.

**Prompt Payment of Accounts Act, 1997**

Section 4 of the Prompt Payment of Accounts Act, 1997 requires the Board to pay for the supply of goods or services by the prescribed payment date. This date is currently 30 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 is payable to the supplier. Procedures ensure that the Board complies in all material respects with the requirements of the Act. The total amount of late payment interest paid to suppliers of goods and services during 2005 amounted to €101 (€186 in 2004) which represents 0.0006% (0.0015% in 2004) of all relevant payments. The total value of this payment was €505. Late payments constituted 0.0032% (0.0088% in 2004) in monetary terms of total payments.

# Appendix I

Financial Statements  
for the Year Ended  
31st December 2005



# Legal Aid Fund

## Report of the Comptroller and Auditor General for presentation to the Houses of the Oireachtas

I have audited the financial statements of the Legal Aid Fund for the year ended 31 December 2005 under the Civil Legal Aid Act, 1995. The financial statements, which have been prepared under the accounting policies set out therein, comprise the Statement of Accounting Policies, the Income and Expenditure Account, the Statement of Total Recognised Gains and Losses, the Balance Sheet, the Cash Flow Statement and the related notes.

### **Respective Responsibilities of the Members of the Board and the Comptroller and Auditor General**

The Legal Aid Board is responsible for preparing the financial statements in accordance with the Civil Legal Aid Act, 1995 and for ensuring the regularity of transactions. The Board prepares the financial statements in accordance with Generally Accepted Accounting Practice in Ireland. The accounting responsibilities of the Members of the Board are set out in the Statement of Board Responsibilities.

My responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

I report my opinion as to whether the financial statements give a true and fair view, in accordance with Generally Accepted Accounting Practice in Ireland. I also report whether in my opinion proper books of account have been kept. In addition, I state whether the financial statements are in agreement with the books of account.

I report any material instance where moneys have not been applied for the purposes intended or where the transactions do not conform to the authorities governing them.

I also report if I have not obtained all the information and explanations necessary for the purposes of my audit.

I review whether the Statement on Internal Financial Control reflects the Board's compliance with the Code of Practice for the Governance of State Bodies and report any material instance where it does not do so, or if the statement is misleading or inconsistent with other information of which I am aware from my audit of the financial statements. I am not required to consider whether the Statement on Internal Financial Control covers all financial risks and controls, or to form an opinion on the effectiveness of the risk and control procedures.

### **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 International Standards on Auditing (UK and Ireland) 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 and regularity of the financial transactions included 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 Board'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 in order 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.

### **Opinion**

In my opinion, the financial statements give a true and fair view, in accordance with Generally Accepted Accounting Practice in Ireland, of the state of the Legal Aid Fund's affairs at 31 December 2005 and of its income and expenditure for the year then ended.

In my opinion, proper books of account have been kept by the Board. The financial statements are in agreement with the books of account.

John Purcell  
Comptroller and Auditor General  
July 2006

# Legal Aid Fund

## Statement of Board Responsibilities

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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; and
- \* 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  
21st July 2006



Board Member

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# Legal Aid Fund

## Statement of Internal Financial Control

1. On behalf of the Board of the Legal Aid Board, I acknowledge that the Board is responsible for ensuring that an effective system of internal financial control is maintained and operated for the organisation.
  2. Any such system can provide only reasonable and not absolute assurance against material error. In considering the effectiveness of internal financial controls the Board has regard, among other things, to the requirements of the Code of Practice for the Governance of State Bodies.
  3. The key procedures that have been put in place by the Board, designed to provide effective internal financial control, include
    - Control Environment: the management and executive functions of the Board are delegated to the Chief Executive and senior management of the organisation by resolutions of the statutory Board, which monitors and reviews the work of senior management, who report to it at its monthly meetings and through its various Committees.
    - Budget Information Systems: the Board has a comprehensive budgeting system, that includes approval by the statutory Board of annual budgets and monitoring of monthly financial reports, that track expenditure against agreed profiles on all areas of expenditure, with variance reports, where appropriate. The Finance Committee of the statutory Board reviews detailed analysis reports for each area of expenditure.
    - Risk Management: the Board has adopted and implemented a clearly defined Risk Management policy and maintains a formal Risk Register that documents business risks and associated mitigations, controls and actions for all aspects of the Board's activities through the application of risk analysis techniques to its business objectives. The Audit Committee of the statutory Board has responsibility, and has put a mechanism in place, for monitoring, reviewing and reporting to the Board on this function.
    - Procedures: the Board has clearly defined financial instructions and procedures, including delegated spending and authorisation limits and segregation of duties, approved by resolution of the statutory Board. In addition, the statutory Board has reserved approval of expenditure on contracts with value in excess of €65,000, while the Finance Committee of the statutory Board is notified of all contracts with value in excess of €10,000 and less than €65,000.
    - Monitoring of Internal Control: the Board has an Internal Audit function whose annual audit programme is approved by the Audit Committee of the statutory Board and one of whose functions is to review all aspects of internal financial controls. The Audit Committee reviews the work and recommendations of the Internal Audit function and monitors the action taken by management to resolve any issues that have been identified. The Committee also reviews all significant reports received by the Board from the external auditors, including management's responses to these and makes recommendations on the issues raised. Correspondence with the Comptroller and Auditor General, including the audit Management Letter, and any issues raised, are brought to the attention of the Audit Committee and the statutory Board, which ensures that issues raised are pursued. I can confirm that all issues raised since the 2004 audit have been addressed and any recommendations adopted.
- The Audit Committee must produce a formal report within three months of the end of the calendar year, outlining its activities, together with such advice and recommendations as it deems appropriate. The report for 2005 was adopted by the Board at its meeting on 24 March 2006.
4. I confirm that during the year ended 31 December 2005 the Board has continued to review the effectiveness of the Board's system of internal financial controls.



Chairperson  
21st July 2006

# Legal Aid Fund

## Statement of Accounting Policies 2005

### 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 2005, the Board operated out of 37 full-time centres and 12 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.

### Contributions from aided persons

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, 2005 was approximately €20,000. There were no bad debts written off in 2005.

### Costs Recovered

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

- (a) 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
- (b) from the legally aided person, out of moneys/property received by the person as a result of the provision of legal services.

### 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 rates:-

Leases, office furniture & equipment, computer equipment and premises fit out	20%
---	-----

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

### Clients' Funds

These funds represent the gross amounts plus interest accrued, which were held by the Board at 31 December 2005, 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.

### Capital Account

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

### Pensions

The Legal Aid Board operates a defined benefit pension scheme, which is funded annually on a pay as you go basis from moneys available to it, including monies provided by the Department of Justice, Equality and Law Reform and from contributions deducted from solicitors' salaries. Pension costs reflect pension benefits earned by solicitor staff in the period and are shown net of staff pension contributions which are retained by the Legal Aid Board. An amount corresponding to the pension charge is recognised as income to the extent that it is recoverable, and offset by grants received in the year to discharge pension payments.

Actuarial gains or losses arising on scheme liabilities are reflected in the Statement of Total Recognised Gains and Losses and a corresponding adjustment is recognised in the amount recoverable from the Department of Justice, Equality and Law Reform.

Pension liabilities represent the present value of future pension payments earned by solicitor staff to date. Deferred pension funding represents the corresponding asset to be recovered in future periods from the Department of Justice, Equality and Law Reform.

The effect of the changes in accounting policy arising from the introduction of FRS17 is to recognise as expenditure in the year the cost of pensions earned rather than the payment made to pensioners, and a corresponding funding amount. In addition, the Balance Sheet recognises the cumulative liability for pensions earned by solicitor staff as at 31 December 2005 together with a corresponding asset, whereas previously this liability was disclosed by note only.

# Legal Aid Fund

## Income and Expenditure Account

for the year ended 31 December 2005

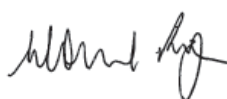
	Note	2005		2004	
		€	€	€	€
<b>Income</b>					
State funding	1	30,588,000		27,459,000	
Net deferred funding for pensions	2 b	2,320,000		1,830,000	
Contributions from aided persons		485,507		329,181	
Costs recovered		676,183		955,074	
Profit on sale of assets		0		0	
Other income	3	390,256		378,490	
			34,459,946		30,951,745
Transfer from Capital Account	4		323,698		1,088,545
			34,783,644		32,040,290
<b>Expenditure</b>					
Salaries and related expenses	5	16,376,119		15,343,038	
Pension Costs Charged to Expenditure	2 c	2,082,177		1,685,685	
Fees to Board members		86,724		87,858	
Accommodation and establishment expenses	6	4,290,252		3,801,694	
Legal fees & expenses	7	9,227,246		6,194,034	
General administration	8	2,362,296		2,141,193	
Depreciation	9	1,443,412		1,518,322	
Audit fee		16,800		15,400	
			35,885,026		30,787,224
Deficit / Surplus for year			(1,101,382)		1,253,066
Opening balance as at 1 January			1,627,825		374,760
Closing balance as at 31 December			526,443		1,627,825

All income and expenditure for the year 31 December 2005 relates to continuing activities.

The Statement of Accounting Policies and Cash Flow Statement, together with Notes 1 to 18, form part of these financial statements.



Chairperson  
21st July 2006



Chief Executive

# Legal Aid Fund Balance Sheet

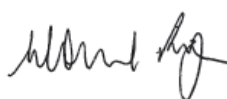
as at 31 December 2005

	Note	2005		2004	
		€	€	€	€
<b>Fixed assets</b>	9		<b>2,272,923</b>		2,596,621
<b>Current assets</b>					
Cash at bank and on hand		<b>4,627,112</b>		3,778,829	
Debtors and prepayments	10	<b>481,404</b>		451,447	
			<b>5,108,516</b>		4,230,276
<b>Less current liabilities</b>					
Creditors and accruals	11	<b>3,691,957</b>		1,562,126	
Clients' funds	12	<b>890,113</b>		1,040,325	
			<b>4,582,070</b>		2,602,451
<b>Net current assets</b>			<b>526,443</b>		1,627,825
<b>Total assets less current Liabilities before Pension</b>			<b>2,799,366</b>		4,224,446
Deferred pension funding	2 d		<b>19,500,000</b>		18,000,000
Pension liabilities	2 e		<b>(19,500,000)</b>		(18,000,000)
			<b>0</b>		0
<b>Total assets</b>			<b>2,799,366</b>		4,224,446
<b>Represented by:</b>					
Income and Expenditure Account			<b>526,443</b>		1,627,825
Capital Account	4		<b>2,272,923</b>		2,596,621
			<b>2,799,366</b>		4,224,446

The Statement of Accounting Policies and Cash Flow Statement, together with Notes 1 to 18, form part of these financial statements.



Chairperson  
21st July 2006



Chief Executive

# Legal Aid Fund

## Statement of Total Recognised Gains and Losses

as at 31 December 2005

	Note	2005 €	2004 €
Deficit / Surplus for year		(1,101,382)	1,253,066
Experience (gains) / losses on pension scheme liability		(820,000)	310,000
Changes in assumptions underlying the present value of pension scheme liabilities		0	2,360,000
<b>Actuarial (gain) / loss on Pension Liabilities</b>	2 e	<b>(820,000)</b>	2,670,000
<b>Adjustment to Deferred Pension Funding</b>		<b>820,000</b>	(2,670,000)
<b>Total Recognised Gains / Losses</b>		<b>(1,101,382)</b>	1,253,066

All income and expenditure for the year 31 December 2005 relates to continuing activities.

The Statement of Accounting Policies and Cash Flow Statement, together with Notes 1 to 18, form part of these financial statements.

# Legal Aid Fund

## Cash Flow Statement

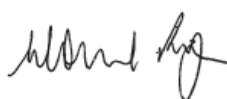
for the year ended 31 December 2005

	Note	2005 €	2004 €
Net cash inflow from operating activities	14	1,893,774	1,607,313
Returns on investment and servicing of finance			
Interest received		88,754	74,990
Interest paid on client settlements		(16,307)	(14,473)
Investing activities			
Sale of tangible assets		5,069	4,034
Purchase of tangible assets		(1,123,007)	(433,757)
<b>Net cash inflow</b>		<b>848,283</b>	1,238,108
<b>Increase in cash and cash equivalents</b>	15	<b>848,283</b>	1,238,108

The Statement of Accounting Policies, together with Notes 1 to 18, form part of these financial statements.



Chairperson  
21st July 2006



Chief Executive

# Legal Aid Fund

## Notes to the Financial Statements

for the year ended 31 December 2005

### 1 State Funding

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

	2005	2004
	€	€
Subhead:		
C.2 Grant-in-Aid	21,362,000	18,388,000
D.2 Asylum Seekers Taskforce - Legal Aid*	9,226,000	9,071,000
	<b>30,588,000</b>	<b>27,459,000</b>

\* This funding was provided towards the expenditure incurred on the Refugee Legal Service. See Note 16.

### 2 Pension Costs

#### (a). Pension Scheme

The Legal Aid Board operates a defined benefits superannuation scheme for solicitors. Superannuation entitlements arising under the scheme are paid out of current income and are charged to the Income and Expenditure Account, net of employee superannuation contributions, in the year in which they become payable. Accounting standard Financial Reporting Standard No. 17 - Retirement Benefits (FRS 17), was issued by the Accounting Standards Board in November 2000. Compliance with the new standard became mandatory for the financial year 2005. The results set out below are based on an actuarial valuation of the liabilities of the scheme in respect of Legal Aid Board solicitor staff as at 31 December 2005. The valuation was carried out using the projected unit method. The financial assumptions used to calculate scheme liabilities for the purpose of FRS 17 were as follows:

	At 31/12/05	At 31/12/04	At 31/12/2003
Discount Rate	5.5%	5.5%	6.0%
Salary increase assumption	4.0%	4.0%	4.0%
Pension increase assumption	4.0%	4.0%	4.0%
Price inflation	2.0%	2.0%	2.0%

On the basis of these assumptions, and using the projected unit method prescribed in FRS17, the value of the accrued liabilities in respect of the Legal Aid Board solicitor staff at 31 December 2005 was estimated at €19.5m (compared with €18.0m as at 31 December 2004).

#### (b). Net Deferred Funding for Pensions in year

	2005	2004
	€	€
Funding recoverable in respect of current year pension costs	2,400,000	1,950,000
State grant applied to pay pensioners	(80,000)	(120,000)
	<b>2,320,000</b>	<b>1,830,000</b>

#### (c). Analysis of total pension costs charged to Expenditure

	2005	2004
	€	€
Current service cost	1,400,000	1,140,000
Interest on Pension Scheme Liabilities	1,000,000	810,000
Employee Contributions	(317,823)	(264,315)
	<b>2,082,177</b>	<b>1,685,685</b>

**(d). Deferred Funding Asset for Pensions**

The Legal Aid Board recognises these amounts as an asset corresponding to the unfunded deferred liability for pensions on the basis of the set of assumptions described above and a number of past events. These events include the statutory basis for the establishment of the superannuation scheme, and the policy and practice currently in place in relation to funding public service pensions including contributions by employees and the annual estimate process. While there is no formal agreement regarding these specific amounts with the Department of Justice, Equality and Law Reform, the Board has no evidence that this funding policy will not continue to meet such sums in accordance with current practice. The deferred funding asset for pensions as at 31 December 2005 amounted to €19.5m (€18.0m in 2004).

**(e). Movement in Net Pension Liability during the financial year**

	2005	2004
	€	€
Net Pension Liability at 1 January	18,000,000	13,500,000
Current Service Cost	1,400,000	1,140,000
Interest Costs	1,000,000	810,000
Actuarial (Gain) / Loss	(820,000)	2,670,000
Pensions paid in the year	(80,000)	(120,000)
<b>Net Pension Liability at 31 December</b>	<b>19,500,000</b>	<b>18,000,000</b>

**(f). History of experience gains and losses**

	2005	2004
	€	€
Experience (gains) / losses on scheme liabilities Amount (€)	(820,000)	310,000
Percentage of the present value of the scheme liabilities	4%	2%
Total amount recognised in STRGL Amount (€)	(820,000)	2,670,000
Percentage of the present value of the scheme liabilities	4%	15%

**3. Other income**

	2005	2004
	€	€
Interest received and receivable	87,326	71,655
Sundry receipts*	302,930	306,835
<b>Total</b>	<b>390,256</b>	<b>378,490</b>

\*Sundry receipts primarily consist of salary recoupment of staff on secondment and social welfare benefits.

**4. Capital Account**

	€	€
Balance as at 1 January		2,596,621
Transfer to Income and Expenditure Account		
- Income used to purchase fixed assets	1,124,783	
- Amount released on disposal of fixed assets	(5,069)	
- Income amortised in year in line with depreciation of assets	(1,443,412)	
		(323,698)
<b>Balance as at 31 December</b>		<b>2,272,923</b>

# Legal Aid Fund

## Notes to the Financial Statements

for the year ended 31 December 2005

### 5. Employee numbers and costs

The total staff complement as approved by the Minister at 31 December, 2005 was 384. The number of staff actually employed by the Board at 31 December, 2005 was 383 (2004 - 370) The average number of employees in the Board during the year was 380 (2004 - 373). Employee and related costs were as follows:

	2005	2004
	€	€
Salaries	15,221,797	14,269,076
Cost of Agency Staff & Secondment	51,139	50,296
Employer PRSI	1,103,183	1,023,666
	<b>16,376,119</b>	<b>15,343,038</b>

### 6. Accommodation and establishment expenses

	2005	2004
	€	€
Rents	2,687,411	2,560,635
Cleaning	295,654	270,142
Lighting and heating	197,547	213,434
Maintenance - Premises	874,417	454,186
Maintenance - Equipment	235,223	303,297
	<b>4,290,252</b>	<b>3,801,694</b>

### 7. Legal fees and expenses

	2005	2004
	€	€
Counsel fees	5,376,326	2,995,773
Legal fees	979,924	764,433
Private Practitioner Schemes	1,781,617	1,669,151
Other professional fees	501,091	404,607
Other expenses	588,287	360,070
	<b>9,227,246</b>	<b>6,194,034</b>

### 8. General administration

	2005	2004
	€	€
Stationery, office and training expenses	399,460	267,540
Books and printing	147,985	99,252
Postage and telephone	894,141	887,240
Insurance	216,362	297,334
Travel and subsistence	704,347	589,827
	<b>2,362,296</b>	<b>2,141,193</b>



9. Fixed assets	Leases	Office Furniture	Equipment & Computers	Premises Fit Out	Total
	€	€	€	€	€
<b>Cost</b>					
Balance as at 01/01/05	1,681,276	1,136,964	5,515,208	2,492,096	10,825,544
Acquisitions	564,975	35,689	519,256	4,863	1,124,783
Disposals	(10,099)	0	0	0	(10,099)
Balance as at 31/12/05	2,236,152	1,172,653	6,034,464	2,496,959	11,940,228
<b>Depreciation of fixed assets</b>					
Balance as at 01/01/05	1,314,866	954,157	4,468,065	1,491,836	8,228,923
Charge in year	316,568	90,237	537,702	498,905	1,443,412
Disposals	(5,030)	0	0	0	(5,030)
Balance as at 31/12/05	1,626,404	1,044,394	5,005,767	1,990,742	9,667,306
Net book value as at 31/12/05	609,748	128,260	1,028,697	506,217	2,727,923
Net book value as at 31/12/04	366,410	182,807	1,047,143	1,000,260	2,596,620

10. Debtors and prepayments	2005	2004
	€	€
Debtors - deposit interest	85,661	70,692
Prepayments		
- Rent	124,945	110,444
- Insurance	171,395	166,363
- Salaries	8,414	11,979
- Other	90,989	91,969
	481,404	451,447

11. Creditors and accruals	2005	2004
	€	€
Amounts falling due within one year:		
Creditors & accruals	3,691,957	1,562,126
	3,691,957	1,562,126

# Legal Aid Fund

## Notes to the Financial Statements

for the year ended 31 December 2005

12. Clients' funds		€
Client funds held at 1 January (net of interest)		1,025,713
Add Awards/settlements received during 2005		9,315,373
Less Settlements paid out, including interest allowed and costs recovered		(9,465,671)
Client funds held at 31 December		875,415
Interest accruing on client funds held		14,698
Total due to clients		890,113

### 13. Commitments under operating leases

The Board occupies premises at Cahirciveen, Co. Kerry and Upper Mount Street, Dublin and operates out of 35 other centres throughout the country. The Board is committed to pay rent of € 2,740,540 during 2006 in respect of leases expiring as follows:

	€
2006	65,204
2007-2011	120,720
2012 onwards	2,554,616

### 14. Reconciliation of surplus for year to cash from operating activities

	2005 €	2004 €
(Deficit) / Surplus for year	(1,101,382)	1,253,065
Adjustment for non-operating items		
Bank interest receivable	(87,326)	(71,655)
Movement on Capital Account	(323,698)	(1,088,545)
Adjustment for non-cash items		
Depreciation	1,443,412	1,518,322
(Increase) / Decrease in debtors	(14,988)	83,210
Increase / (Decrease) in creditors	1,977,756	(87,084)
	1,893,774	1,607,313

### 15. Movement of cash and cash equivalents

	2005 €	2004 €
Balance at 1 January	3,778,829	2,540,721
Net cash inflow	848,283	1,238,108
Balance at 31 December	4,627,112	3,778,829

<b>16. Refugee Legal Service</b>	<b>2005</b>	<b>2004</b>
	<b>€</b>	<b>€</b>
Expenditure and income relating to the Refugee Legal Service are included in the financial statements as follows:		
Salaries and related expenses	<b>4,388,627</b>	4,388,043
Accommodation expenses	<b>1,733,875</b>	1,698,841
Legal fees and professional fees	<b>2,365,031</b>	1,872,058
General administration	<b>574,054</b>	491,364
Fixed assets purchased	<b>377,913</b>	201,399
	<b>9,439,499</b>	8,651,705
Less contributions from legally aided persons and costs recovered	<b>(281,959)</b>	(56,206)
<b>Total net expenditure in the year</b>	<b>9,157,540</b>	8,595,499

### 17. Comparative Figures

Some changes have been made to the presentation of items in the financial statements and the comparative figures have been restated where necessary on a basis consistent with the current year presentation.

### 18. Approval of Financial Statements

The Financial Statements were approved by the Board on June 16th 2006.

# Appendix 2

## Law Centres

### FULL TIME LAW CENTRES

LAW CENTRE	MANAGING SOLICITOR	LAW CENTRE	MANAGING SOLICITOR
<b>CAVAN</b> Newcourt Shopping Centre, Church Street, Cavan Tel: (049) 433 1110 Fax: (049) 433 1304	Mary Pat Ahern	<b>KILKENNY</b> 87 Maudlin Street, Kilkenny Tel: (056) 776 1611 Fax: (056) 776 1562	Niall Murphy
<b>CLARE</b> Unit 6A, Merchant's Square, Ennis, Co Clare Tel: (065) 682 1929 Fax: (065) 682 1939	Mary Cuffe	<b>LAOIS</b> Unit 6A, Bridge Street, Portlaoise, Co Laois Tel: (0502) 8661366 Fax: (0502) 8661362	Catherine Martin
<b>CORK</b> North Quay House, Popes Quay, Cork Tel: (021) 455 1686 Fax: (021) 455 1690	Betty Dinneen	<b>LIMERICK</b> Unit F, Lock Quay, Limerick Tel: (061) 314599 Fax: (061) 318330	Fergal Rooney
1A South Mall, Cork Tel: (021) 427 5998 Fax: (021) 427 6927	Shane Dooley	<b>LONGFORD</b> Credit Union Courtyard, 50A Main Street, Longford Tel: (043) 47590 Fax: (043) 47594	Eugene Kelly
<b>DONEGAL</b> Houston House, Main Street, Letterkenny Co Donegal Tel: (074) 912 6177 Fax: (074) 912 6086	Ray Finucane	<b>LOUTH</b> Condil House, Roden Place, Dundalk, Co Louth Tel: (042) 933 0448 Fax: (042) 933 0991	Deirdre McMichael
<b>DUBLIN</b> 45 Lower Gardiner Street, Dublin 1 Tel: (01) 874 5440 Fax: (01) 874 6896	Kevin Liston	<b>MAYO</b> Humbert Hall, Main Street, Castlebar, Co Mayo Tel: (094) 902 4334 Fax: (094) 902 3721	Thomas O' Mahony
9 Lower Ormond Quay, Dublin 1 Tel: (01) 872 4133 Fax: (01) 872 4937	Gerard Kirwan	<b>MEATH</b> Kennedy Road, Navan, Co Meath Tel: (046) 907 2515 Fax: (046) 907 2519	Vivienne Crowe
Tower Centre, Clondalkin Village, Dublin 22 Tel: (01) 457 6011 Fax: (01) 457 6007	Tom Nally	<b>MONAGHAN</b> Alma House, The Diamond, Monaghan Tel: (047) 84888 Fax: (047) 84879	Stephanie Coggans
Village Green, Tallaght, Dublin 24 Tel: (01) 451 1519 Fax: (01) 451 7989	Pauline Corcoran	<b>OFFALY</b> Harbour Street, Tullamore Tel: (0506) 9351177 Fax: (0506) 9351544	Helen O'Reilly
44/49 Main Street, Finglas, Dublin 11 Tel: (01) 864 0314 Fax: (01) 864 0362	Marie Quirke	<b>SLIGO</b> Bridgewater House, Rockwood Parade, Thomas Street, Sligo Tel: (071) 9161670 Fax: (071) 9161681	Fiona McGuire
48/49 North Brunswick Street, Georges Lane, Dublin 7 Tel: (01) 646 9700 Fax: (01) 646 9799	Hugh Cunniam	<b>TIPPERARY</b> Friars Court, Abbey Street, Nenagh, Co Tipperary Tel: (067) 34181 Fax: (067) 34083	Josephine Fair
Unit 6-8, Business Centre, Clonsilla Road Blanchardstown, Dublin 15 Tel: (01) 820 0455 Fax: (01) 820 0450	Joan Crawford	<b>WATERFORD</b> Canada House, Canada Street, Waterford Tel: (051) 855814 Fax: (051) 871237	Aidan Lynch
<b>GALWAY</b> 9 Francis Street, Galway Tel: (091) 561650 Fax: (091) 563825	Mary Griffin		
<b>KERRY</b> 1 Day Place, Tralee, Co Kerry Tel: (066) 712 6900 Fax: (066) 712 3631	Carol Anne Coolican		
<b>KILDARE</b> Canning Place, Newbridge, Co Kildare Tel: (045) 435777 Fax: (045) 435766	Edel Poole		

<b>LAW CENTRE</b>	<b>MANAGING SOLICITOR</b>	<b>PART-TIME LAW CENTRES</b>	<b>Open</b>	<b>Law Centre</b>
		<b>Location and contact telephone</b>		
<b>WESTMEATH</b>				
Paynes Lane, Irishtown, Athlone, Co Westmeath Tel: (090) 647 4694 Fax: (090) 647 2160	Phil O'Laoide	<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>WEXFORD</b>				
Unit 8, Redmond Square, Wexford Tel: (053) 9122622 Fax: (053) 9124927	Margaret O'Shea Grewcock	<b>CORK</b> Citizens Information Centre Bantry Tel: (021) 4551686	Once a month	Cork Popes Quay
<b>WICKLOW</b>				
Bridge Street, Wicklow Tel: (0404) 66166 Fax: (0404) 66197	Barbara Smyth	<b>DONEGAL</b> The Courthouse, Donegal Town. Tel: (074) 9126177	Once a month	Donegal
<b>PRIVATE PRACTITIONER CENTRE</b>				
7 – 11 Montague Court, Montague St Dublin 2 Tel: (01) 4776200 Fax: (01) 4776241		<b>KERRY</b> 52 High Street, Killarney Tel: (066) 7126900	Every Friday morning	Kerry
<b>REFUGEE LEGAL SERVICE</b>				
48/49 North Brunswick Street, George's Lane, Dublin 7 Tel: (01) 646 9600 Fax: (01) 671 0200	Frank Caffrey Grainne Brophy	<b>LEITRIM</b> The Health Centre, Leitrim Road, Carrick-on-Shannon. Tel: (043) 47590	Once a month	Longford
North Quay House, Popes Quay, Cork Tel: (021) 4554634 Fax: 021 4557622	Bernadette McGonigle	<b>LOUTH</b> Drogheda Community Services Centre, Scarlet Crescent, Drogheda Tel: (041) 9836084/9833490	First and Second Tuesday of every month	Dublin (Ormond Quay)
Seville House, New Dock Road, Galway Tel: (091) 562480 Fax: (091)562599	Cormac Faherty	<b>MAYO</b> The Pastoral Centre (Cathedral Grounds) Ballina, Co. Mayo Tel: (094) 9024334	Once a month	Mayo
<b>REGISTRATION OFFICE</b>				
Timberlay House, 79/83 Lower Mount Street, Dublin 2 Tel: (01) 631 0800 Fax: (01) 661 5011		Health Centre, Knock Road, Ballyhaunis Tel: (094) 9024334	Fourth Tuesday of every month	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: (067) 34181	Second Tuesday of every month	Tipperary
		Citizens' Information Centre, 14 Wellington Street, Clonmel. Tel: (052) 22267	Three or four times a month	Tipperary
<b>WESTMEATH</b>				
		Enterprise Centre, Bishopgate Street, Mullingar Tel: (090) 6474694	Once a month	Westmeath

# Appendix 2

## Law Centres (continued)

### REFUGEE LEGAL SERVICE INFORMATION CLINICS

It should be noted that locations dates and times of these clinics may change depending on demand for the service.

#### Doras Clinic

Address: Mount St. Alphonsus  
South Circular Road  
Limerick

Contact: Suzanne / Ella - (061) 310328  
Every Friday

#### Knockalisheen Clinic

Address: C/O Mount St. Alphonsus  
South Circular Road  
Limerick

Contact: Suzanne / Ella - (061) 310328  
Every second Tuesday.

#### Ennis Clinic

Address: Irish Refugee Council  
Unit 13 Business Park  
Carmody Street  
Ennis  
Co. Clare

Contact: Karen / Comfort - (065) 6822026  
Every second Monday.

#### Athlone Clinic

Address: Athlone Accommodation Centre  
Lissywoolen  
Ballymahon Road  
Athlone  
Co. Westmeath

Contact: Mattie - (09064) 91982  
Every second Thursday.

#### Sligo Clinic

Address: The Family Resource Centre  
The Mall  
Sligo

Contact: Vincent /Orla - (071) 9137448  
Every second Tuesday.

#### Tralee Clinic

Address: Tralee Law Centre  
1 Day Place  
Tralee  
Co. Kerry

Contact: (066) 7126945  
Every Monday and every second Wednesday.

#### Killarney Clinic

Address: 52 High Street  
Killarney  
Co. Kerry

Contact: (064) 39617  
Every Tuesday.

#### Cork Clinic

Address: Plunkett Chambers  
21-23 Oliver Plunkett Street  
Cork City

Contact: (021) 4806329  
Every Monday, Wednesday, Thursday and Friday.

#### Dublin Clinics

Address: Kilmacud House  
Uppr Kilmacud Road  
Stillorgan  
Co Dublin

Contact: (01) 2786090  
Every Thursday.

Address: Baleskin Centre  
St Margaret's Road  
Finglas  
Dublin 11

Contact: (01) 8646291  
Every Wednesday.

Address: Georgian Court  
Lr Gardiner St  
Dublin 1

Contact: (01) 8557872  
First and third Tuesday.

Address: Hatch Hall  
Lr Hatch St  
Dublin 2

Contact: (01) 6762953  
First and third Friday.



