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Mercy Law Resource Centre  
**ANNUAL REPORT 2015**

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*“A friend gave us the number for Mercy Law and we found them very helpful. They always kept in touch, kept us up-to-date and we kept them up-to-date. They helped us out a lot, without them we would have got nothing. We are very grateful, Mercy Law kept ringing and sending letters into the Council and made sure we were getting looked after. Everything turned out perfect, we got a home, we are very happy, the kids are very happy and are in school now. Everything worked out for us. We want to say a big thank you to Mercy Law. ”*





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# FOREWORD

## Chairperson of the Board of Directors, Sr Helena O'Donoghue

A warm welcome to the fifth Annual Report of Mercy Law Resource Centre (MLRC).

Nationally and internationally we are in the midst of an emergency in homelessness. The past year has been marked by soaring numbers of people, including children, without a home, by an extraordinary lack of house-building in the private and public sectors, and by increasing pressure to unfairly squeeze out the most vulnerable from accessing even very basic forms of shelter. The topic has been taken to a higher level by the voices of many voluntary agencies. It became a major issue in the recent general election, and is now the subject of a special Dáil Committee. A break-through in this persisting human log-jam is urgently needed.

In this context Mercy Law Resource Centre has provided free legal services to over 800 individuals and families in 2015, seeking to undo the barriers, legal and official, which people in homelessness experience. Situations were sometimes resolved by legal dialogue or negotiation, but MLRC has gone to court several times to defend and successfully vindicate the rights of people in dire straits and who have no other option. MLRC engages with each client equally and with empathy, affirming their dignity, exploring their entitlements, and providing the necessary skilled legal support as far as possible.

There is no right to a home in Irish law. Due to this severely limiting reality, Mercy Law Resource Centre conducted research into, and published a Report on

the case for inserting protection for such a right in the Constitution (May 2016). Judge Catherine McGuinness kindly launched that Report and highly commended the approach advocated by MLRC. The Centre has since personally presented this case at the Dáil Committee on Housing and Homelessness, to the UN Periodic Review in Geneva and to the European Parliament. Such a change in our law would give much needed protection to those who are at risk, particularly of eviction.

This Annual Report gives a detailed account of the extensive work undertaken in 2015. Providing access to legal services through clinics in hostels, developing policy approaches relevant to homelessness, conducting training programmes for other agencies in differentiating the specific legal issues of their clients, ensures a very busy workload for our dedicated and excellent staff. As the demand has continued to rise the Centre expanded to engage a third solicitor this year.

Mercy Law Resource Centre could not continue without the generous support and encouragement of its donors, volunteers, interns, friends and allies. My sincere thanks go to all who have contributed in any way, financial and otherwise, particularly to our pro bono barristers, solicitors, auditors, befrienders, and not least to our Comedy supporters - Jarlath Regan and friends. To our staff - solicitors and administrators - ably managed by Maeve Regan,

I express my sincere appreciation for their truly excellent work. To our very active Board of Directors, who take their responsibility seriously, and generously share their expertise on a voluntary basis, I say a very special 'thank-you'.

Mercy Law Resource Centre is a full-time not-for-profit organisation, providing free and independent legal services, and it relies completely on the generosity of donors. As it does not receive any State grants, fundraising is necessary to meet our yearly expenses. We are most grateful to those who have pledged financial support to us, covering up to half of our costs. To make up the shortfall we must seek other funders and would most earnestly invite you to consider making a donation of whatever you can to this very urgent work. ([www.mercylaw.ie](http://www.mercylaw.ie))

'Mercy' in the title is grounded in the ancient biblical understanding of the merciful One who sees the affliction of the Hebrew slaves, hears their cry of pain, and brings deliverance with compassion and

kindness (as told in the Book of Exodus). Our Christian ethos affirms this through its special focus on those who are excluded or rejected or forgotten in our time. It is re-echoed in the words of Catherine McAuley - 'the poor need help today and not next week'.

In the coming year Mercy Law Resource Centre hopes to continue its work of enabling distressed people to secure a home, and will continue to advocate for change in law and policy relating to the profoundly inhuman issue of homelessness.

Thank you for taking the time to read the Annual Report 2015.



Helena O'Donoghue, *Chairperson,*  
*Mercy Law Resource Centre, June 2016*



*Mercy Law Resource Centre staff*



# INTRODUCTION

MLRC Managing Solicitor, Maeve Regan

In 2015, there was an increase of 1,700 in the number of people who are homeless, an increase of 43%. The crisis in homelessness that we are now in the midst of has grown month on month since early 2014. We have not seen, since the foundation of the State, such a crisis in homelessness. MLRC, in providing free legal help for people who are facing homelessness, has worked to the best of our ability in 2015 to respond to this desperate and unacceptable crisis.

In 2015, we worked with 817 individuals and families who have found themselves in the deep distress of homelessness. We have given them legal help to access their basic legal entitlements, for example, to be put on the housing list, to be given homeless priority, for the many people we meet with major physical and mental health issues to be given medical priority, to be given decent emergency accommodation that recognises the basic needs and dignity of the adult, the child, the family.

We have held focus groups and given training to organisations working in the field of homelessness. This is to ensure that these organisations are better equipped to know the legal entitlements of the people they are helping and can refer as easily as possible to MLRC for legal help. Through our befriending service, our volunteer befrienders have given vital support and practical help to our clients, who are particularly without supports, to help them through the journey of accessing their basic legal entitlements.

We have worked to highlight the gaps in the law and how the law could be improved to help our society properly protect the dignity of every person. In this policy work, we advocate strongly for the right to housing to be protected in the Constitution, for rent supplement to meet market rent and for legal aid to be made available for people who cannot afford legal representation who are faced with eviction.

We do this work in recognition that home is central to the dignity and potential of every person.

This work is made possible by the funding so generously given to MLRC through philanthropic grants and donations. We are deeply grateful to our funders for their support for MLRC's work.

Our volunteer befrienders are at the heart of our befriending service and central to the work of MLRC. We thank them for their great generosity and care and their invaluable contribution to MLRC and to the people we are here to help. MLRC's volunteers, legal, administrative and those who have interned with us, add immensely to the work of MLRC. They enable and deepen the work that MLRC does and we are very grateful to them.

I would like to take this opportunity to thank the Chairperson and Board of Directors of MLRC, whose wisdom, vision, practicality and compassion guides and grounds the work that we do. I would like to also acknowledge with great gratitude the staff of MLRC who carry out this work every day. They are excellent. Thank you to them for their work, their true professionalism, humour, clear and bright energy, commitment and care.

MLRC provides legal help for people who are at the very edges of our society, to enable them access their basic legal entitlements with dignity. We look forward to building on this greatly needed work into the future.

Maeve Regan, *Managing Solicitor*,  
Mercy Law Resource Centre, June 2016

# ABOUT MERCY LAW RESOURCE CENTRE

Mercy Law Resource Centre (MLRC) was set up in 2009 by the Sisters of Mercy. It is an independent law centre, registered charity and company limited by guarantee. MLRC provides free legal advice and representation for people who are homeless or at risk of becoming homeless. It also seeks to advocate change in laws, policies and attitudes which unduly and adversely impact people who are at the margins of our society.

## MISSION STATEMENT

**To provide free legal advice and representation, in an accessible way, to people who are homeless or at risk of homelessness in the areas of housing and related social welfare law.**

## MLRC provides five key services:

- \* Free legal advice clinics.
- \* Legal representation in the areas of housing and social welfare law.
- \* Legal support and training to organisations working in the field of homelessness.
- \* Policy work.
- \* Befriending service.

## The need for the service

Advice and representation in housing and social welfare law are not adequately catered for by either the private sector or the State legal aid system. The legal assistance which is available is frequently limited to advice only and is often fragmented, ignoring the cluster of problems, legal and non-legal, which our client group often experience. Accessing legal help can also be extremely difficult. People who are homeless are on the extreme margins of society

and have additional hurdles in accessing legal services, rights and entitlements. They are often in highly urgent chaotic and distressing situations without the supports and means, financial and emotional, to access legal help.

Our clients are local authority tenants and people who are homeless or at risk of becoming homeless. They include people who are trying to move away from homelessness or are struggling with issues often linked to homelessness e.g. addiction, leaving prison, mental illness and relationship breakdown.

## A unique service

MLRC provides a unique service, a unique legal service. Our service is accessible and, as far as possible, shaped to meet the individual needs of each client. We meet clients at venues which are easily accessible and comfortable, and where possible in their own environment. Our clinics are in hostels for people who are homeless, and in centres linked to organisations working in the field of homelessness.

## MLRC's ETHOS

**MLRC's ethos recognises the dignity of each person.**

**We seek to ensure that all people are treated with respect and compassion and are enabled to achieve their full potential as human beings.**

**We are committed to the principles of human rights, social justice and equality.**

# FREE LEGAL ADVICE AND REPRESENTATION

Since our inception in 2009, MLRC has provided advice and/or court representation to approximately 3,900 individuals, families and organisations. In 2015, MLRC advised over 50 organisations and/or their clients, including Dublin Simon, Focus Ireland, FLAC, Crosscare and Merchants Quay Ireland. We opened our seventh clinic – in Crosscare, Cathedral Street. In 2015 we provided advice and/or court or tribunal representation to approximately 817 clients. This resulted in clients realising rights and entitlements that they would otherwise have been denied.

## MLRC's Clinics

MLRC holds free legal advice clinics in hostels for people who are homeless and in other centres that are easily accessible for people facing homelessness. Our clinics are staffed by qualified solicitors. The solicitors deal with all legal issues raised, predominantly housing law, related social welfare law and family law. The solicitors determine if a case file needs to be opened to legally represent the person to assist in a more long-term and detailed way with the individual's issue.

In 2015 we opened a new clinic in Crosscare, Cathedral Street, Dublin 1. We now hold seven free legal advice clinics:

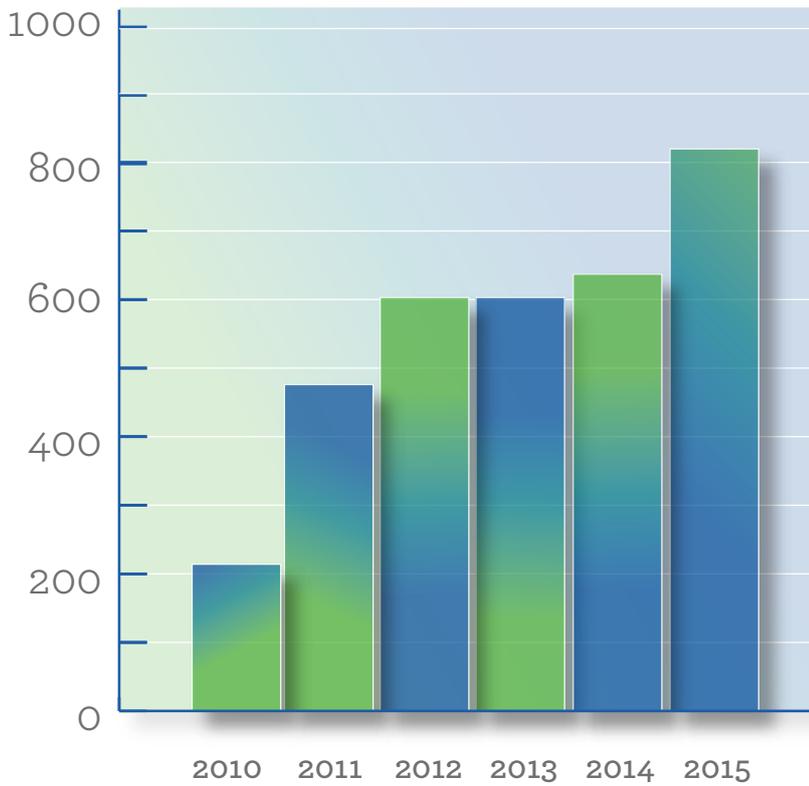
- \* Crosscare, Haven House (every second Tuesday)
- \* Crosscare, Cathedral Street (every second and fourth Thursday)
- \* DePaul, Back Lane (every Tuesday)
- \* Focus Ireland Coffee Shop (every Wednesday)
- \* Dublin Simon, Harcourt Street, Dublin 2 (every second Tuesday)
- \* Liberties Citizen's Information Centre, Meath Street, Dublin 8 (every Wednesday)
- \* Saoirse Women's Refuge, Tallaght (every second Tuesday)

## What clients have said about MLRC:

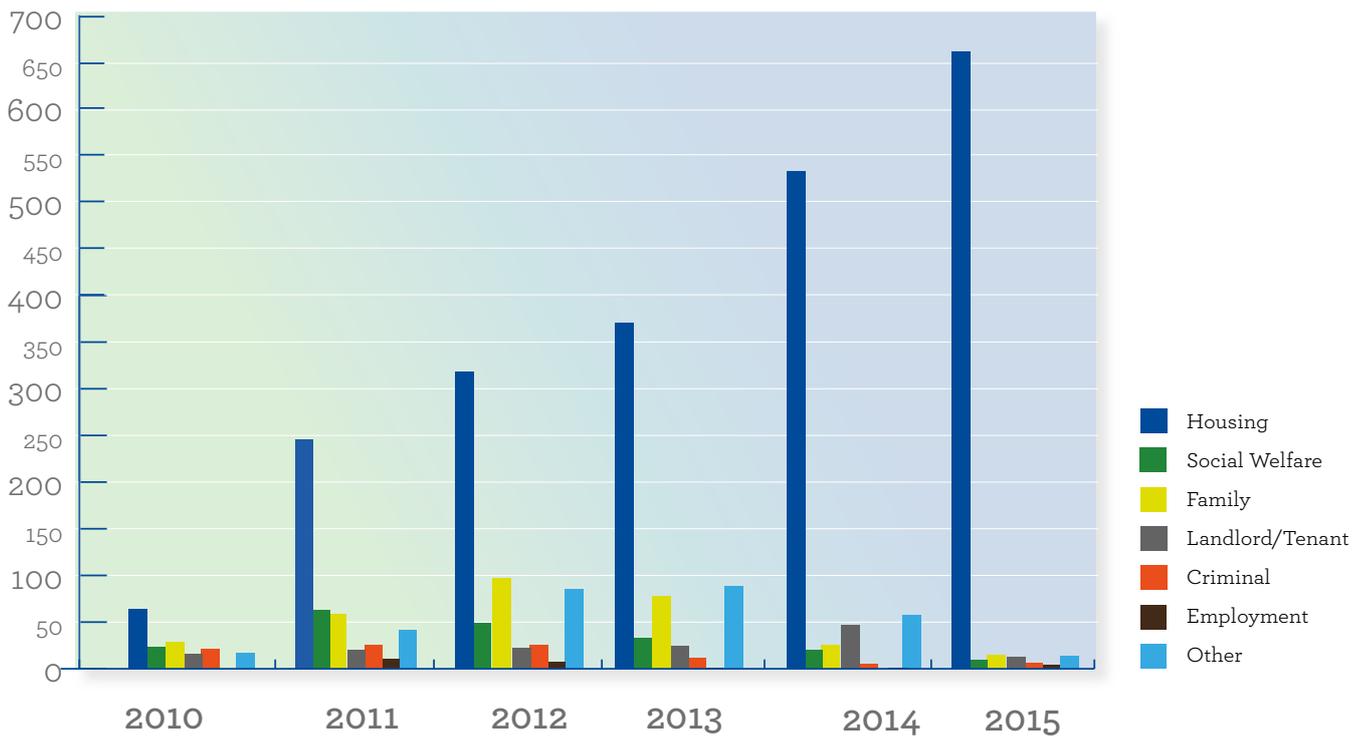
*I am very happy that I got in touch with Mercy Law to mediate with the Council for me. I found them very good... Mercy Law are very good, they are very professional, they listened to me and got me, they knew where I was coming from. I would have no hesitation in recommending them and in fact I have recommended them already to other people.*

*I would like to thank all the staff, every one of them, thank them for all the work they do. They are a godsend to people like me on their own against the Council. If it wasn't for Mercy Law I wouldn't have been sorted. I have the upmost respect for them and would like to thank all the staff of Mercy Law.*

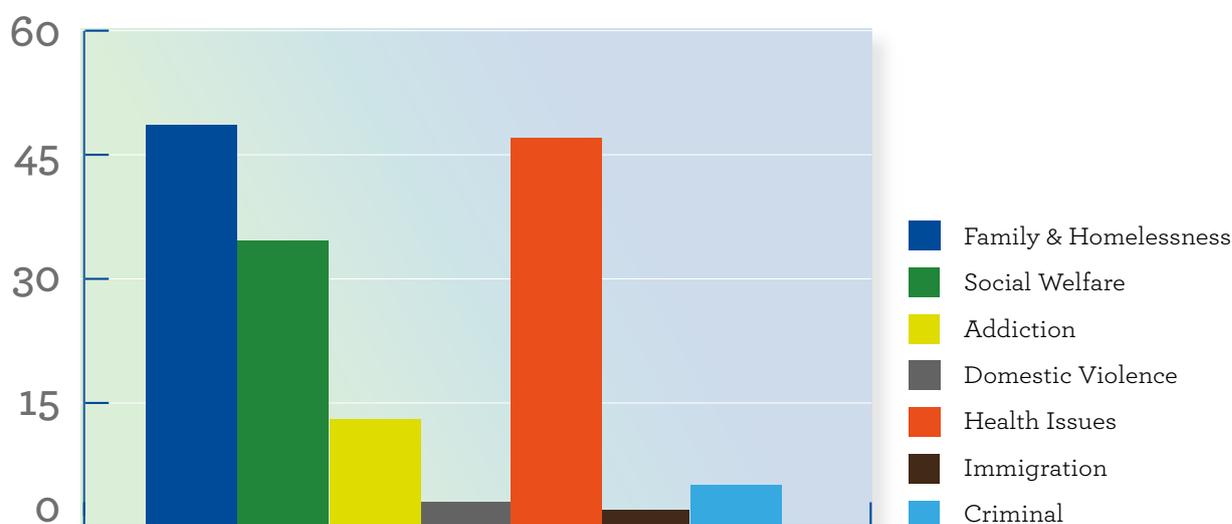
## MLRC legal advice and representation



## Types of queries advised on



## Other issues of advice clients\*



\*As disclosed by advice clients

## In 2015, the following organisations referred clients to MLRC and/or consulted MLRC for legal advice:

Addiction services  
 Anna Liffey Project  
 Barnardos  
 Beaumont Hospital  
 Bridge Street Community Probation  
 Brú na Bhfiann Hostel  
 Camden Hall Hostel  
 Cara Nua  
 Crosscare  
 Citizens Information Centres:  
 Clondalkin CIC  
 Crumlin/Dublin 12 CIC  
 Tallaght CIC  
 O'Connell Street CIC  
 Ballymum CIC  
 Galway CIC  
 Finglas CIC  
 Bantry, Cork CIC  
 Rathmines CIC  
 Liberties CIC  
 Inchicore CIC  
 Green Street CIC  
 Cluid Housing  
 Community Action Network  
 Coolock Womens Refuge

Crosscare  
 Cumas  
 Deaf Village Ireland  
 De Paul Ireland  
 Dept of Environment  
 Dolphin House Regeneration  
 Donegal Travellers Movement  
 Dublin Bay Housing  
 FLAC  
 Focus Ireland:  
 Focus Ireland, Finglas  
 Focus Ireland, Tallaght  
 Focus Ireland, Kildare West  
 Focus Ireland, Coffee Shop, Dublin  
 Dept of Education -Home School  
 Liaisons  
 Dublin City Council, housing dept.  
 Fingal County Council, housing dept.  
 DLRCC, housing dept.  
 South Dublin County Council,  
 housing dept.  
 HSE (Social Workers/OT)  
 IHREC  
 Immigrant Council of Ireland  
 Irish Homeless Networks

Iveagh Hostel  
 MABS  
 Merchants Quay Ireland  
 Mercy Family Centre  
 MS Society  
 National and local politicians  
 Offaly Traveller Movement  
 Peter McVerry Trust  
 Right of Place  
 Ruhama  
 Saoirse Women's Refuge  
 Simon Community:  
 Meath Simon  
 Dublin Simon  
 Kildare Simon  
 Drogheda Simon  
 St Michael Family Resource Centre  
 Teach Mhuire  
 Threshold, Dublin  
 Threshold, Galway  
 Trinity Court Drug Treatment  
 Tus Nua  
 Wexford Housing Action Group

## CASE STUDIES

### The unlawful application of the definition of “homelessness”

Our client was evicted from his property after three years of privately renting there. He was evicted in March 2014 and has been homeless since then. The local authority claimed that he made himself ‘intentionally’ homeless and refused to give him “homeless priority” on the housing list. This test of whether someone is “intentionally homeless” is not within our legal framework and is a clear breach and misapplication of the Housing Regulations. Without such priority, a person generally has to find shelter for him or herself each night.

After lengthy negotiations by MLRC with the Council highlighting this misinterpretation of the Housing Regulations, the local authority

reviewed this matter and backdated our clients’ homeless priority to March 2014. Homeless priority means, in practice, that a person is given a priority on the housing list, given some form of relatively stable emergency accommodation and given some supports towards finding a pathway out of homelessness.



*MLRC Staff at the launch of the 2014 Annual Report*



*MLRC's Chairperson and Managing Solicitor with Archbishop Diarmuid Martin. Archbishop Martin formally launched MLRC's 2014 Annual Report*

## Family suffering severe anti-social behaviour awarded priority on transfer list – MLRC successfully legally advocated for family to be given priority

MLRC represented a family in a case involving disturbing anti-social behaviour and persistent racist abuse. It was only after a very lengthy advocacy and representation with the Council that this matter was finally resolved.

The family moved into a property in 2010 and very shortly after began experiencing difficulties with their neighbours. These difficulties persisted. They experience frequent abuse from a group of local youths and much of this abuse was racially motivated. The types of incidents the family described involve rocks being thrown at their property and car as frequently as three to four times per week, empty beer bottles and eggs being thrown at the property, and frequent attacks on the family's car such that they were no longer able to secure car insurance and make claims with respect to any damage to the car. The abuse and anti-social behaviour suffered by the family was having an enormously detrimental impact on them. They began reporting the instances to the local council back in 2010.

In August 2011 they made an application for transfer to alternative accommodation on the basis of the ongoing anti-social behaviour. The application ran into difficulty however as the family had not provided and did not realise that a letter from the local Garda Superintendent was necessary in order to support the transfer application. The Council's position was that without such a letter, it would not process the application. At the same time no efforts were being made to address the ongoing anti-social behaviour. That onus was placed entirely on the family to progress this matter which they did by contacting their local T.D.s and Councillors.



The problems persisted and intensified throughout 2012. The Council's position appeared to be that they did not have sufficient records of the complaints and that the Gardaí had not supported the transfer application. MLRC reviewed the file and that noted that several of the incidents which the family did report to the Council were not properly recorded and also that the reports to the Gardaí mostly made by via telephone call were also not recorded.

As they were extremely unhappy with the situation, the family ceased making rental payments in early 2013 and built up various arrears. At this stage the Council indicated that they would consider the families transfer application if the arrears were discharged. The family subsequently discharged the arrears and it was only in November 2014 that the Council finally agreed to transfer the family.

MLRC became involved in this case in early 2014 and worked for a considerable period of time to obtain relevant records in order to substantiate and document the position in relation to the anti-social behaviour. The Council finally then made a positive decision and confirmed that the family had been given priority transfer status and were listed at No.5 on the transfer list.

## MLRC Client granted Need for Assistance Letter – client had been suspended from social housing list as had been evicted from her local authority house due to rent arrears

Our client presented to us as she was suspended from social housing support as she was evicted from her Council home on the basis of rent arrears. There was also an issue with abandonment.

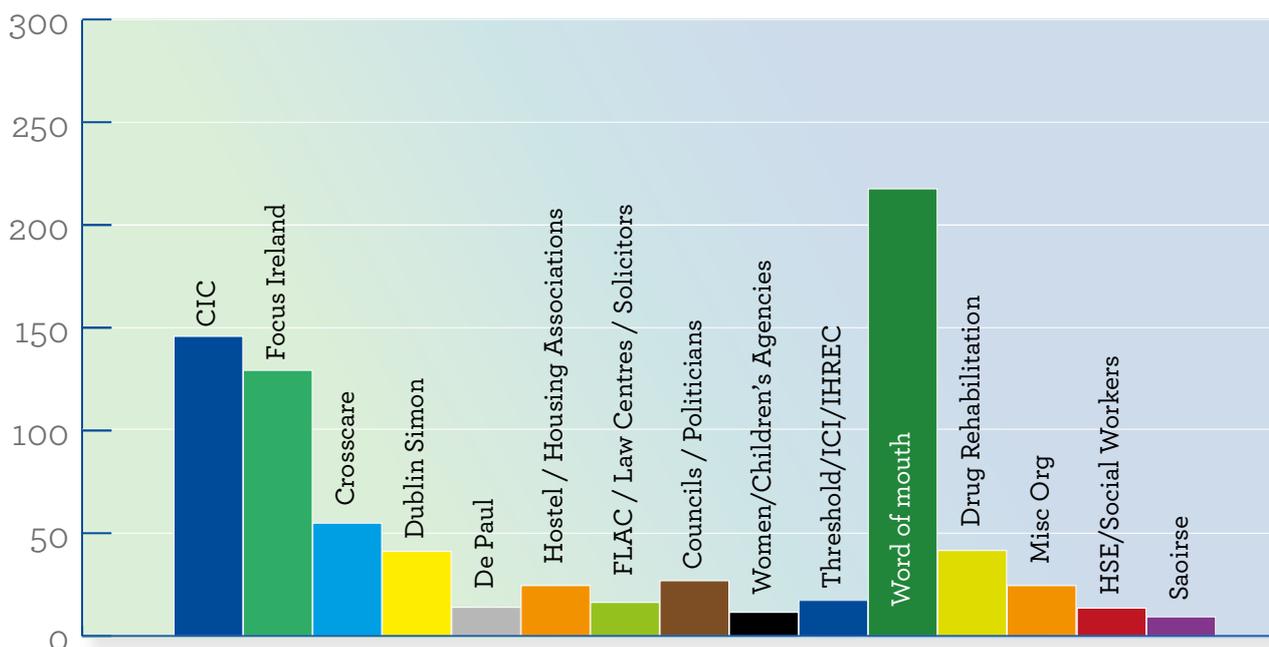
Our client was a tenant in a local authority house and had experienced anti-social behaviour from neighbours in the area. She had also experienced a traumatic assault. She was not eligible for a transfer due to arrears of rent. In 2012, this lady felt compelled to move out of the property to a refuge as she feared for her own safety and for the safety of her children. Our client and her children had been homeless since, staying intermittently in a refuge or with family members.

During this time, a Notice to Quit was issued which resulted in repossession by warrant

which was executed in 2014. However our client had left the property in 2012. Our client acknowledged that substantial arrears of rent had accrued with respect of her tenancy and she set up a repayment plan.

MLRC made representations on behalf our client together with the support of social workers, the client's GP and key workers etc and advocated on our client's behalf as to why our client should be granted a Need for Assistance Letter. The local authority considered our legal submissions and recognised that clearly our client and her children were homeless for a prolonged period of time. The local authority then provided our client with a Need for Assistance Letter which will allow our client to access rent supplement.

## How clients and queries were referred to MLRC in 2015



# LEGAL SUPPORT AND TRAINING TO ORGANISATIONS WORKING IN THE FIELD OF HOMELESSNESS

MLRC provides legal support and training to organisations working in the field of homelessness. This includes legal advice on policy issues, advice on individual cases and staff training. MLRC holds focus groups with organisations that we work with to identify issues on which MLRC can advise and provide support.

## What organisations have said about working with MLRC:

### FOCUS IRELAND

*Mercy Law provide an invaluable service for our customers in offering practical and relevant legal advice at weekly clinics. Our customers often present with complex accommodation issues that require legal direction or context. The solicitors are generous with their time and are available to our staff when we are dealing with crisis situations.*

### DE PAUL

*We have experienced Mercy Law to be a top quality legal advice and representation service delivering excellence and effecting real change in the lives of those they support. Mercy Law has been a strong advocating voice for those who do not have the resources, specialist knowledge, or face other barriers in pursuing their rights. The service users at the Migrant Homeless Action Team often face such issues.*

*The Mercy Law Team have supported our service users by providing free, competent, reliable and compassionate legal advice, representation and other legal services. Mercy Law have also supported our service by sharing knowledge and offering accurate, reliable advice to workers on cases which they were then able to progress locally. Finally, Mercy Law works to make a larger impact in the area of social policy by advocating for change on policy measures which are hurtful and disenfranchising to the already vulnerable. We would like thank the Mercy Law team for their valuable work.*





### CROSSCARE

*Change will only come about where the status quo is challenged and challenged with authority and, in many cases legal authority. Mercy Law is increasingly putting itself into a place where decision makers are required to take heed, where they are required to be more accountable and transparent on the decision made that affect people's lives. Crosscare, as services provider within the homeless sector and those of our clients that Mercy Law advises or represents are in a stronger position as a result.*

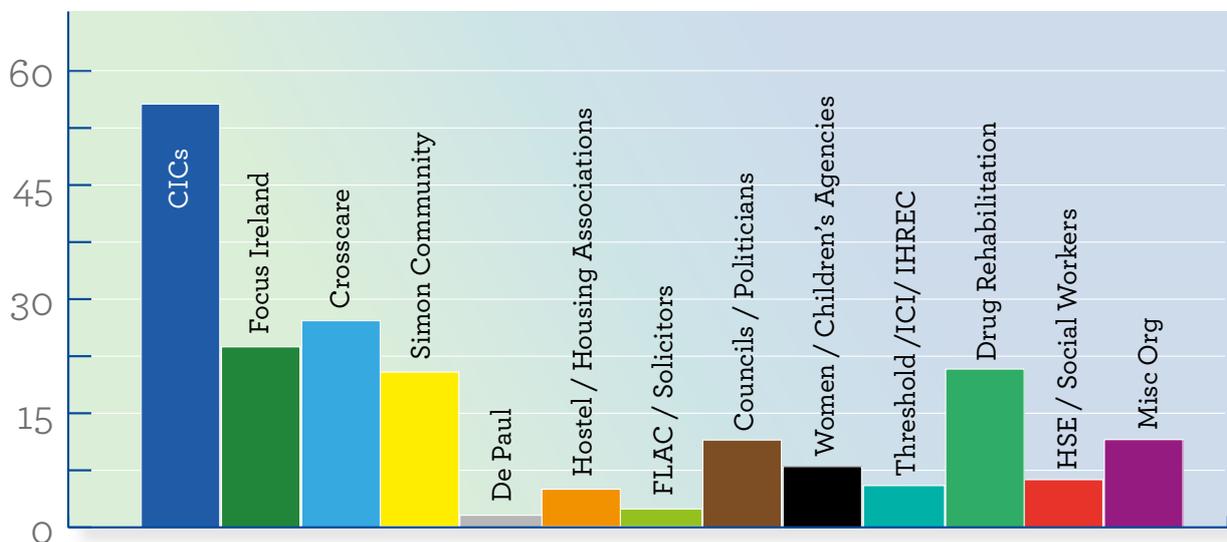


### LIBERTIES CITIZENS INFORMATION CENTRE

*2015 was a very difficult year for those seeking access to social housing supports. Our service experienced a substantial increase in the number of queries and cases seeking advice, support and assistance in relation to social housing. Through our collaboration with the Mercy Law Resource Centre we have been able to offer a much enhanced service to those at risk of homelessness, and those facing difficulties with their accommodation. We referred numerous cases to MLRC through the weekly advice clinic that it runs at our centre on Meath Street. Having access to expert legal advice and support in a setting that they are familiar with is invaluable to those using our service. Throughout the year MLRC successfully advocated on behalf of many of our service users and we look forward to continuing our work with the Centre in the year ahead.*



## MLRC advice to organisations 2015



Total organisational queries in 2015 = 220

## Legal training for organisations working in the field of homelessness

It can be very difficult to access clear, comprehensive and accurate information on the law regarding entitlements in relation to homelessness, housing and social welfare. Housing and related social welfare law can be complex.

MLRC provides training in the law for those working in the field of homelessness to support their clients, to help them identify legal issues and when it may be appropriate to refer a person for legal advice. MLRC solicitors deliver the training. The training is designed to be interactive and responsive to the issues seen by the attendees. We use a combination of presentation on the law and discussion of case studies so that attendees can enjoy interactive, lively and practical training sessions.

DUBLIN SIMON

*The training provided by Mercy Law was informative, engaging and enlightening. As well as providing updates on legislation, case law and best practice, the MLRC solicitor facilitated an interactive discussion and responded to our queries with sound practical advice. It was incredibly useful to strengthen the legal basis of our advocacy work and we look forward to continuing to partner with Mercy Law through their legal clinics, advice and case work.*

In 2015 MLRC held training workshops in housing and related social welfare law for organisations and those working in the field of homelessness including FLAC, Dublin Simon and elected local councillors of the Dublin Councils.

### Some comments on our training sessions from attendees:

*Enjoyed the training, was informative and interactive.*

*Really informative, instructor was very clear and knowledgeable about topics discussed.*

MLRC also held for the first time a comprehensive training course in social welfare, delivered over a six week period, one day per week, by Professor Gerry Whyte.

*Professor Whyte is a terrific lecturer. Thank you!*

*Excellent input.*

*Perfectly judged!*



## POLICY WORK

MLRC'S policy work is informed and grounded by our advice clinics, case work, focus groups and roundtables. Our policy work goes hand in hand with our case work, to achieve practice and policy change that helps those at the margins of our society.

### The protection of the right to housing

In 2015, MLRC continued its work in calling for the protection of the right to housing in the Irish Constitution. The right is currently not protected in the Constitution. The crisis in homelessness is due to failure in policy.

The right to housing in the Constitution would require the State in its policies and decisions to reasonably protect the right in balance with other rights. It would put in place a fundamental floor of protection in recognising that a home is central to the dignity and possibility of every person.

#### Key developments in 2015:

- \* MLRC presented to Oireachtas Technical Group on the right to housing. This was part of a full presentation by the ESC Rights Initiative, advocating for incorporating economic, social and cultural rights into the Constitution.
- \* MLRC presented, alongside Amnesty International, Ireland and the ESC Rights Initiative Chairperson, at the launch of a Private Members Bill by Thomas Pringle TD on incorporating Economic, Social and Cultural rights into the Constitution.
- \* Op-Ed by MLRC on incorporating the right to housing into the Constitution was published by the Irish Times in August. Following this, MLRC was invited onto the Late Review on TV3 to discuss the protection of the right to housing in the Constitution and how it would alleviate and protect against the recurrence of the crisis in homelessness.



UN Human Rights Council

## The UN Universal Periodic Review – MLRC highlighting the gaps in protection of the right to adequate housing in Ireland

In 1989, Ireland ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR). Article 11 provides for protection of the right to adequate housing. The UN Universal Periodic review is a five yearly review of countries' records of compliance with all human rights obligations. The Second Review of Ireland was set to take place in May 2016.

### Key developments in 2015:

- \* In September, MLRC submitted to the UN Universal Periodic Review. MLRC's submission noted the gaps in Ireland's protection of the right to housing – in particular as evidenced by the crisis in homelessness, the lack of legal aid for evictions and the failure of rent supplement to meet market rent. MLRC called for greater protection of the right in relation to these fundamental matters.
- \* MLRC joined the Steering Group for the Irish Council for Civil Liberties stakeholder report for the Review, *Your Rights Right Now*. MLRC submitted to that report in relation to the right to housing and presented at the launch of the report.
- \* MLRC attended and contributed to the Department of Justice and Equality public consultation on the Review.

## Lack of legal aid for evictions

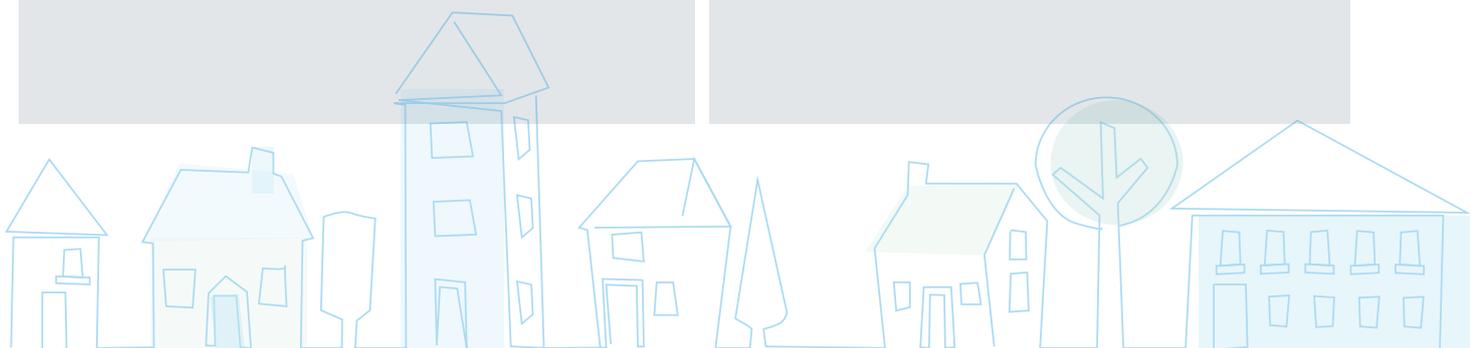
There is no legal aid available for housing matters, including for evictions, save in certain very specific circumstances. In this area of law involving a person's home, privacy and dignity, the threat and process of seeking possession for a tenant is most often a hugely stressful and chaotic time. Without access to free legal aid, local authority tenants are, in the vast majority of cases, unable to access any legal representation due to the high costs involved.

**MLRC is calling for the expansion of the State legal aid scheme to include legal aid for evictions.**

## Families facing homelessness – highlighting the need for greater protection

In 2015, an area of priority focus for MLRC was the crisis of families facing homelessness. MLRC arranged a roundtable in April, following on from focus group meetings on the issue. Michael Lynn SC and Alan DP Brady BL presented to the roundtable on the law in relation to accessing appropriate emergency accommodation. The roundtable was attended by representatives from organisations including Focus Ireland, Dublin Simon, Crosscare, Threshold, Liberties and Dublin North West CICs, Barnardos and the Irish Human Rights and Equality Commission.

**MLRC continues to represent families in this desperate situation, highlight the major gaps in legal protection, and work towards greater fundamental protections.**



## Other policy issues

MLRC is also working on other more particular policy issues which present great problems for people who are facing homelessness. Among those are:

- \* The **difficulties people who are homeless face in accessing appropriate emergency accommodation** due, for example, to the unlawful refusal to recognise people as “homeless”.
- \* The **standards of emergency accommodation** for people who are homeless, which are frequently deeply inappropriate, especially where a person has serious health issues. We are seeing adults and children now, after enduring these conditions for months, with no end in sight, suffering very severely in their physical health and their mental health.
- \* The **lack of supports for local authority tenants with serious mental health issues**. The State provides little or no supports for people with such serious issues. People with these issues often encounter major difficulties in sustaining a tenancy. Even when the person’s immediate legal issue is resolved, which is not always possible as the person may not have the capacity and tenacity needed at this chaotic time to see the process through, the issue is likely to recur as they do not have the supports to stabilise their lives on a long-term basis.



## Collaboration on policy-informing and strengthening policy and advocacy

MLRC identifies serious and recurring issues to inform our policy work through collaboration with organisations working in the field of homelessness and human rights. MLRC does this through:

- \* MLRC holds regular **focus groups** and roundtables with organisations working in the field of homelessness.
- \* MLRC is a member of a housing group, the **Housing Advocacy Network**, which is a forum to share information and identify and consider policy issues. Other members of the group include Dr Padraic Kenna (NUI Galway), Community Action Network (CAN), Focus Ireland, the Public Interest Law Alliance (PILA), Community Law and Mediation Northside and Limerick, and Ballymun Community Law Centre.
- \* MLRC meets regularly with the **housing lawyers of the independent law centres**. This informal network discusses case work and policy work to identify current issues and areas of useful policy collaboration.
- \* MLRC is a member of the **Economic, Social and Cultural Rights Initiative**. The ESC Rights Initiative is a network of organisations and individuals with a shared belief that strengthening the protection of ESC rights would play a fundamental role in the creation of a more just, inclusive and socially sustainable society. The aim of the Initiative is to ensure that ESC rights contained in the International Covenant of Economic Social and Cultural Rights (ICESCR), are made legally enforceable in the Constitution. Through this group, MLRC works to advocate for the right to housing to be provided for under Irish law.

# BEFRIENDING SERVICE

MLRC recognises that the legal system can be bewildering and daunting for many people. Our aim is to provide our clients with a service that is friendly and easy to access. To make this possible we provide a service to befriend clients who particularly need support in order to be able to assert their rights. The role of a Volunteer Befriender is to accompany the client by, for example, helping to fill in forms, accompaniment to appointments or court and providing an additional listening ear. Training is provided to all volunteers who also have the support of regular group meetings where peer support is provided.

## Befriender's Story

I have been fortunate enough to have led a comfortable life and having the opportunity to become a Befriender has allowed me to share some of the privileges I have enjoyed with other people who have not been so fortunate. It has also opened my eyes to the situations that make life very difficult for many.

I am currently accompanying a young man through the different stages of his application for a home. He suffers from a vision impairment which makes reading and writing a problem so he finds assistance with all the paperwork and interviews with housing authorities helps him a great deal.

I have personally learned a lot from him, he is a gentle and kind person and though his application is taking a long time to process and his current living conditions are difficult, he has not lost hope of achieving his goal. His dream is to have a home to which he can bring his children. It is a pleasure to work with him and I feel that I receive far more than I am giving.

## Befriender's Story

I had to fill out a form for the Council. I was put in touch with the MLRC solicitor who helped me and put a Befriender in touch with me. The Befriender spoke up for me at meetings with the Council and helped me fill in all the forms I needed. She is brilliant. She rings me all the time, she is a lovely person. I am just waiting on one more letter and then hopefully all will be sorted. I would never have been able to do this on my own, the Mercy Law solicitor and befriender helped me so much, without them I would be still sitting at home wondering where to start.



*Caitriona O'Hara befriending service coordinator with befrienders Mary O'Farrell, Orla O'Connell*

# ORGANISATION

## MLRC's Offices

Apart from the clinic outreach work, MLRC works primarily from its offices on 25 Cork Street, Dublin 8. These offices are open Monday to Friday from 9.30am to 5.30pm.

## STAFF

In 2015, MLRC had five staff members: Maeve Regan, *Managing Solicitor*, Rebecca Keatinge, *Solicitor*, Sinead Kerin, *Solicitor*, Shauna Curran, *Administrator* and Denise Fitzgerald, *Legal Secretary*. In 2015, MLRC appointed Rebecca Keatinge to the new role of full-time solicitor. In May 2015, Sinead Kerin joined the team as locum solicitor. We were delighted to welcome Rebecca and Sinead to MLRC in 2015.



Maeve Regan  
*Managing Solicitor*



Rebecca Keatinge,  
*Solicitor*



Sinead Kerin,  
*Locum Solicitor*



Shauna Curran  
*Part-time Administrator*



Denise Fitzgerald,  
*Part-time Legal Secretary*

## VOLUNTEERS

We have a number of administrative, legal and befriending volunteers working with MLRC, who greatly enhance the work of the Centre.

### Administration

Sr Caitriona O'Hara *Volunteer Administrator and Befriending Service Coordinator*,

Sr Liz Fletcher, *Volunteer Administrator*.



Sr Liz Fletcher,  
*Volunteer Administrator*



Sr Caitriona O'Hara  
*Volunteer Administrator and Befriending Service Coordinator*

### Legal

Geraldine Hynes, *Volunteer Solicitor*.



Geraldine Hynes,  
*Volunteer Solicitor*.

### Befrienders

Sorcha Casey, John Curran, Keri Goodliffe, Colette Kelly, Nuala Kennedy, Adele Lawlor, Michael Liddy, Fiona Murray, Orla O'Connell, Mary O'Farrell, Brid Sheehan, Shauna Stanley.

## INTERNSHIP PROGRAMME

MLRC welcomed interns Nessa Kilgallen, Clinical Legal Education student, NUI Galway; Conor Casey, law student, Trinity College Dublin; Clara Dorman, law student, University of Warwick; Daire McCormack George, law student, Trinity College Dublin; Feargal McConnon, law student, Trinity College Dublin; and Aisling Murray, Clinical Legal Education student, Trinity College Dublin. We are very grateful to them for their great and practical contribution to MLRC's work.



**Conor Casey was an intern with MLRC in the summer of 2015**

“ The time I spent working at the Mercy Law Resource Centre was immensely rewarding. From assisting with legal and policy research to attending client consultations. From my first day I was immersed in the work of the Centre and treated as a colleague. I was consistently struck by the courtesy, professionalism and rigour of the staff, and above all, their deep devotion to their work and clients.

The value of the service provided by the Centre to their clients cannot be overstated, nor indeed, can the good humour and kindness of its staff. Working with the Centre was a privilege, one I am very thankful for.

”

**Aisling Murray, Clinical Legal Education student, Trinity College Dublin, interned with MLRC during the autumn of 2015**

“ My time at Mercy Law Resource Centre was invaluable. In my daily work I was confronted with the realities of the homelessness crisis in Dublin through compiling media reports, conducting research and meeting with clients. The clinics held by Mercy Law allowed me to engage with and understand the difficulties faced by those who are homeless or at risk of becoming homeless.

I am incredibly grateful for the enriching experience and gained much more from my internship than I had ever expected, including an increased knowledge of the law, heightened societal awareness and the ability to engage in a more holistic recognition of societal issues. Fundamentally, I learned first-hand that Mercy Law provides an indispensable service, improving the lives of many of the most vulnerable in the community and providing an essential lifeline to those in need.

”

## COMMUNICATIONS

In 2015, MLRC issued four e-zines. MLRC's e-zine gives information to subscribers on MLRC's work and developments relevant to homelessness, housing law and related social welfare law. The website was updated regularly with blogs of relevance to MLRC's work. MLRC maintains an active social media

presence on Twitter (@MLRCLaw) and Facebook (Mercy Law Resource Centre). MLRC is active with these very useful tools in spreading the awareness of MLRC's service and developments in the law that are of interest to those we work with. To subscribe to our quarterly e-zine, please visit [www.mercylaw.ie](http://www.mercylaw.ie).

# GOVERNANCE

## Mercy Law Resource Centre is registered as:

- \* An Independent Law Centre with the Law Society of Ireland.
- \* A Charity with the Revenue Commissioners (Chy No: 18698) and with the Charities Registration Authority (Charity Registration No: 20072254).
- \* A Company Limited by Guarantee and not having share capital with the Company Registration Office (Co. Reg. No: 471072).

The Centre is governed by a Board of Directors who meets with the Managing Solicitor and the Administrator every six weeks. The Managing Solicitor presents a report on case work, policy work, compliance matters, employment matters and future development of the Centre. The Administrator presents the accounts and a report on the Befriending Service.

MLRC is registered with the Charities Registration Authority.

MLRC is on the “adoption journey” of the Governance Code. This Code is a voluntary code of practice for good governance of community, voluntary and charitable organisations.

Since 2013, MLRC has been signed up to the ICTR’s Guidelines of Principles of Fundraising. MLRC is fully committed to maintaining the standards contained within the Statement of Guiding Principles of Fundraising, to improve fundraising practice, promote high levels of accountability and transparency and to provide clarity and assurances to donors and prospective donors.



*MLRC Board of Directors: Liam Twohig, Ciara McGrath, Patrick Stagg, Helena O'Donoghue, Gerry Whyte, Deirdre Quigley, Jo Kennedy, Anne Doyle, Niall Farrell. Not in picture, Margaret Roche, Director.*

## The Directors of the MLRC Board are:

- \* **Helena O'Donoghue** (Chairperson) - Mercy Sister and Director, Sophia Housing.
- \* **Anne Doyle** - Mercy Sister, Congregational Treasurer.
- \* **Niall Farrell** - Managing Partner, Solicitor, PJF Solicitors, Newbridge, Co. Kildare.
- \* **Jo Kennedy** - Mercy Sister.
- \* **Ciara McGrath** - Project Leader, Crosscare.
- \* **Deirdre Quigley** - Senior Programme Manager, Facilities Management, Central Bank of Ireland.
- \* **Margaret Roche** - Chairwoman, 103.2 Dublin City FM.
- \* **Patrick Stagg** - Manager, Bluebell & Dublin 8 Citizens Information Service.
- \* **Liam Twohig** - Chartered Accountant & Business Partner RSM Ireland.
- \* **Gerry Whyte** - Professor, Law School, Trinity College and director of Kenya Orphan Aid.

# FINANCE

## Cost of our service

The cost of running MLRC in 2015 amounted to approximately €210,000. MLRC is totally dependent on fundraising and to date has not received any main public grants or State monies. In 2015, we received some €108,000 in grants, donations, court costs and from fundraising. The remainder of our costs was covered by the Sisters of Mercy.

The value of our service far exceeds the cost as a result of a large number of in-kind donations we receive, e.g.:

- \* Reduced rent and utilities
- \* Free conference and reception facilities
- \* Pro bono legal services by barristers
- \* Pro bono expert reports from doctors/engineers etc.
- \* Pro bono auditing and accounting service
- \* Volunteer befrienders
- \* Volunteer administrators
- \* Volunteer part-time solicitor

We estimate the value of these donations to be approximately €150,000 for which we are very grateful.

## Our main costs include:

- \* Office, such as: telephone, postage, stationery/ printing and equipment/maintenance
- \* Core salaries and employer costs of administration staff and solicitors
- \* Travel
- \* Advertising/explanatory booklets/leaflets;
- \* Project costs, i.e.:
  - ❖ Outreach clinics
  - ❖ Befriender programme
  - ❖ Internships
  - ❖ Volunteer expenses
  - ❖ Training
  - ❖ Case-work research
  - ❖ Policy research

MLRC continues to work towards becoming self-financing. We aim to do this by developing a training programme, continuing to apply for appropriate grants, and expanding our fundraising programme, including our donor programme and internal fundraising events.

*TCD Law Day in aid of MLRC.*



# FUNDERS

MLRC would like to acknowledge and thank our funders for their generous support. MLRC's funders are a combination of corporate and philanthropic organisations and individuals acting in their private capacity. We gratefully received grants and donations ranging from €50 up to €80,000. Among our funders are:

Sisters of Mercy	
Mason Hayes & Curran solicitors	
Archdiocese of Dublin	
Compass	
ESB Electric Aid and Energy for Generations Fund	



*Helena O'Donoghue, Chairperson, MLRC, Alice Leahy, Jo Kennedy, Director, MLRC.*

## Friends of MLRC

To support and become a friend of MLRC, there are three ways in which you can do so. Your support would be most gratefully received:

- \* Online: To donate online just click on the "Donate" button on our website at [www.mercylaw.ie](http://www.mercylaw.ie). Donations are made through Pay Pal.
- \* Post: You can post cheques, bank drafts or postal orders, made payable to the "Mercy Law Resource Centre", to our office at 25 Cork Street, Dublin 8.
- \* Bank transfer: Donations can be made by sending money directly to our bank account by either bank transfer or standing order, please contact MLRC for further details.

As a friend of MLRC, you help us to continue our work of helping those who are homeless or at risk of becoming homeless, through free legal advice and representation, policy work, our befriending service and education and training for those working in the field of homelessness. You will receive our quarterly e-zine and annual report and invitations to MLRC events.

For more information on becoming a Friend of MLRC please contact [info@mercylaw.ie](mailto:info@mercylaw.ie), or call the MLRC office on 01 4537459, or visit [www.mercylaw.ie](http://www.mercylaw.ie).



*Margaret Roche, Director, MLRC, with Sinead Kerin, MLRC Solicitor.*

# FUNDRAISING EVENTS

On 1 April 2015, MLRC held our second annual fundraiser – the April Fools Comedy Gala. This night was a great success, with a full house in the Sugar Club in Dublin! The show was produced and hosted by Jarlath Regan, comedian.

MLRC is most grateful to Jarlath Regan for this light-filled event which brings together the community that we work in and supporters of MLRC. MLRC is very grateful to the comedians who performed on the night Ardal O’Hanlon, Barry Murphy, Colm O’Regan and David O’Doherty. All of these artists performed completely for free. Thanks to them and all who supported the show, the event raised approximately €4,000 for MLRC.



**THE ANNUAL APRIL FOOLS DAY  
COMEDY GALA**  
IN AID OF THE MERCY LAW RESOURCE CENTRE

Tickets €15  
Purchase at [mercylaw.ie](http://mercylaw.ie)  
or call 01 4537459

Doors open 7.30 for 8pm start, unreserved seating

**APRIL 1ST SUGAR CLUB LEESON ST. TICKETS FROM MERCYLAW.IE**

With **David O'Doherty**  
**Jarlath Regan**  
**Barry Murphy**  
Plus *Secret Special Guests*



# ACKNOWLEDGEMENTS

The value of our service far exceeds the cost as a result of the large number of in kind donations we receive. MLRC would like to acknowledge and thank all those who provide services to us:

## Sophia Housing Association

Free conference and reception facilities.

## Barristers

Pro bono opinions, drafting and advocacy.

Aideen Collard BL  
Alan DP Brady BL  
Anne Marie Maher BL  
Aoife Gillespie BL  
Brian Barrington BL  
Brian Foley BL  
Claire Bruton BL  
Colin Smith BL  
Conor Dignam SC  
Conor Power BL  
Cormac O'Dúlacháin SC  
David Leonard BL  
Derek Shortall BL  
Eilis Barry BL  
Eoin Coffey BL  
Eugene Hill BL  
Feichin McDonagh SC  
John Finlay SC  
Kevin Baneham BL  
Mark de Blacam SC  
Martin Giblin SC  
Mel Christle SC  
Michael Dillon BL  
Michael Kinsley BL  
Michael Lynn SC  
Michael P O'Higgins SC  
Neil Maddox BL  
Olwyn Bennett BL  
Oran Doyle BL  
Siobhan Phelan SC  
Sunniva McDonagh SC  
Suzanne Kingston BL  
Teresa Blake SC  
Una Cassidy BL

## Auditor

Natalie Kelly, Anne Brady McQuillans DFK

Lisa Millett, Anne Brady McQuillans DFK

## Legal Cost Accountant

Tommy McEvoy, Cyril O'Neill &  
Co. Legal Costs Accountants

## Accountancy Services

Martin J Kelly & Co.

Donal Ryan & Associates

## Fundraiser – Comedy Gala

Producer and host: Jarlath Regan

Comedians: Barry Murphy, David O'Doherty,  
Ardal O'Hanlon and Colm O'Regan

## Volunteers

Volunteer Administrator and Befriending Service  
Coordinator: Sr Caitriona O'Hara

Volunteer Administrator: Sr Liz Fletcher

Volunteer Solicitor: Geraldine Hynes

Volunteer Befrienders: Sorcha Casey, John  
Curran, Keri Goodliffe, Colette Kelly, Nuala  
Kennedy, Adele Lawlor, Michael Liddy, Fiona  
Murray, Orla O'Connell, Mary O'Farrell, Brid  
Sheehan, Shauna Stanley.

Volunteer Interns: Aisling Murray, Clara Dorman,  
Conor Casey, Daire McCormack George, Feargal  
McConnon and Nessa Kilgallen.

# APPENDIX: FINANCE REPORT

MLRC's financial year runs from 1 May to 30 April.  
The following extracts are from the audited accounts  
for MLRC's financial year 1 May 2014 to 30 April  
2015

## Extracted from Audited Accounts for the financial year 1 May 2014 to 30 April 2015

Income and Expenditure Account for the financial year 1 May 2014 to 30 April 2015	2015 €	2014 €
Income (Donations)	188,742	311,545
Expenditure (Salaries/admin)	(210,829)	(209,401)
Surplus/(Deficit) for the year	(22,087)	102,144

The company has no recognised gains or losses other than the results for the year. The results for the year have been calculated on the historical cost basis. The company's income and expenses all relate to continuing operations.

Approved by the Board on 26 November 2015  
and signed on its behalf by



Helena O'Donoghue  
*Director*



Patrick Stagg  
*Director*

Balance Sheet as at 30 April 2015	2015 €	2014 €
<b>Fixed Assets</b>		
Tangible assets	<u>3,590</u>	<u>7,129</u>
<b>Current Assets</b>		
Debtors	3,983	4,096
Cash at bank and in hand	<u>143,770</u>	<u>169,387</u>
	147,753	173,483
<b>Creditors: Amounts falling due within one year</b>	<u>(4,266)</u>	<u>(11,448)</u>
<b>Net Current Assets</b>	<u>143,487</u>	<u>162,035</u>
<b>Total Assets less Current Liabilities</b>	<u><u>147,077</u></u>	<u><u>169,164</u></u>
<b>Reserves</b>		
Income and expenditure account	<u>147,077</u>	<u>169,164</u>
Members' Funds	<u><u>147,077</u></u>	<u><u>169,164</u></u>

Approved by the Board on 26 November 2015  
and signed on its behalf by

Helena O'Donoghue  
Director

Patrick Stagg  
Director



**Mercy Law Resource Centre**

25 Cork Street, Dublin 8

**T** 01 453 7459 **F** 01 453 7455

**E** [info@mercylaw.ie](mailto:info@mercylaw.ie)

**W** [www.mercylaw.ie](http://www.mercylaw.ie)

 Mercy Law Resource Centre

 Mercy Law MLRC

